

Mr Jari Leppä  
President-in-office of the Agricultural and Fisheries Council  
c/o Mr Kari Valonen, Chair of the Special Committee on Agriculture (SCA)  
Permanent Representation of Finland to the EU  
Avenue de Cortenbergh 80, 1000 Brussels

4<sup>th</sup> November 2019,

**Subject: The Council's negotiations on the conditionality rules in the Common Agricultural Policy (CAP) reform**

Dear Mr Leppä,

I am writing to you on behalf of the undersigned 15 civil society organisations, representing collectively millions of EU citizens. We are deeply concerned about the Agriculture Council's work on the CAP reform, which is undermining the policy's basic climate and environmental requirements. We call on you to uphold citizens' demands for urgent environmental and climate action in all sectors of society, including agriculture.

As the recent wave of climate strikes and demonstrations across Europe and the EU elections' results have shown, European citizens demand strong and immediate action from political decision-makers to address the climate and biodiversity crises. Yet, the Agriculture Council adopts a position on the Commission's CAP reform proposals that is weakening rules on climate, environment and biodiversity. We note, more specifically, the Council's position on the mandatory 'conditionality' requirements applying to all direct payment recipients. Conditionality is also the baseline on which CAP voluntary schemes will be designed to tackle environmental, biodiversity and climate challenges, which should support farmers to transition towards more sustainable and high animal welfare systems such as organic farming and agroecology. Therefore, if you weaken conditionality, you automatically weaken the potential of voluntary schemes.

Here are specific areas of the Council's changes<sup>1</sup> that we are seriously concerned about:

**Biodiversity:** The most important measure to improve biodiversity is to secure habitats at farm level for insects (hence pollinators), birds and mammals. Scientific evidence points to the need for a minimum of 10% of farmland to provide such adequate 'green infrastructure' (for instance hedges, flower margins, buffer strips, and wetlands)<sup>2</sup>. The Commission's proposal to address this issue is insufficient. The Agriculture Council proposes to allow the cultivation of catch or nitrogen-fixing crops in these "non-productive areas" (GAEC 9) and this, in turn, makes this rule entirely ineffective. Instead, what the Council should do is to agree a minimum percentage of such green infrastructure to be respected across all EU countries and farms.

**Climate:** Regarding wetlands and peatlands (GAEC 2) where soils are especially carbon-rich, the Council calls for "minimum" protection when it should call for "effective" protection. Furthermore - from what we understand -, the Council wishes to delay the entry into force of this protection requirement until 2024. We cannot afford this weaker rule, nor can we afford the delay. The 2018 IPCC report made clear that we must curb greenhouse gas emissions as soon as possible to meet our commitments under the Paris Agreement. Organic soils cover only 1.5% of EU cropland

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<sup>1</sup> Based on the text of Council Working Paper WK 9357/2019 INIT, dated 5 September 2019.

<sup>2</sup> For details, see: <https://community.rspb.org.uk/ourwork/b/biodiversity/posts/the-loss-of-fallow-land-and-farmland-birds-in-spain>

but account for 55% of total cropland soil emissions, which reinforces the need to prioritise their protection when setting climate and farming policies<sup>3</sup>.

**Environment:** We understand that the Council wishes to get rid of the rule that requires all EU farms to carry out crop rotation (GAEC 8). We strongly oppose this change. Crop rotation is a critical and effective agronomic technique that reduces the use of pesticides and maintains healthy soil. When farmers include legumes in the rotation, they can reduce the use of nitrogen fertiliser and this can lower greenhouse gas emissions by the farm as well as nitrates run-off and leaching. We cannot expect crop diversification or the vaguely worded “other practices” to bring the same benefits.

Commissioner Hogan presented the CAP’s “enhanced conditionality” as the main instrument to increase the environmental ambition of the farming policy: considering the changes being made by the Agriculture Council, any environmental justification for a high budget allocation for the CAP could immediately disappear.

Scientists and the European Court of Auditors have already assessed that the Commission’s original CAP reform proposals are insufficient to deal with the environmental challenges we face. And yet, the Council weakens these proposals even more. You will agree that therefore, the changes that the Council proposes are particularly alarming.

If co-legislators - if you - do not make the right decisions with this CAP reform so as to transform agriculture from a problem into a solution, notably in the fight against climate change and biodiversity loss (including reducing pesticide dependency), then whatever targets the EU will set under the flagship initiatives of the European Green Deal and the new ‘Farm to Fork’ strategy for sustainable food will be impossible to reach.

We therefore call on you to work towards increasing both the level of ambition and the future on-the-ground performance of the proposed CAP regulations, in environmental and climate terms. We urge you to act in a way that will prevent this CAP reform from locking the EU into another seven years of ‘business as usual’, with European farming failing to deliver what European citizens are claiming for the future of our planet, and of our children.

We look forward to your response on this highly important and urgent matter.

Yours Sincerely,

Jouni Nissinen  
President of the European Environmental Bureau (EEB)  
c/o Célia Nyssens, Policy Officer for Agriculture, EEB

On behalf of:



<sup>3</sup> For further details, see the EU’s long term climate strategy documents on: [https://ec.europa.eu/clima/policies/strategies/2050\\_en](https://ec.europa.eu/clima/policies/strategies/2050_en)