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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Regulation amending the European Maritime, Fisheries and Aquaculture Fund
	- Policy debate

1. The European Maritime, Fisheries and Aquaculture Fund (EMFAF) is the EU's dedicated financial instrument for fisheries and aquaculture for the 2021–2027 period. It provides support for the implementation of the Common Fisheries Policy (CFP), for the EU's maritime policy and for compliance with international commitments on ocean governance.

2. Member States and fisheries operators have been highlighting difficulties with the Fund's implementation and the lack of flexibility in certain provisions. A mid-term evaluation¹ of the EMFAF was carried out covering the period from the start of its application until the first quarter of 2024. According to its findings, there is room for improvement and more efforts are needed in addressing the social aspects and challenges of the sector which are expected to increase.

3. The World Trade Organization (WTO) Agreement on Fisheries Subsidies was concluded in June 2022 and entered into force in September 2025. The EU ratification was completed in June 2023. The next step for its implementation requires the EU to transpose relevant provisions in the EMFAF Regulation to prevent EU funding from contributing to activities prohibited under the Agreement.

¹ ST 7017/26 + ADD1

4. Against this background, on 21 September 2026, the Commission adopted its proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/1139 (the EMFAF Regulation) as regards simplification and the transposition of the WTO Agreement on Fisheries Subsidies², accompanied by a Staff Working Document.

5. The proposal seeks to make the EMFAF Regulation more accessible and easier for Member States and beneficiaries to implement. The proposal also incorporates the necessary changes to ensure the full implementation in EU law of the WTO Agreement on Fisheries Subsidies. Furthermore, new definitions are introduced to provide greater legal certainty, certain restrictions on budget allocations are eased, some conditions on engine replacement or modernisation are made more flexible, funding ceilings in case of temporary cessation and for support specifically to small-scale fisheries are increased, and aid intensity is enhanced to support young fishers and facilitate generational renewal.

6. The Working Party on Fisheries Policy will begin the examination of the Commission proposal at its meeting on 24 September 2026.

7. The Council will hold a policy debate on the proposal for a Regulation amending the EMFAF Regulation as regards simplification and the transposition of the WTO Agreement on Fisheries Subsidies, thereby providing guidance for the further examination of the proposal in the relevant preparatory bodies of the Council. In light of this, the Irish Presidency suggests the following questions to guide the discussion:

- From your initial assessment of the Commission's proposal, do you consider that it sufficiently addresses the issues that require amendment in the immediate term?
- In view of the relatively short implementation period and varied amounts of uncommitted funds remaining for EMFAF, do you consider it is more important to introduce a targeted amendment as soon as possible rather than working towards a more comprehensive amending regulation?

² ST 13386 + ADD1