



“TOO BURDENSOME”: HOW THE CAP TRILOGUES ARE ABANDONING IMPROVEMENTS TO THE FARMING POLICY’S ENVIRONMENTAL PROVISIONS

Despite employing the largest translation and interpretation service in the world and planning to spend one third of its budget (MFF 2021-2027) in farm subsidies, the EU is hesitating to translate into English the Common Agricultural Policy (CAP) national strategic plans submitted by Member States nor to publish them online “in a way that ensures publicity and transparency at Union level”.

The hesitation reflects the general mood in the ongoing trilogues, with the Commission and Council opposing, frequently on bureaucratic or technical grounds, numerous amendments that aimed to improve diverse aspects of the CAP.

Indeed, the following WWF assessment of the state of play of the CAP Strategic Plans Regulation, based on the latest information available after the trilogue of 30 April, shows that most improvements to the environmental provisions of the CAP strategic plans, which come mainly from the European Parliament, are rapidly melting away as we approach the end of the crucial phase of the inter-institutional negotiations.

Summary

According to a new WWF assessment, most of the amendments that could have brought the future Common Agricultural Policy (CAP) somewhat closer to the European Green Deal and Farm to Fork ambitions have received very strong pushback in the ongoing trilogues.

Over half (52%) of the proposed improvements to the next CAP’s environmental provisions are at risk or high risk of being scrapped by the negotiators and 18% have already been scrapped.

WWF is urgently calling on the European Union to make the CAP compatible with the European Green Deal and not let the trilogues conclude without agreeing some solid steps in this direction.

Article 106(7b)					
1094b		<u>7b. The Commission shall translate the CAP Strategic Plans into English and publish them online in a way that ensures publicity and transparency at Union level.</u>			Mini-group 13042021: COM: against, up to the MS to do this, already in art 110, too burdensome for COM; follow current approach for RD programmes (fact sheets translated into EN), whole Plan published by MS in their national language; EP AM would be different from CPR rules (art 41) EP to come back
Article 106(7c)					

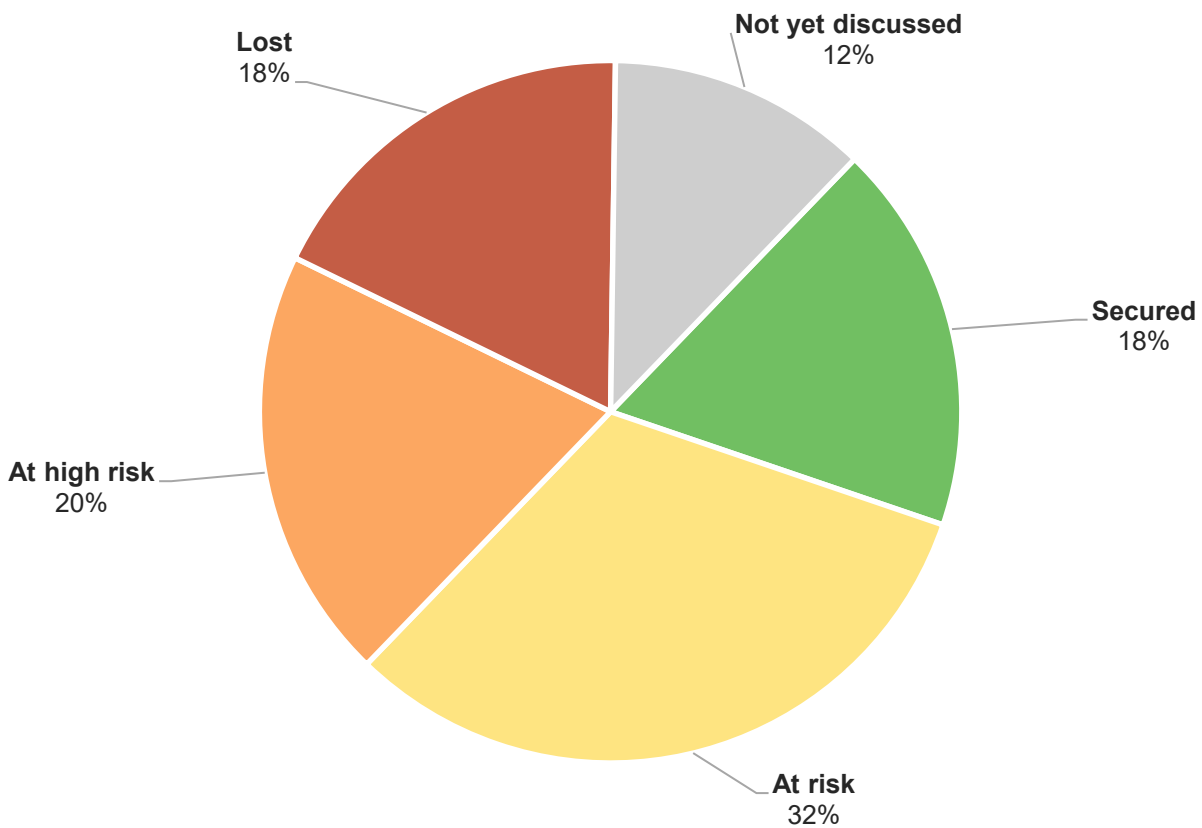
Screenshot of an internal EU document showing the amendment of the Parliament requiring that the CAP Strategic Plans are translated (Art. 106 of the CAP Strategic Plans Regulation) and the unsupportive initial response from the Commission. The yellow colour on the sides indicates that an agreement has not yet been reached on this item.

The assessment covers a total of 60 items with social, climatic and environmental relevance for the future farming policy. The focus of the assessment is on those aspects where the diverging positions of the Council and the Parliament have given some hope for the trilogues to secure the best of the options available. It must be noted, however, that in most cases the better option is far from being ideal from an environmental perspective, and sometimes is just the continuation of existing rules.

The overall result of the assessment is summarised in the following graph:

Graph 1: Improvements to CAP's environmental provisions

WWF's assessment of the CAP strategic plans regulation has found that most improvements to the environmental provisions are at risk of being scrapped in the final stages of the trilogue negotiations.



(Based on information available after the latest CAP trilogue on 30 April 2021)

It must also be noted that most of the cases where the best scenario has been secured reflect situations where a bad amendment by one of the co-legislators has been so heavily contested that it has already been withdrawn. Two examples of this are the Parliament's proposed exemptions to the CAP conditionality and the use of eco-schemes to deliver on the economic objectives of the CAP.

In many other cases, classified by WWF as "at risk", the improvement has not faced such strong opposition, but it has either not yet been fully debated (as in the Parliament's proposal to exclude non-food crops from coupled support) or has been only partly secured. One example of the latter is maintaining the Commission's proposed performance review on Member States, rather than focusing on a very limited number of result indicators, as the Council wanted - a middle ground has been agreed by now.

For almost 40% of the cases assessed, the environmental improvement is at high risk of being lost (20%) or has already been withdrawn during trilogues and, therefore, virtually lost (18% of cases). For instance, the Parliament's proposed provision to ensure that different reward levels are offered in eco-schemes (to prevent them from becoming just a flat-rate payment) is at high risk, while a provision to ensure that high attention is given to organic farming and high nature value farming in the CAP strategic plans has already been dropped by the negotiators.

Published just a few weeks before the conclusion of the CAP trilogues, this assessment offers little hope. Too many of the well-intended amendments that could have brought the farming policy somewhat closer to the European Green Deal and Farm to Fork ambitions have received very strong pushback, typically from both the Council and the Commission.

As a result, the Parliament risks coming out of the trilogues almost empty handed, while the Commission will be heavily criticised for not helping to achieve a better deal. But it is the Council that is emerging as the main antihero, satisfied with having managed to get most of its positions through, and making the whole environmental credibility of the CAP rely on the details of the national strategic plans, which Agriculture Ministers get to control and negotiate with not enough EU oversight.

WWF is urgently calling on the European Union to [make the CAP compatible](#) with the European Green Deal and not let the trilogues conclude without agreeing some solid steps in this direction.

For more information

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Annex: Assessment of the state of play of the CAP strategic plans regulation in the CAP trilogues*

* Based on the latest documents from CAP trilogues available in early May 2021

The 60 items assessed in the table below reflect elements of the CAP Strategic Plans Regulation where the diverging positions of the Council and the Parliament have given some hope for trilogues to secure the best of the options available. In most cases the best option is not an ideal one, and sometimes just a continuation of existing rules.

For each item, the co-legislator that proposed the positive amendment or has a better position is indicated, as well as a colour-coded assessment of the state of play of the item according to most recent information from trilogues, as follows:

	<i>Best option available in trilogues secured</i>
	<i>Best option at risk or only partially secured</i>
	<i>High risk of losing a positive amendment</i>
	<i>Improvement lost / amendment withdrawn</i>
?	<i>Not yet discussed, to our knowledge</i>

No	Improvement to regulation	Who proposed it				
1	Better fit for paludiculture in CAP definitions of agricultural activities.	BOTH				
2	Better fit for agroforestry in CAP definitions of land eligible for direct payments.	PARL				
3	Set aside land and landscapes features are more easily considered part of the eligible land	BOTH				
4	Land not fitting in CAP definitions due to climate action interventions should remain eligible	BOTH				
5	Mention to Paris Agreement in CAP objectives	PARL				
6	Reducing chemical dependency in CAP objectives	PARL				
7	High nature value farming in CAP objectives	PARL				

No	Improvement to regulation	Who proposed it				
8	Reference to SDGs and other food sustainability items in CAP objectives	PARL				
9	Assessment of the battery of CAP indicators and their revision if they are not effective	PARL				
10	Provisions to ensure Policy coherence for development and the polluter pays principle	PARL				
11	Combination of all CAP strategic plans should allow fulfilment of climate objective	PARL				
12	Article on Gender equality and combatting discrimination	PARL				
13	Inclusion of Social (labour) standards in CAP conditionality	PARL				
14	Avoiding dangerous exemptions to CAP conditionality	COUN				
15	Reinforce agri-environmental advisory services	PARL				
16	Prompt implementation of FaST (Farm sustainability tool for nutrients)	PARL				
17	New article on Organic farming	PARL	?			
18	No basic income support for landless farmers	COUN				
19	No in principle limit set at country level on the number of hectares that can receive CAP support	COUN				
20	Animal welfare not a main objective of eco-schemes	COUN				
21	Ensuring different levels of rewards in eco-schemes	PARL				
22	No payments per holding or for all hectares in a farm	MIXED				
23	Eco-schemes are not payable per livestock unit	PARL				
24	Eco-schemes do not need to deliver on the economic objectives of the CAP	COUN				

No	Improvement to regulation	Who proposed it				
25	Eco-schemes cannot be used to comply with national law	COUN				
26	No coupled support for non-food crops	PARL				
27	No coupled support to farmers without land at their disposal	COUN				
28	Safeguard on coupled support , to ensure compliance with Water Framework Directive	PARL				
29	No coupled support for cattle used for bull-fighting	PARL				
30	Linking all management commitments under Art. 65 to some kind of environmental benefit	PARL				
31	No arbitrary limit to the amount of support for Rural Development interventions	COUN				
32	Art. 65 schemes must prioritise the achievement of the objectives of environmental legislation	PARL				
33	National law remains the baseline for Art. 65 interventions	COUN				
34	Obligation to provide advice in support of agri-environmental schemes	PARL				
35	Diverse environmental safeguards in investment support	PARL				
36	No restriction of cooperation initiatives to only those involving agricultural production	COUN				
37	Higher ring-fencing for agri-environment in RD, and partial exclusion of ANC payments from them	PARL				
38	No ring-fencing for economic intervention in RD	COUN	?			
39	No ring-fencing for economic interventions in Pillar 1	COUN				
40	Minimum 6% of Pillar 1 for redistributive payment	PARL	?			
41	Higher ring-fencing for eco-schemes	PARL				

No	Improvement to regulation	Who proposed it				
42	Improved climate expenditure tracking methodology	PARL	?			
43	A budget-based assessment of the increased climate and environmental ambition	PARL				
44	Use of impact indicators to explain the increased climate and environmental ambition	PARL				
45	Requesting to establish a code of conduct for the participation in CAP strategic plans design	PARL				
46	Higher attention to organic farming and HNV farming in design of CAP strategic plans	PARL				
47	Not limiting the assessment of CAP strategic plans to legally binding legislation	PARL				
48	Translation into English and publication of CAP strategic plans compulsory	PARL				
49	A review of CAP strategic plans by end of 2025 , to correct misalignments with environmental legislation	PARL				
50	Stop-the-clock mechanism to calculate the time limits for Commission actions remains	COUN				
51	Fully fledged performance review on Member States and no reduction of result indicators	PARL				
52	Aggregated impact of CAP strategic plans and action if not enough for European Green Deal targets	PARL	?			
53	Improved data collection for EGD related impact Indicators	PARL	?			
54	Midterm review of CAP regulations by 2025	PARL	?			
55	Diverse improvements in Indicators - Annex I	PARL				
56	GAEC 2: not delaying or diminishing the protection of wetlands and peatlands	MIXED				

No	Improvement to regulation	Who proposed it				
57	GAEC 4: minimum 3-m-wide for riparian buffer strips	PARL				
58	GAEC 7: do not severely diminish soil protection	COUN				
59	GAEC 8: crop rotation (with a leguminous crop)	PARL				
60	GAEC 9: quantified target and focus on non-productive features	MIXED				

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