Council of the European Union

Brussels, 18 July 2025
(OR. en)

11757/25

Interinstitutional File:
2025/0235 (COD)

PECHE 223

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	17 July 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 559 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the conditions for the implementation of the Union support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy as part of the National and Regional Partnership Fund set out in Regulation (EU) [NRP Fund] for the period from 2028 to 2034

Delegations will find attached document COM(2025) 559 final.

Encl.: COM(2025) 559 final

EUROPEAN
COMMISSION

Brussels, 16.7.2025
COM(2025) 559 final

2025/0235 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing the conditions for the implementation of the Union support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy as part of the National and Regional Partnership Fund set out in Regulation (EU) […] [NRP Fund] for the period from 2028 to 2034

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

On 16 July 2025, the Commission adopted a proposal for the next multi-annual financial framework ('MFF') for the period 2028-2034. This includes support to the implementation of the Common Fisheries Policy, to the European Ocean Pact and to the Union's maritime and aquaculture policy as part of the National and Regional Partnership Fund (the Fund).

Such funding is a key enabler for the generational renewal and energy transition of fisheries, sustainable aquaculture activities, and processing and marketing of fishery and aquaculture products, sustainable blue economy in coastal, island and inland areas, marine knowledge, skilling of blue economy related activities, the resilience of coastal communities and in particular of small-scale coastal fishing, the strengthening of international ocean governance and observation and enabling seas and ocean to be safe, secure, clean and sustainably managed.

The Fund will contribute to the implementation of the CFP as referred to in Article 43(2) TFEU, and Article 2 of the [CFP Regulation] as well as the activities laid down under the European Ocean Pact.

As a global ocean actor and the world's fifth largest producer of seafood, the Union has a strong responsibility to protect, conserve and sustainably use the oceans and their resources.

Moreover, safe and secure seas and oceans are essential for an efficient border control and for the global fight against maritime crime, thereby addressing citizens' security concerns.

• Consistency with existing policy provisions in the policy area

The CFP, the European Ocean Pact, maritime policy and aquaculture Regulation will be operating within the National and Regional Partnership Plan (NRP Plan) and its single rulebook. It will build upon the visibility and effectiveness of EMFAF, the European Maritime, Fisheries and Aquaculture Fund which has been helping to achieve sustainable fisheries and conserve marine biological resources. It also helps achieve the UN's Sustainable Development Goal 14 ('conserve and sustainably use the oceans, seas and marine resources'), to which the EU is committed. Therefore, while tightly connected to the NRP Plan, the CFP, Ocean Pact, maritime policy and aquaculture will maintain its independent legal base as set out in Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

Efficient and effective implementation of actions supported by the NRP Plan, including for the fisheries and ocean related activities, depends on good governance and partnership between all actors of the sector, while using effectively the support in guiding the energy transition of the sector in the coming years, and recognising the critical role of oceans and their ecosystems in providing services beyond the fisheries sector – where carbon sink functions should be well recognised and enhanced.

• Consistency with other Union policies

The CFP, Ocean Pact, maritime and aquaculture policies aim to improve synergies and coherence with other measures contributing in food security, preservation and restoration of biodiversity and aquatic ecosystems, and all dimensions of the Ocean under the National and Regional Partnership (NRP Plan), in particular within the framework of cohesion policy, agriculture policy support, as well as with the European Competitiveness Fund and the Global Europe Fund. The complementarities between the policies covered under this Regulation

relate mostly to investments in the support to coastal communities, the support to skills, training, working conditions and attractivity of the sector.

This proposal is also consistent with the objectives of the Common Agricultural Policy when it comes to providing food and it is a vital contributor to the overarching food security ambitions, maintaining a well-functioning internal market for fisheries and aquaculture products and sustainability (Common Market Organisation, similar to agriculture). On rural development, synergies and overlap are possible when aquaculture activities are involved and/or coastal areas are concerned, but such support is still limited and more efforts are necessary to reinforce these synergies.

The proposal and its objectives are consistent with the Union's policies, especially environmental, climate, cohesion, agriculture, social, market and trade policies.

This proposal is consistent with the initiatives set out in the Ocean Pact as an integrated approach to funding and ocean-relevant policies that cover a broad range of elements: the conservation of marine biological resources as one of the five EU exclusive competences, the restoration of marine biodiversity, the management of and innovation in fisheries and sustainable aquaculture activities, the activities on implementing the CFP, ocean knowledge, maritime security, food security, developing and scaling-up a competitive and sustainable blue economy, including offshore and ocean energy, biotech and desalination, safeguarding underwater cultural heritage, supporting other blue economy sectors and industries to become climate neutral, deploy smart solutions, as well as support maritime spatial planning.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

Articles 42, 43(2), 91(1), 100(2), 173(3), 175, 188, 192(1), 194(2), 195(2) and 349 of the Treaty on the Functioning of the European Union. In particular:

Articles 38 and 42(3) TFEU empowers the Union to define and implement a common agriculture policy (CAP) and common fisheries policy (CFP). Article 39 TFEU sets the objectives of the CAP, which include the increase of agricultural productivity, a fair standard of living for the agricultural community, stabilise markets, assure the availability of supplies and that these supplies reach consumers at reasonable prices. Article 42 TFEU enables the Union to determine the extent to which Union rules on competition and State aid apply to production and trade in agricultural products listed in Annex I to TFEU.

Article 175 TFEU lists the Structural Funds, which shall support the achievement of 2 economic, social and territorial cohesion – the European Agricultural Guidance and Guarantee Fund, Guidance Section; European Social Fund; European Regional Development Fund. Article 177 TFEU provides that "the European Parliament and the Council […] shall define the tasks, priority objectives and the organisation of the Structural Funds, which may involve grouping the Funds."

• Subsidiarity (for non-exclusive competence)

The conservation of marine resources, being an EU exclusive competence, puts a responsibility on the Union in terms of policy making and financing. Provisions of the proposal are implemented within the frameworks of shared management, direct management and indirect management, in accordance with the Financial Regulation.

The CFP, Ocean Pact, maritime and aquaculture Regulation is underpinned by the subsidiarity principle. Under shared management, the Commission delegates strategic programming and implementation tasks to the EU Member States and regions. It also limits EU action to what is

necessary to achieve its objectives as laid down in the Treaties. Shared management aims to ensure that decisions are taken as closely as possible to the citizen and that EU-level action is justified in light of the possibilities and specificities at national, regional or local level. Shared management brings Europe closer to its citizens and connects local needs with European objectives. Moreover, it increases ownership of EU objectives, as Member States and the Commission share decision-making power and responsibility.

- **Proportionality**

In accordance with the principle of proportionality, the proposed Regulation does not go beyond what is necessary to achieve the objectives mentioned under proposed Regulation (EU) […] for a National and Regional Partnership Fund.

The proposed provisions comply with the proportionality principle as they are appropriate, necessary and no other less restrictive measures are available to obtain the desired policy objectives.

The proposal aims at enhancing previous simplification efforts, by further unifying and consolidating rules.

- **Choice of the instrument**

Proposed instrument: Regulation of the European Parliament and of the Council to establish the conditions for the CFP, the European Ocean Pact, maritime policy and aquaculture. The future Fund should continue to be the main instrument to provide financing to support ambitious implementation and delivery under the CFP, continuing the drive for concrete delivery on the Union's objectives, both within the EU and at international level. The CFP provides a cornerstone as one of the 5 exclusive policies of the Union: the combination of its regulatory framework, combined with support for transition, has proven to be effective in maintaining fish stocks or bringing them back to healthy levels – especially where progress has been slower - and promoting sustainable aquaculture. The conservation of marine resources, being an EU exclusive competence, puts a responsibility on the Union in terms of policy making and financing. This will require continued support to provide for the evidence base for conservation measures and management of fish stocks, data collection, and the provision of scientific advice and knowledge, and also to contribute to the implementation of the revised Control Regulation. With negative externalities and fluctuating environmental factors being the norm for the fisheries sector, it is especially important that the proper financial means are in place to support adaptation when needed, as well as provide a more strategic planning in terms of innovation and promoting the sustainability agenda for fisheries and aquaculture. This has to be properly steered and supported. Fisheries and aquaculture are an integral part of EU food production.

The EU Member States together possess the largest Exclusive Economic Zone in the world; we have an obligation and an opportunity to take the lead. We therefore need to promote our flagship ambitions and actions beyond Europe. That is why we need continued funding to finance the international cooperation: Sustainable Fisheries Partnership Agreements (SFPAs), and Regional Fisheries Management Organisations (RFMOs), creating the appropriate levers and enabling outcomes as well as promoting high global standards and advancing the EU agenda on ocean governance. The EU's coastal communities are the most exposed and vulnerable to climate change, and so they need our support and guidance - coastal and social resilience are key (especially in terms of climate change mitigation/adaptation). Businesses operating in the blue economy, whether in the transport, energy, or tourism sectors have common needs.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

The preliminary results of the ex post evaluation of the EMFF Regulation (201407-201420) and the mid-term evaluation of the EMFAF Regulation (2021-2027) show that the previous EU funds targeting similar areas of support have positive impacts on the fisheries and aquaculture sectors, have contributed to the implementation of the Common Fisheries Policy, including the conservation of marine biological resources, especially through improvements to fisheries control and enforcement, as well as data collection. They have also made positive contributions the maritime policy, International Ocean Governance and the development of coastal communities and the sustainable blue economy.

- **Stakeholder consultations**

The Commission actively engaged with the stakeholders in the process of the initiative, notably through dedicated events and public consultation activities, as detailed in the corresponding chapter of the explanatory memorandum of the proposal for a Regulation (EU) […] for a National and Regional Partnership Fund.

- **Collection and use of expertise**

Information about the Commission's use of external expertise is provided in the corresponding chapter of the explanatory memorandum of the proposal for a Regulation (EU) […] for a National and Regional Partnership Fund.

- **Impact assessment**

Information about the Commission's Impact Assessment is provided in the corresponding chapter of the explanatory memorandum of the proposal for a Regulation (EU) […] for a National and Regional Partnership Fund.

- **Regulatory fitness and simplification**

The initiative is expected to contribute to a significant reduction of administrative burden and costs, as well as improved efficiency in the implementation of Union support, see also the corresponding chapter of the explanatory memorandum of the proposal for a Regulation (EU) […] for a National and Regional Partnership Fund.

- **Fundamental rights**

The Union support will be implemented in compliance with the Charter of Fundamental Rights of the European Union and the principle of the rule of law, as set out in Article 2(a) of Regulation (EU, Euratom) 2020/2092, see also the corresponding section in the explanatory memorandum of the proposal for a Regulation (EU) (NRP Regulation).

Alongside the Conditionality Regulation which will continue to apply to the whole of the EU budget, this Regulation includes strong safeguards to ensure that the funds are implemented in compliance with the Charter of Fundamental Rights of the European Union and the principles of the rule of law, as set out in Article 2(a) of Regulation (EU, Euratom) 2020/2092. The inclusion in the future Plans of reforms linked, inter alia, to recommendations from the Rule of Law Report is also expected to enhance the protection of fundamental rights and strengthen compliance with the Charter.

This initiative will also respect the principles of the United Nations Convention of Rights of persons with disabilities.

4. BUDGETARY IMPLICATIONS

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5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

The Union support under this proposal will be implemented though shared management by the Member States and direct/indirect management by the Commission. The implementation of the Union support will be monitored through the performance framework applicable for the 2028-2034 multiannual financial framework, which is set out in the proposal for a Regulation (EU) […] [Performance framework]

- **Explanatory documents (for directives)**

The majority of delivery and implementation rules of support to the implementation of the Common Fisheries Policy, to the European Ocean Pact and to maritime and aquaculture policy as part of the National and Regional Partnership Fund are covered in Regulation (EU) [NRP Regulation].

- **Detailed explanation of the specific provisions of the proposal**

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 42, Article 43(2), Article 91(1), Article 100(2), Article 173(3), Article 175, Article 188, Article 192(1), Article 194(2), Article 195(2) and Article 349 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) This Union support will be provided under the National and Regional Partnership Fund, in accordance with the rules governing that Fund and set out in [Regulation (EU) [NRP Fund].

(2) The Union support shall also contribute to the activities as set out in the European Ocean Pact and contribute to the Union's objective of the sustainability of our ocean, and climate neutrality target, the sustainability, competitiveness and resilience of the European Union fisheries and aquaculture sector, the sustainability, resilience and competitiveness of the European blue economy, the resilience of coastal and island communities, as well as outermost regions, and the enhancement of ocean governance and ocean observation, including through Copernicus, the Union's Earth Observation programme and its marine-related services.

(3) The National and Regional Partnership Fund should contribute to achieving the environmental, economic, social and employment objectives of the Common Fisheries Policy (CFP), as set out in Article 2 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council[3]. Such support should ensure that fishing

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1 OJ C , , p. .

2 OJ C , , p. .

3 Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22, ELI: http://data.europa.eu/eli/reg/2013/1380/oj).

activities are sustainable in the long term and are managed in a way that is consistent with the objectives as set out in Article 2 of the CFP Regulation.

(4) The initiatives set out under the European Ocean Pact need to be supported and promoted with investments and funding from private and public sources. An integrated approach to funding and ocean-relevant policies will cover a broad range of elements such as: the conservation of marine biological resources as one of the five EU exclusive competences, the conservation and restoration of marine biodiversity, the management of and innovation in fisheries and aquaculture activities aiming at the sustainability and resilience of these sectors, the activities on implementing the CFP, generational renewal, ocean knowledge and observation, maritime security, food security, developing and scaling-up a competitive and sustainable blue economy, including but not limited to offshore and ocean energy, biotech and desalination, safeguarding underwater and coastal cultural heritage, supporting other blue economy sectors and industries to become climate neutral, deploy smart and zero emission solutions, building on science and the Ocean Research and Innovation Strategy as well as support to maritime spatial planning and maritime regional cooperation at sea basin level as well as the sustainable, resilient territorial development of coastal communities, islands and outermost regions.

(5) Small-scale coastal fishing is carried out by marine and inland fishing vessels of an overall length of less than 12 metres and not using towed fishing gear, and by fishers on foot, including shellfish gatherers. That sector represents nearly 75 % of all fishing vessels registered in the Union and nearly half of all employment in the fisheries sector and is an important part of the economic fabric of coastal areas. Operators from small-scale coastal fisheries are particularly dependent on healthy fish stocks for their main source of income. Therefore, the particular needs of small-scale coastal fishing, and the contribution to environmental, economic and social sustainability of fishing operations, as defined in the CFP Regulation 1380/2013 should be addressed in the National and Regional Partnership (NRP) Plans, as set out in Article 22 of [NRP Regulation].

(6) With the aim of encouraging sustainable fishing practice, the Member States should aim to give operators from small-scale coastal fisheries preferential treatment, through a maximum 100 % aid intensity rate.

(7) Member States should take into account in their NRP Plan the activities set out in the European Ocean Pact for the conservation and restoration of marine biological resources, the restoration of marine biodiversity, the management of and innovation in sustainable fisheries and aquaculture activities, building on innovative solutions produced by research and science, maritime security, the development of a competitive and sustainable blue economy, protecting and empowering coastal communities and islands and the promotion of maritime regional cooperation at sea basin level.

(8) It should be possible to support actions related to fisheries, aquaculture and blue economy that contribute to the achievement of the environmental and climate change mitigation and adaptation objectives of the Union, including the energy transition for all sectors.

(9) The Common Market Organisation (CMO) for fishery and aquaculture products, as established by Regulation (EU) No 1379/2013, is a key pillar of the Common Fisheries Policy and plays a vital role in ensuring the stability and transparency of EU fishery and aquaculture markets. To this end, Member States shall take into account in their NRP Plan support, notably for the establishment and strengthening of Producer

Organisations, the implementation and enforcement of marketing standards, the collection and dissemination of market data at the national level.

(10) The Common Fisheries Policy is based on science-based decision making and the fulfilment of adequate controls and no tolerance for illegal, unreported and unregulated fishing. Member States should be supported to implement EU corresponding legislation and ensure activities in these areas are planned.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

1. This Regulation lays down specific conditions for the implementation of the Union support in accordance with the general objectives laid down in Article 2 of Regulation XX [NRP Fund], and in particular point (d) thereof. The Union support shall contribute to the activities as set out in the European Ocean Pact and to the implementation of the Common Fisheries Policy.

   This Union support shall be provided under the National and Regional Partnership Fund, including the EU Facility in accordance with the rules governing that Fund and set out in Regulation (EU) […] [National and Regional Partnership Fund].

Article 2

Support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy

1. Support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy shall support the general objectives set out in Article 2 (d) of [the NRP regulation].

Article 3

Support for the Common Fisheries Policy, the European Ocean Pact and the Union's maritime and aquaculture policy

1. Member States shall take into account in their NRP Plan the specific needs of fisheries, aquaculture and coastal communities and in particular of small-scale coastal fishing in line with Article 22 (2)(i) of [the NRP regulation].

2. Member States shall take into account in their NRP Plan the contribution to environmental, economic and social sustainability of fishing operations and the balance between the fishing capacity of the fleets and the available fishing opportunities as reported annually by Member States in accordance with Article 22(2) of Regulation (EU) No 1380/2013.

3. Member States shall set out in their NRP Plan the maximum aid intensity rates for the different categories of operations supported under the NRP Plan. For operations related to small-scale coastal fishing, Member States may grant a maximum 100 % aid intensity rate.

4. An application for support submitted by an applicant shall be inadmissible for at least the time as defined in the delegated act as referred to in Article XX of Regulation XX [NRP Fund] (Control system for farm stewardship and common fisheries policy) if it has been determined by the competent authority that the applicant concerned:

(a) has committed serious infringements under Article 42 of Council Regulation (EC) No 1005/2008[30] or Article 90 of Regulation (EC) No 1224/2009 or under other legislation adopted by the European Parliament and the Council within the framework of the CFP;

(b) has been involved in the operation, management or ownership of a fishing vessel included in the Union IUU vessel list as set out in Article 40(3) of Regulation (EC) No 1005/2008, or of a vessel flying the flag of countries identified as non-cooperating third countries as set out in Article 33 of that Regulation; or

(c) has committed any of the environmental offences set out in Articles 3 and 4 of Directive 2008/99/EC of the European Parliament and of the Council[31], where the application for support is submitted for the aquaculture specific interventions.

For the purposes of the verification referred to in the first subparagraph (a) of this paragraph, a Member State shall provide, on request from another Member State, the information contained in its national register of infringements referred to in Article 93 of Regulation (EC) No 1224/2009.

Article 4

Rules for providing support

1. Support to fishing fleet or operators that does not comply with the WTO agreement on fisheries subsidies and with the objectives of the CFP as referred to in Article 43(2) TFEU, and Article 2 of the CFP Regulation shall not be supported.

2. Beneficiaries shall be required to continue to comply with the CFP and not to commit any of the infringements and offences listed in Article 3 (4) points (a) to (c) within 5 years.

3. The transfer or reflagging of fishing vessels to third countries, including through the creation of joint ventures with partners of third countries and the transfer of ownership of a business are not eligible to receive support.

4. Deep sea mining shall not be supported.

Article 5

Entry into force and application

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

It shall apply from the date of application of Regulation (EU) […] establishing the National and Regional Partnership Fund for the period 2028-2034.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*