Common agricultural policy (CAP): financing, management and monitoring 2014-2020

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Ministers held two policy debates within the framework of the common agricultural policy (CAP) reform. The discussions focused on:

- the proposal for a Regulation establishing rules for direct payments to farmers (Direct Payments Regulation);
- the **proposal for a Regulation** on the financing, management and monitoring of the CAP (Horizontal Regulation).

The **specific issues examined** concerned the basic payment scheme and transparency on CAP payment beneficiaries.

Transparency on CAP beneficiaries: it should be recalled that in its judgment of November 2010, the Court of Justice declared invalid, taking into account the right to privacy and to the protection of personal data enshrined in the EU's Charter for Fundamental Rights, certain aspects of EU legislation requiring the publication of information on the beneficiaries of CAP funds.

On 25 September 2012, the Commission presented an **amendment to its proposal in regard to the publication of data and payments received by beneficiaries** (natural and legal persons), the objective of which was to take into account the Court's ruling. This proposal introduced a new objective in respect of the publication requirement – the need for public control of the use of European agricultural funds.

At the Council session of 22 October 2012, while the majority of Member States supported the Commission's amended proposal, some delegations called on the Council's Legal Service to prepare an opinion on this proposal. In these circumstances, the Presidency drew up another document clarifying the Council's position on this issue.

With regard to the amendments on the publication of beneficiaries' names proposed by the Commission, the President concluded that the **Council accepted the objectives and considered that the means proposed by the Commission to achieve that objective are appropriate and proportionate**. However,

- some Member States still argued that the *de minimis* threshold was not necessary and should be abandoned for the sake of transparency: in their view, all beneficiaries of CAP payments should be listed;
- some others expressed concerns about the details given on the beneficiaries, fearing that the process might interfere with data on their private lives;
- lastly, some delegations believed that further consideration of this issue was needed in order to assess, whether the same objective could not be attained in a less intrusive way.