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NOTE

From:	Presidency
To:	Special Committee on Agriculture
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing rules on support for strategic plans to be drawn up by Member States under the Common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1307/2013 of the European Parliament and of the Council - <i>Presidency note</i>

With a view to the Special Committee on Agriculture on 30 November 2020, delegations will find in the Annex a Presidency note on "enhanced eco-schemes" and "social conditionality" that will be discussed in trilogues.

At the SCA meeting on 23 November 2020, the Presidency reported on the trilogues regarding the CAP Strategic Plans Regulation and on the EP's demands on the consideration of labour and social legislation in the CAP as well as "enhanced eco-Schemes". The SCA reacted quite reserved on both points.

Regarding the demand for "**enhanced eco-schemes**", the Parliament gave further explanations to the Commission and the Presidency this week and made it clear that:

- this should be an option for Member States
- there should be no payments under eco-schemes for obligations that the farmer already has to comply with under conditionality.

An essential element of the concept is to encourage Member States to design eco-schemes in such a way that they are based on standards or requirements of conditionality, but go significantly beyond the level of conditionality. If the farmer demonstrates that s/he complies with the eco-scheme concerned or if this is established during an IACS inspection, the Member State could then assume that the specific conditionality standard or requirement is also met by this farmer. A separate control of the specific conditionality standard or requirement could then be dropped. The question of sanctions in case of baseline infringements might also need some discussion.

Based on the explanations provided by the European Parliament, the Commission services suggested the following text:

"Without prejudice to Article 28(5)(a), Member States may integrate in the commitments to be respected by the beneficiary of eco-schemes referred to in Article 28 one or more requirements and standards established in accordance with Article 12. When using this possibility, Member States shall specify for each eco-scheme concerned which requirements and standards listed in Annex III are integrated and shall ensure that the fulfilment of the commitments will guarantee compliance with the requirements and standards concerned.

Farmers participating in eco-schemes established in accordance with the first paragraph are deemed to comply with the relevant requirements and standards referred to in Annex III provided they respect the commitments under the eco-scheme concerned."

The Presidency would like to discuss this concept with Member States and ask for a mandate to further explore it with the EP and the Commission.

On “**social conditionality**”, Member States acknowledged the importance to comply with social and labor law regulations in principle, but shared the Presidency's view that this would not fit into the system of IACS/conditionality.

The Presidency would like to ask Delegations and the Commission for suggestions on how the social dimension and awareness for social and labor requirements in the CAP can be strengthened in other ways. Would the addition of social and labour legislation to the fields that the Farm Advisory Services need to cover, as suggested by the Swedish delegation last week, be a possible way forward?
