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**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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Subject: Transition between the current and new CAP  
Transfer of multiannual commitments going beyond the current  
programming period to eco-schemes  
*- Information from the Belgian delegation*

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Delegations will find in the [Annex](#) a note from the Belgian delegation on the above mentioned subject to be dealt with under "other business" at the meeting of the Special Committee on Agriculture on 10 May 2021.

**Transition between the current and new CAP - Transfer of multiannual commitments going beyond the current programming period to eco-schemes**

In preparation of the new CAP, we are currently designing eco-schemes. During this process, a difficulty has arisen regarding the transition between current CAP and the new CAP.

In Belgium, some current AECM and organic farming measures will be integrated as an eco-scheme in pillar 1 as from 2023 and not anymore as an intervention in pillar 2 in the new CAP. These commitments under art 28 and 29 have a duration of 5 years: for commitments started in 2020, the last commitment will end in 2024.

In order not to have 2 different types of commitment (AECM/Organic and eco-scheme) with similar conditions running parallel in 2023 and 2024, a possibility would be needed to transfer the AECM/Organic-commitments going beyond the current programming period to the new eco-scheme type of intervention.

Currently, as the SPR is proposed now, for these AECM/Organic it is not possible to make use of article 140 of the SPR/art.6 of the Transitional Regulation because these draft provisions would allow the transfer only within the framework of the same fund, i.e. EAFRD, and would not allow Member States to transfer an ongoing RDP commitment to an eco-scheme supported under EAGF.

Also the revision clause in art. 48, 2<sup>nd</sup> paragraph of the RDR (regulation 1305/2013) could not be used to consider adjustment of a measure with similar conditions going from AECM to eco-scheme.

In practice, this means the following for example:

- Farmer A has a commitment for the maintenance of organic farming for 10 ha started in 2020 (5 years). In 2023, he has 5 additional ha organic farming. He applies for an eco-scheme ‘maintenance of organic farming’. Consequently, he will have two types of commitments with (possibly) a different unit amount and different conditions. This is not only confusing for the farmer but also means an administrative burden and a complex management system for the member state. In practice, there will be a parallel system for organic farming (one for on-going commitment and one as a eco-scheme).

Moreover, this hampers the ambition to address certain environmental and climate actions in the most effective way.

Against this background, Belgium proposes an adjustment of article 140 of the SPR. We believe that a provision should be included for the possibility of applying a revision clause when an agri-environment-climate commitment of the current period continues as an eco-scheme in the new CAP period.

We have prepared a text proposal to be added in article 140:

*Operations undertaken pursuant to Articles 28 and 29 of the programming period pursuant to Regulation (EU) No 1305/2013 which are not continued as an agri-environmental and climate measure but are provided as eco-scheme are allowed for adjustment to this eco-scheme. If such adjustment is not accepted by the beneficiary, the commitment shall expire and reimbursement shall not be required in respect of the period during which the commitment was effective.*