Council of the European Union

Brussels, 22 October 2026
(OR. en)

14480/26

Interinstitutional File:
2025/0241 (COD)

AGRI 755
AGRIFIN 179
FIN 1455
CADREFIN 432
CODEC 1904
ENV 1233
FORETS 136

NOTE

From:	Presidency
To:	Delegations
No. Cion doc.:	11733/25 + ADD 1 + ADD 1 COR 1
Subject:	Regulation establishing the conditions for the implementation of Union support under the CAP - Explanatory note on the partial general approach

I. BACKGROUND

1. On 16 July 2025, the Commission submitted to the Council and the European Parliament a 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 Agricultural Policy for the period from 2028 to 2034[1].

[1] ST 11733/25 + ADD1 + ADD1 COR1

2. The proposal (draft CAP Regulation) is part of the multiannual financial framework (MFF) package for the period 2028-2034 and aims to set out the specific rules for Union support to the Common Agriculture Policy (CAP). It complements the proposal for a Regulation of the European Parliament and of the Council establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034 and amending Regulation (EU) 2023/955 and Regulation (EU, Euratom) 2024/2509 ('NRP Regulation')[2], which sets out the rules for programming, implementation, governance and monitoring, as well as the financial framework for, amongst others, the interventions relating to the CAP. The Council (General Affairs) reached a Partial General Approach on the NRP Regulation on 16 June 2026[3].

3. The draft CAP Regulation is based on Article 43(2) of the Treaty on the Functioning of the European Union (TFEU) (ordinary legislative procedure).

II. KEY ISSUES

4. Following repeated requests from a number of delegations, the Permanent Representative Committee agreed to transfer certain provisions from the draft NRP Regulation to the draft CAP Regulation[4].

5. On 19 October, a draft text together with an explanatory note[5] was presented to the SCA, and delegations were invited to comment and pose questions. Following that discussion, the Presidency introduced a few modifications to the text to address Member States´ key concerns as follows:

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[2] ST 11815 + ADD1 + ADD2 + REV1
[3] ST 10559/26
[4] ST 5544/26, ST 9750/26
[5] ST 14185/1/26 REV1

Block 1

Article 5: Types of Interventions

- Paragraph 2 has been amended to reintroduce the reference to "income support interventions".

Block 3

Article 11: Coupled Income Support

- Paragraph 2 has been amended to add a clarification that for sectors that are already receiving coupled income support, updating the figures in the previously submitted justification under the CAP Strategic Plan shall be the only requirement.

- Paragraph 4a(c) has been amended to broaden the scope of the provision. Member States may choose to grant coupled income support up to a maximum financial amount per annum equivalent to the financial allocation set in the CAP Strategic Plan in 2026.

Block 7a

Article 2b: Definitions "Eligible hectare"

- Paragraph 5(a) has been amended to provide an option for Member States to link the eligible hectares in the post-2027 CAP period, to areas in receipt of support under certain direct payments in the current CAP period. This change also provides an option for Member States to potentially combine such historically established areas with newly established agricultural areas in certain limited circumstances (i.e. justified with objective criteria).

Block 7c

Article 20m: Controls of criterion that the area is at the farmer's disposal

- Article 20m has been amended to provide further clarity on how checks concerning the obligation concerning the "areas at the farmer's disposal" in the definition of eligible hectare, can be targeted to optimise administrative resources.

6. The result of these modifications can be found in document 14484/26. Changes as compared to the Commission's proposal (11733/25), and to the transferred provisions as presented by the Cyprus Presidency in doc. 6582/26 and REV 1 are marked in ***bold italics*** for additions and ~~strikethrough~~ for deletions. Changes compared to the text as set out in the previous Presidency suggested text (14185/1/26 REV 1) are marked in underlined ***bold italics*** for additions and underlined ~~strikethrough~~ for deletions.

7. Since the draft CAP Regulation is part of the package of proposals linked to the MFF, all the provisions in the initial Commission proposal with budgetary implications or which correspond to the elements that form part of horizontal negotiations on the MFF have been bracketed and are therefore excluded from the partial general approach pending further progress on the MFF. These provisions appear between square brackets in the text. Recitals are also excluded from the partial general approach.

8. The Presidency is of the view that the compromise text set out in doc 14484/26 addresses the concerns of Member States as much as possible and strikes a good balance between Member States' diverging views on some elements.

9. The Presidency will address recitals and textual adjustments necessary for the correct translation of the text and for legal coherence at a later stage.

III. CONCLUSION

10. Against this background, the Council (Agriculture and Fisheries) is invited to reach a partial general approach on the text set out in document 14484/26 at its meeting on 26 to 27 October 2026.