

Common Agricultural Policy (CAP): good agricultural and environmental condition standards, schemes for climate, environment and animal welfare, amendments to CAP Strategic Plans, review of CAP Strategic Plans and exemptions from controls and penalties

2024/0073(COD) - 15/03/2024 - Legislative proposal

PURPOSE: to re-examine certain provisions of the Common Agricultural Policy (CAP), with the aim of simplifying matters while maintaining a strong, sustainable and competitive policy for agriculture and food in the EU.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Common Agricultural Policy (CAP) Strategic Plans contribute to the Commission's ambitious Green Deal agenda, in combination with regulatory initiatives, research investments and other actions to meet the Union's environmental and 2050 climate objectives. Overall, the new approach works well. However, the first year of implementation of the CAP Strategic Plan has made clear that adjustments are necessary to ensure effective implementation of the plans and cut red-tape.

In view of the widespread farm protests and to analyse the administrative burden weighing on farmers' shoulders as well as identify areas for improvement, the Commission has written to four main EU-level farming organisations asking them for proposals of measures at EU level (CAP and other EU legislation) which can reduce administrative burden for farmers.

Also, the European Parliament's committee for agriculture and rural development sent a letter identifying six areas where they consider that concrete and immediate action is necessary.

The consultation of the farming organisations resulted in calls for urgent action to simplify the administrative burden for farmers.

The Commission structured the suggestions received into five broad areas:

1. management of CAP Strategic Plans and procedures around amending strategic plans, performance monitoring and review, and certain elements of the integrated administration and control system as well as the control and penalty system;
2. CAP Strategic Plan actions to the benefit of the environment and of the climate;
3. other CAP provisions beyond environment and climate, such as expanding coupled support, postponing or removing social conditionality, or changes to sectoral support schemes, promotion measures and organic farming;

4. farm income concerns and notably to risk and crisis management;

5. regulations outside the CAP, such as on deforestation, forest monitoring, sanitary rules, or renewable energy.

CONTENT: delivering on its commitment to ease administrative burden for EU farmers, the European Commission proposed to make targeted adjustments to the regulations on the CAP's strategic plans in order to remedy certain difficulties in their implementation.

The Commission proposes a number of changes to conditionality. The review relates to the following conditionalities:

- allow Member States to allow temporary and targeted derogations from certain conditionality requirements in view of increasingly unpredictable weather conditions that can prevent farmers from complying with requirements, such as deadlines in a given year;

- allow Member States to provide specific exemptions from Good Agricultural and Environmental Condition (GAEC) standards 5, 6, 7 and 9 covering situations where there is a risk that the requirements would run counter to their objectives, for instance due to particular agronomic situations for certain crops on specific soil types and pedoclimatic conditions or due to damage to permanent grasslands, among others due to predators or invasive species;

- remove from GAEC standard 8 the obligation to devote a minimum share of arable land to non-productive areas (fallow land) or features (hedges, trees...), while keeping the protection of existing landscape features. Farmers will no longer be obliged to dedicate a minimum part of their arable land to non-productive areas, such as fallow land. Instead, they may choose, on a voluntary basis, to keep a share of their arable land non-productive - or establish new landscape features (such as hedges or trees) - and thereby receive additional financial support via an eco-scheme that all Member States will have to offer in their CAP Strategic Plans. All EU farmers will be incentivised to maintain non-productive areas beneficial for biodiversity without fearing loss of income;

- keep crop rotation (GAEC standard 7) but allow Member States to add the possibility to fulfil this requirement with crop diversification. This flexibility will enable farmers affected by regular drought or excessive rainfall to comply with this condition in a way that is more compatible with farming realities. At the same time, the Commission acknowledges and stresses the agronomic benefits of crop rotation. This is why through eco-schemes more ambitious forms of crop rotation and diversification are and should continue to be rewarded, including notably to include protein crops in the rotation, so as to enhance soil quality and the resilience of crop farming;

- clarify that the application of the standard to cover soil in sensitive periods (GAEC standard 6) will be mostly in the hands of Member States. Member States will have much more flexibility in setting what they define as sensitive periods, and the practices allowed to fulfil this requirement, in light of their national and regional conditions, and in the context of increasing weather variability;

- increase the number of requests for amendment of CAP Strategic Plan, which a Member State may submit to two per year (up from the current one per year);

- limit the obligation for Member States to assess whether their CAP strategic plans need to be modified in the event of changes to certain EU environmental and climate legislation and to notify the Commission of this assessment within a certain deadline in order to reduce the burden and increase the predictability of CAP support for farmers;

- amend Regulation (EU) 2021/2116 to exempt small farmers having no more than 10 hectares of agricultural areas from conditionality controls and penalties.