



Council of the
European Union

Brussels, 23 July 2014
(OR. en)

12143/14

PECHE 372
DELECT 130

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	22 July 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2014) 5033 final
Subject:	COMMISSION DELEGATED REGULATION (EU) No .../.. of 22.7.2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council with regards to the content and construction of a common monitoring and evaluation system for the operations funded under the European Maritime and Fisheries Fund

Delegations will find attached document C(2014) 5033 final.

Encl.: C(2014) 5033 final



Brussels, 22.7.2014
C(2014) 5033 final

COMMISSION DELEGATED REGULATION (EU) No .../..

of 22.7.2014

supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council with regards to the content and construction of a common monitoring and evaluation system for the operations funded under the European Maritime and Fisheries Fund

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The result orientation of the European Structural and Investment Funds requires a better monitoring and evaluation system, and all the ESI funds have introduced provisions in this regard, including the European Maritime and Fisheries Fund (EMFF).

Implementing a common monitoring and evaluation system for the EMFF requires that the same set of common indicators is used during the whole period and in particular for the following actions: preparation of the Operational Programmes, realisation of the ex-ante evaluation as well as the other evaluations foreseen in the regulations, preparation of the evaluation plan, and the report on the operations selected for funding and Annual Implementation Reports. Furthermore, the allocation of the Performance Reserve in 2018 will be decided on the basis of the progress of the implementation as measured by the common financial and output indicators.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultations have been carried out in line with paragraph 4 of the Common Understanding on delegated acts between the European Parliament, the Council and the European Commission.

All parts of the act have been discussed at expert group meetings involving experts from all Member States. The European Parliament and the Council were duly notified of the dates of the meetings, agendas and relevant documents to enable requests to attend the meetings. The proposed content of the delegated act was discussed in the expert group meeting on 7 March 2013, 22 May 2013 and 18 March 2014.

The meetings allowed for a full presentation of the Commission's draft provisions and a thorough exchange of views on all aspects of the draft. The procedure consisted of clarifying the Commission's approach, hearing experts' views and further refining the draft text accordingly. This allowed rules to be clarified and specified in response to experts' comments. In all cases, the experts were also able to submit written comments following the meeting. The questions and comments informed the drafting of the rules concerned.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 107(1) of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund empowers the Commission to adopt delegated acts to define the content and construction of the common monitoring and evaluation system for the EMFF. Article 109 of Regulation (EU) No 508/2014 defines the characteristics of the common indicators as well as their objectives, and provides that they shall be specified in the monitoring and evaluation system provided for in Article 107. Article 107(3) of the same Regulation provides for the obligation for Member States to provide the necessary information to the Commission to allow for the monitoring and evaluation of the relevant measures. The act complements the different elements of the monitoring and evaluation system as defined in Article 27.4 of Regulation (EU) No 1303/2014 of the European Parliament and of the Council of 17 December 2013 laying down

common provisions, and in Part two of Title V of the same Regulation, which contains the rules relative to monitoring and evaluation and gives further details on the use of common indicators.

COMMISSION DELEGATED REGULATION (EU) No .../..

of 22.7.2014

supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council with regards to the content and construction of a common monitoring and evaluation system for the operations funded under the European Maritime and Fisheries Fund

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council¹, and in particular Article 107(1) in conjunction with Article 109(1) thereof,

Whereas:

- (1) Article 107 of Regulation (EU) No 508/2014 provides for the establishment of a common monitoring and evaluation system with a view to measuring the performance of the European Maritime and Fisheries Fund ('EMFF'). That system should help in particular to demonstrate the progress and achievements of the Common Fisheries Policy and the Union's Integrated Maritime Policy; to assess the effectiveness, efficiency and relevance of EMFF operations; to contribute to better targeted support for the Common Fisheries Policy and the Integrated Maritime Policy; to support a common learning process related to monitoring and evaluation; and to provide robust, evidence-based evaluations of the EMFF operations that feed into the decision-making process.
- (2) The content and the construction of the common monitoring and evaluation system should be defined in order to ensure that sufficient and appropriate evaluation activities are undertaken. It is therefore necessary to determine a list of common indicators to be used by the Member States so that data can be aggregated at Union level and the performance of the EMFF can be assessed by the Commission in relation to the policy objectives set out in Regulation (EU) No 508/2014.
- (3) According to Article 109 of Regulation (EU) No 508/2014 the common indicators must be applicable to each programme and must relate to the initial situation as well as to the financial execution, outputs and results of the programme. Those common

¹ OJ L 149, 20.5.2014, p. 1.

indicators shall also be used for the performance review referred to in Article 21(1) of Regulation No 1303/2013.

- (4) The common indicators should be in accordance with the indicators set out for programme priorities in Article 27 (4) of Regulation 1303/2013 of the European Parliament and of the Council², which include indicators related to expenditure allocated, output indicators related to the operations supported and result indicators relating to the priority concerned. They should also include context indicators related to the initial situation before the implementation of the programme.
- (5) The indicators referred to in Article 107(2) of Regulation (EU) No 508/2014 relate to the impact of the programme at the level of each Union Priority and are not covered by this Regulation,
- (6) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

HAS ADOPTED THIS REGULATION:

Article 1

Content and construction of the monitoring and evaluation system

1. The common monitoring and evaluation system referred to in Article 107 of Regulation (EU) No 508/2014 shall be constituted of the following elements:
 - (a) an intervention logic showing the interactions between priorities, focus areas and measures as provided for in Article 18(1)(a) and Article 116 of Regulation (EU) No 508/2014;
 - (b) the set of common indicators referred to in Article 109 of Regulation (EU) No 508/2014 ;
 - (c) the relevant cumulative data on operations selected for funding, as provided for in Article 97(1)(a) of Regulation (EU) No 508/2014;
 - (d) the annual report on the implementation of the operational programme, as provided for in Article 114 of Regulation (EU) No 508/2014 in conjunction with Article 50 of Regulation (EU) No 1303/2013;
 - (e) the evaluation plan as provided for in Article 115 of Regulation (EU) No 508/2014 in conjunction with Article 56 of Regulation (EU) No 1303/2013;
 - (f) the ex ante and ex post evaluations and all other evaluation activities linked to the EMFF programme, as provided for in Articles 115, 116 and 117 of

² Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320)

Regulation (EU) No 508/2014 in conjunction with Article 55, 56 and 57 of Regulation (EU) No 1303/2013.

- (g) the performance review as provided for in Article 21(1) of Regulation (EU) No 1303/2013.
2. When applying Articles 97(1)(a) and Articles 114 to 117 of Regulation (EU) No 508/2014, in conjunction with Articles 21(1), 50, 55, 56, 57 of Regulation 1303/2013, the managing authority shall use the list of common indicators referred to in Article 109 of Regulation (EU) No 508/2014 throughout the different elements of the common monitoring and evaluation system.

Article 2
List of Common Indicators

The list of common indicators referred to in Article 109 of Regulation (EU) No 508/2014 is set out in the Annex to this Regulation.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22.7.2014

For the Commission
The President
José Manuel BARROSO