

## **NWWAC Advice on the Draft ‘Do No Significant Harm’ Guidance under the MFF 2028-2034**

15 September 2026

### **Background**

The North Western Waters Advisory Council (NWWAC) welcomes the opportunity to provide comments on the draft ‘Do No Significant Harm’ (DNSH) guidance under the proposed Multiannual Financial Framework (MFF) 2028–2034 as part of the public consultation launched in July 2026.

The proposed MFF represents a significant shift in the way Union funding will be delivered. Compared to the current framework, it provides Member States with greater flexibility and responsibility in designing and implementing national programmes, while seeking to reduce administrative burdens and move from a cost-based reimbursement model towards a performance-based approach. The NWWAC supports the objective of simplifying access to EU funding and reducing unnecessary administrative burdens for beneficiaries.

However, this new governance model also gives the DNSH guidance a particularly important role. As Member States will have greater discretion in allocating funding, the guidance will inevitably shape national operational programmes and investment decisions. Although the document is formally guidance and not legislation, it is likely to carry considerable practical weight, as Member States will seek to ensure that their programmes comply with the Commission's interpretation of the DNSH principle and avoid the risk of Union support being rejected. The NWWAC therefore considers that the guidance must be proportionate, legally clear, scientifically justified and developed in close cooperation with stakeholders. In this regard, the NWWAC welcomes both the call for evidence and the current public consultation.

### **Recommendations**

#### **1 Adequate funding for the sustainable modernisation of the fishing fleet**

The NWWAC recalls that, as a primary sector, the fishing sector provides sustainable food to EU citizens with the lowest carbon footprint of all healthy and nutritious protein sources as recognised in the EU's Farm to Fork Strategy ([link](#)). Additionally, the NWWAC reiterates that the fishing sector is facing unprecedented economic, environmental and societal challenges while simultaneously being expected to contribute to the EU's objectives on climate neutrality, biodiversity protection and food security. Meeting these objectives will require substantial public investment to modernise the European fishing fleet. Such investments are essential to support the energy transition, reduce greenhouse gas emissions, fuel consumption and environmental impacts, improve fishing selectivity as well as health and safety on board, and strengthen the long-term resilience and competitiveness of the sector.

The NWWAC is concerned that the Commission's proposal for the future MFF does not currently appear to provide funding at a level commensurate with these ambitions. The fishing sector cannot be expected to deliver the environmental transition without appropriate financial support. The NWWAC therefore recommends that sufficient resources be earmarked within the new MFF to support fisheries operations and fleet modernisation, recognising the strategic role of the sector in ensuring European food security, food sovereignty and the sustainable supply of seafood.

#### **Key NWWAC recommendations**

- Allocate sufficient funding within the future MFF to support fisheries operations and fleet modernisation in line with the sector's environmental, economic and societal responsibilities.
- Prioritise public investment in fleet renewal and modernisation to accelerate the energy transition, reduce emissions and environmental impacts, and improve safety and selectivity
- Recognise fisheries as a strategic sector for European food security and food sovereignty by providing financial support commensurate with the EU's climate, biodiversity and sustainability ambitions.

## **2 Application of the DNSH Principle to Investments in the Fishing Fleet**

The NWWAC fully supports the objective of ensuring that EU-funded investments do not cause significant harm to the environment and recognises the importance of establishing robust, proportionate and feasible rules under the DNSH principle.

However, the NWWAC does not support the inclusion of investments in fishing vessels and fishing gear, including the replacement or modification of engines capable of operating on conventional fossil fuels, in the list of activities that could be considered to cause significant harm to one or more environmental objectives.

In addition to the fact that it goes beyond the current legal framework (e.g. EMFAF Regulation) and considering the carve-out possibilities, the NWWAC is concerned about the broader signal sent by the draft guidance. By placing investments in fishing vessels alongside activities presumed to significantly harm environmental objectives, the guidance risks creating the perception that fishing vessels are, by their nature, environmentally harmful. The NWWAC considers that such an approach neither reflects the reality of modern fisheries management nor recognises the considerable progress already achieved under the Common Fisheries Policy. There is also a significant risk of a 'decarbonisation paradox' and carbon leakage. If European fishers are unable to access funding to modernise and decarbonise their vessels due to DNSH barriers, the competitiveness of the EU fleet will decline. This will inevitably increase the EU's reliance on seafood imports from third countries that operate under far less stringent environmental, climate, and labour standards, ultimately resulting in a net increase in global greenhouse gas emissions. European fisheries operate under one of the most comprehensive management frameworks worldwide, including scientifically determined fishing opportunities, technical conservation measures, electronic monitoring and reporting requirements, vessel monitoring systems and extensive control obligations. The guidance should acknowledge that appropriately targeted

investments in fishing vessels are often essential instruments for achieving environmental objectives rather than obstacles to them.

Furthermore, the current draft guidance overlooks the multidimensional nature of the DNSH principle, particularly regarding Climate Change Adaptation and the Circular Economy. Climate change is rapidly shifting fish distribution and altering marine environments. To adapt, vessels require targeted investments to modify their fishing gear, storage, and selective processing equipment. Restricting these investments under a blanket 'significant harm' assumption actively undermines the fleet's adaptive capacity. Similarly, regarding the Circular Economy objective, the transition to biodegradable, recyclable, and highly selective gear requires active investment. Blocking gear funding under DNSH directly stalls the industry's shift toward circular materials and waste reduction.

In addition, the NWWAC also considers that the conditions attached to the proposed carve-out require further clarification, in particular regarding the requirements that investments must concern fleet segments compliant with the Common Fisheries Policy and target stocks subject to fisheries management measures. Greater legal certainty is needed to ensure consistent implementation across Member States.

#### **Key NWWAC recommendations**

- Remove investments in fishing vessels, fishing gear and engine replacement from the list of activities presumed to cause significant environmental harm, recognising their role in delivering environmental and sustainability objectives.
- Ensure the DNSH guidance reflects the realities of modern EU fisheries management and acknowledges that targeted fleet investments can support, rather than undermine, environmental performance.
- Provide greater legal clarity on the conditions attached to DNSH carve-outs, particularly regarding CFP compliance and managed fish stocks, to ensure consistent implementation across Member States.

### **3 Building trust and partnership for the future of sustainable fisheries**

The publication of the Vision for Fisheries and Aquaculture 2040 later this year represents a critical opportunity to establish a shared pathway towards a more sustainable, competitive and resilient fisheries sector. The NWWAC considers that this vision can only succeed if it is developed together with the fishing industry and based on partnership rather than distrust. The current drafting of the DNSH guidance risks sending contradictory signals by discouraging investments that are necessary to deliver the very environmental improvements that the Vision is expected to promote. This could undermine confidence within the sector at a time when cooperation between policymakers and stakeholders will be essential for a successful transition.

The NWWAC therefore encourages the Commission to ensure that the DNSH guidance is fully consistent with the broader objective of building trust and a genuine partnership with the fishing sector as the foundation for the future of sustainable fisheries.

### Key NWWAC recommendations

- Ensure the DNSH guidance is fully aligned with the Vision for Fisheries and Aquaculture 2040 to support a sustainable, competitive and resilient fisheries sector.
- Develop and implement the Vision in genuine partnership with the fishing industry, recognising stakeholder trust as a prerequisite for a successful transition.
- Revise the DNSH guidance to avoid discouraging investments that are necessary to deliver environmental improvements and sustainability objectives within the fisheries sector.

### Conclusion

The NWWAC reiterates that its members strongly support the objective of ensuring that EU funding contributes to environmental sustainability and the achievement of the Union's climate and biodiversity goals. However, to be effective, the DNSH guidance must remain proportionate, legally clear and aligned with the realities of modern fisheries management.

The future sustainability, competitiveness and resilience of the EU fishing sector will depend on adequate investment in fleet modernisation, a balanced application of the DNSH principle, and a genuine partnership between policymakers and stakeholders. The Commission should therefore ensure that the final guidance enables, rather than constrains, investments that support the energy transition and environmental improvement, provides sufficient legal certainty for Member States and beneficiaries, and remains fully consistent with the Vision for Fisheries and Aquaculture 2040.

The NWWAC stands ready to work constructively with the Commission to develop an approach that supports the environmental transition of the sector, delivers tangible environmental improvements, and fosters the trust and engagement of fishers, which will be essential to achieving the Union's long-term sustainability and climate objectives.

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