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NOTE

From: Presidency

To: Permanent Representatives Committee

Subject: CAP provisions in the Regulation on National and Regional Partnership Plans (NRPP)

- Guidance for further work

I. BACKGROUND

1. In July 2025, the Commission presented its package of proposals for the Multiannual Financial Framework (MFF) for the years 2028-2034. The legislative package includes a proposal for a Regulation establishing a new European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security ('the Fund'). According to the proposal, the Fund will be implemented through National and Regional Partnership Plans ('the Plans'). The proposed regulation on National and Regional Partnership ('NRP regulation') sets out the rules for programming, implementation, governance and monitoring, as well as the financial framework for interventions in the area of Cohesion Policy, Common Agriculture Policy (CAP), Common Fisheries Policy (CFP) and Home Affairs.

2. The proposal is being discussed in the sub-group for National and Regional Partnerships (AHWP NRP) which has been created under the remit of the Ad Hoc Working Party for the Multiannual Financial Framework (AHWP MFF) 2028- 2034. The AHWP NRP is mandated to negotiate on the proposal on National and Regional Partnership Plans (NRPP), excluding the bracketed elements left for the discussions in the AHWP MFF. The discussions in the AHWP NRP are advancing quickly by already examining Presidency proposals for blocks 5 and 6.

II. CAP PROVISIONS

3. In the course of the discussions, many delegations called for moving CAP-specific provisions in CAP-related articles from the NRP Regulation to the proposed CAP Regulation in order to enhance the visibility of the CAP and the consistency of the provisions applicable to it. Furthermore, on 10 November 2025, a meeting was convened between the European Commission, the European Parliament and the Council under Article 324 of the TFEU. In the context of that meeting, the Commission identified a number of possible CAP provisions that could be moved to the CAP Regulation, as follows:

- Article 4 (14), (15), (17), (22), (23);
- Article 35 (3), (5), (7), (9);
- Articles 36-45, 57;
- Article 74 (3).

4. In December 2025, the Danish Presidency organised a first discussion on the list of provisions that was proposed by the Commission. While the discussion revealed broad support for moving the provisions to the CAP Regulation, a sizeable group of delegations suggested to move additional provisions, in view of their relevance for the CAP.

III. WAY FORWARD

5. In order to enable the discussions on the provisions in question to be taken forward, so that the Council can agree on a general approach in a timely manner, it should be agreed which provisions are to be moved from the NRP Regulation to the CAP Regulation and possibly to the CFP Regulation, as well as the CMO Regulation. On the basis of its consultations with delegations, the Presidency has identified a number of additional provisions that could be moved, namely:

- Article 7 (3) [Horizontal principles – farm stewardship principle];
 - Article 35 (6) fourth subparagraph [Types of intervention– maximum contribution for products containing free sugars and fat]¹
 - Article 62 (2), (3), (4), (5), (6), (7), (8) [Control system for farm stewardship and common fisheries policy]²
 - Article 70 (4), (5), (6), (7), (8), (9), (10) [Integrated Administration and Control System]
 - Article 84 [Rules applying to undertakings]
 - Article 85 [State aid]³
 - Annex XVII [WTO domestic support pursuant to Article 40]
6. The Presidency considers that moving the additional provisions listed in the previous paragraph does not prejudice the proposed architecture of the NRPP and the horizontal negotiations on the Multiannual Financial Framework 2028–2034.
7. The Presidency invites the Committee of Permanent Representatives to take note of the proposed list of provisions listed in paragraph 3 and 5 to be moved to the CAP Regulation, the CFP Regulation and the CMO Regulation.

¹ This provision directly relates to the CMO and would need to be moved to the CMO Regulation.

² Some of these provisions directly relate to the CFP and would need to be moved to the CFP Regulation.

³ Some of these provisions directly relate to the CFP and would need to be moved to the CFP Regulation.