Council of the European Union

Brussels, 5 March 2026
(OR. en)

6945/26

Interinstitutional File:
2025/0241 (COD)

LIMITE

AGRI 158
AGRIFIN 49
FIN 353
CADREFIN 95
CODEC 359
ENV 187
FORETS 30

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	11733/25 + ADD 1 + ADD 1 COR 1
Subject:	Regulation establishing the conditions for the implementation of Union support under the CAP - Presidency suggested amendments on block 2 including Annex I

With a view to the meeting of the Working Party on Horizontal Agricultural Questions (Post-2027 CAP), (WP HAQ) on 10-11 March 2026, delegations will find in annex the Presidency suggested amendments on the above proposal, concerning block 2, "Green architecture". The changes compared to the Commission proposal are marked in ***bold italics*** (additions) and ~~strikethrough~~ (deletions).

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing the conditions for the implementation of the Union support to the Common Agriculture Policy for the period from 2028 to 2034

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(7) In line with the objective of achieving a better balance between incentives and requirements, Member States should target support through their NRP Plans towards CAP priorities, which are essential for the long-term sustainability of agriculture. The CAP post-2027 should accelerate the transition towards more sustainable production methods, contributing to ***the*** climate-neutrality objective by 2050. The new CAP should offer better rewards for delivering more ambitious ecosystem services which go beyond the results achieved through mandatory requirements. The new CAP should strike a new balance between a farm stewardship with a set of mandatory requirements, and agri-environmental and climate actions which support commitments beneficial for the environment, climate and animal welfare and a transition towards more resilient production systems.

(7a) In view of their high performance in respect of the environment, the climate and biodiversity both types of agri-environmental and climate actions (the commitments and the transition) should cover organic farming or more environmentally sustainable livestock production. Considering the significant costs and risks related to changes of production systems, the transition actions should encourage farmers to engage in transformative changes at farm level towards more resilient, sustainable and innovative production systems that are beneficial for the climate, environment and animal health and welfare. Given the importance of other land managers than farmers for nature conservation and improvement of biodiversity, it should also be possible to grant payments for voluntary management commitments to other beneficiaries than farmers.

Article 3

Farm stewardship

1. Farm stewardship shall comprise statutory management requirements listed in Annex I, Part A [Annex with SMRs], protective practices defined by Member States in the NRP Plan in accordance with paragraph 4 of this Article and Annex I, Part C, and the social conditionality system which comprises the statutory management requirements listed in Annex I, Part B.

2. Payments under ***the following*** interventions ~~referred to in Article 5(1), points (a) to (f), and points (o) and (p), to the extent they concern support for local agricultural products.~~ shall be subject to compliance with a system of statutory management requirements and protective practices collectively referred to as 'farm stewardship'~~.~~***:***

(i) the interventions referred to in Article 5(1), points (a) to (f), and

(ii) the interventions referred to in Article 5(1), points (o) and (p) that concern support for local agricultural products referred to in Article (the correspondence of art. 44 NRPP) of this Regulation and Article 48 of NRPP.

The list of statutory management requirements and the objectives of protective practices are set out in Annex I.

~~However, the conditions of farm stewardship listed in Annex I, Parts A and C, shall not apply to farmers receiving support under Article 5(1), point (g).~~.

3. Support subject to the farm stewardship conditions shall be deemed to comply with the principle of 'do no significant harm' in accordance with Article 33(2), point (d), of Regulation (EU, Euratom) 2024/2509.

For the purposes of this Article, 'statutory management requirement' means each individual requirement listed in Annex I, Parts A and B, set out within a given legal act listed in Annex I, Parts A and B, differing in substance from any other requirement in the same act.

The legal acts listed in Annex I concerning the statutory management requirements shall apply in the version that is applicable and, in the case of Directives, as implemented by the Member States. Acts implementing directives may however not have the purpose or effect

of an exemption of farmers or other beneficiaries from the statutory management requirements listed in Annex I, Parts A and B.

4. Member States shall define in accordance with Annex I, Part C, at a national or regional level, protective practices to be respected by farmers and other beneficiaries receiving the support referred to in paragraph 2, to achieve the following ***general*** objectives:

(a) protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area;

(b) protection of soil against erosion, preservation of the soil ~~potential~~***health***, maintenance of soil organic matter, including through crop rotation or diversification, as well as protection against burning of stubble on arable land;

(c) protection of water courses and ground water against pollution and runoff.

5. Member States shall include in the NRP Plan a description of the protective practices defined for each of the objectives set out in paragraph 4 including their territorial scope, farmers and other beneficiaries subject to the practice and a summary of the protective practice. ~~In setting the protective practices, Member States shall take utmost account of the CAP national recommendations referred to in Article 2.~~ Member States shall adapt the protective practices***, when there are*** ~~to~~ different land management systems and different environmental and climatic conditions in their territory.

6. Farmers ~~whose entire holding is~~ certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council[1] shall be deemed to comply with protective practices ~~set out in the NRP Plans in respect to objectives set out in paragraph 4, points (b) and (c)~~***listed in Annex I, Part C to this Regulation in relation to their organic production units, as defined in Article 3, point (10), of Regulation (EU) 2018/848, and their in-conversion production units, as defined in Article 3, point (11), of that Regulation***.

Member States may, taking into consideration the administrative burden of checks, decide that only farmers certified in accordance with Regulation (EU) 2018/848 whose entire

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[1] Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).

holding consists of organic production units, as defined in Article 3, point (10), of Regulation (EU) 2018/848, or of in-conversion production units, as defined in Article 3, point (11), of that Regulation, or of both such production units, are deemed to comply with protective practices listed in Annex I, Part C to this Regulation.

7. In setting the protective practices referred to in paragraph 4, Member States may establish in their NRP Plan specific exemptions from those protective practices based on objective and non-discriminatory criteria, such as crops, soil types and farming systems or damage to permanent grasslands due, inter alia, to wild animals or invasive species. Those specific exemptions shall be limited in terms of their area coverage, shall be established only in the event, and to the extent, that they are necessary to address specific problems in the application of those practices and shall not hamper ***significantly*** the objectives set out in paragraph 4 or distort competition.

8. Member States may grant temporary derogations from protective practices, where weather conditions***, plant diseases or pest infestations*** prevent farmers and other beneficiaries from implementing those practices or where the implementation of those protective practices would hamper the objectives set out in paragraph 4. Member States shall ensure that the temporary derogations are limited in their scope and duration to the extent necessary, granted based on objective and non-discriminatory criteria and that they do not hamper ***significantly*** the objectives set out in paragraph 4 or distort competition.

9. Member States may recognise the management practices under agri-environmental and climate actions referred to in Article 10(1), point (a), that contribute to the objectives set out in paragraph 4 of this Article in an equivalent way as the relevant protective practices established in the NRP Plan pursuant to that paragraph. Member States may deem farmers and other beneficiaries who commit to implement those equivalent practices to be compliant with the relevant protective practice.

Article 4

Environment and climate priority areas

1. Member States shall provide support to farmers and other beneficiaries at least in each of the following ~~environmental~~***environment*** and climate priority areas:

   (a) climate change adaptation and water resilience;

(b) climate change mitigation including carbon removals and on-farm renewable energy production, including biogas production;

(c) soil health;

(d) preservation of biodiversity, such as conservation of habitats or species, landscape features, reduction of use of pesticides;

(e) development of organic farming;

(f) animal health and welfare.

Member States with areas affected by water pollution due to nitrate surplus shall provide support to farmers***, such as support*** for extensification of livestock systems~~ or for~~**,** diversification to other agricultural activities ***or other actions that contribute to mitigating the causes of pollution or restore the water bodies***.

2. For each of the priority areas referred to in paragraph 1 support shall be provided under the conditions laid down in Articles 9, 10 ~~and~~***or*** 13.

Article 8

Payment for natural or other area-specific constraints

1. Member States shall provide support to compensate farmers for natural or other area-specific constraints.

2. The payment for areas with natural ~~and~~***or*** other specific constraints ~~may~~ ***shall*** be provided in respect of ***at least one of the following categories of*** areas that:

(a) were designated pursuant to Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council[2];

[2] Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487), ELI: http://data.europa.eu/eli/reg/2013/1305/oj).

(b) are newly designated ***by Member States*** in view of specific constraints ~~defined by Member States~~***in accordance with paragraph 2a*** and have been included in the NRP Plan.

~~Member States may carry out a fine-tuning with the purpose of excluding areas within the areas designated in accordance the first subparagraph, points (a) and (b), under the conditions laid down in Article 32(3) of Regulation (EU) No 1305/2013~~.

The surface of the areas ***newly*** designated pursuant to the first subparagraph, point (b), shall not exceed ~~2 %~~***2%*** of the utilised agricultural area of the Member State concerned.

2a. Member States may designate new areas referred to in paragraph 2, point (b) that are affected by specific constraints, and if it is necessary for land management practices to be continued on those areas in order to conserve or improve the environment, to maintain the countryside, to preserve the tourist potential of the areas or to protect the coastline.

2b. Member States may carry out a fine-tuning with the purpose of excluding areas within the areas designated in accordance with paragraph 2, points (a) or (b). The fine-tuning shall be based on objective criteria and shall exclude areas where significant natural constraints have been documented but have been overcome by investments, or by economic activity, or by evidence of normal land productivity, or in which production methods or farming systems have offset the income loss or added costs.

3. The payments per eligible hectare shall be limited to the additional costs ~~or loss of~~***and*** income ***foregone*** related to undertaking agricultural production in the designated areas compared to production in non-designated areas.

Article 9

Support for disadvantages resulting from certain mandatory requirements

1. Member States may provide area-based support in agricultural and forest areas for disadvantages resulting from the implementation of:

(a) Council Directive 92/43/EEC[3] and Directive 2009/147/EC of the European Parliament and of the Council[4];

(b) Directive 2000/60/EC of the European Parliament and of the Council[5].

In addition to the areas referred to in the first subparagraph, point (a), Member States may decide to support other delimited nature protection areas with environmental restrictions applicable to farming or forestry which contribute to the implementation of Article 10 of Directive 92/43/EEC, provided that those areas do not exceed ~~5 %~~***5%*** of the designated Natura 2000 areas covered by the NRP Plan.~~–~~

2. Payments under this Article may be granted to farmers, forest holders and ~~their~~***forest holders´*** associations.

3. Member States may only grant payments under this Article in order to compensate beneficiaries for all or part of the additional costs and income foregone related to the compliance with mandatory requirements resulting from the implementation of the Union acts and provisions listed in paragraph 1~~, first subparagraph,~~ including transaction costs.~~–~~

Article 10

Agri-environmental and climate actions

1. Member States shall provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry***, contributing to the environment and climate priority areas referred to in Article 4***:

(a) voluntary management commitments taken ~~up~~***on*** by farmers and other beneficiaries, including commitments to maintain organic farming ~~and extensification of~~***or***

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[3] Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7), ELI: http://data.europa.eu/eli/dir/1992/43/oj).

[4] Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7), ELI: http://data.europa.eu/eli/dir/2009/147/oj).

[5] Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1), ELI: http://data.europa.eu/eli/dir/2000/60/oj).

extensive livestock production~~, established and implemented in accordance with paragraph 3~~;

(b) voluntary transition towards resilient production systems carried out by farmers at the level of the holding or for part of a holding, including conversion to organic farming ~~and~~***or*** extensification of livestock production systems~~, established and implemented in accordance with paragraph 4~~.

2. ~~Each~~ Member ~~State shall~~***States may decide to*** provide support for ~~organic farming certified~~***protective practices defined by Member States*** in accordance with ~~Regulation (EU) 2018/848 of the European Parliament and of the Council[6] and extensive livestock production systems under both forms of action referred to in paragraph 1~~***Article 3(4)***.

3. The ~~management commitments~~***support*** referred to in paragraph 1, point (a), may be ***provided in particular for*** annual or multiannual ~~and may have in particular the following objectives~~***management commitments related to***:

(a) ***actions on*** protection of water quality and reduction of pressure on water resources, protection of soil, nutrient management, biodiversity conservation, including landscape features and reduction of the use of pesticides;

(b) ***actions on*** climate change mitigation, including reduction of greenhouse gas emissions and carbon sequestration, climate change adaptation, including animal and plant diversity for resilient ecosystems;

(c) ***actions on*** animal health and welfare, including combating ~~of~~ antimicrobial resistance;

(d) sustainable use and development of genetic resources; or

(e) forest environmental services and forest conservation.

~~[6] Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).~~

4. Support for the transition actions referred to in paragraph 1, point (b), shall ***be*** granted on the basis of a transition action plan drawn up by a farmer and approved by the Member State. To implement the support for transition actions referred to in paragraph 1, point (b), Member States shall describe in the NRP Plan the production systems that they deem beneficial for the climate and environment.

Member States shall determine the amount of support for transition actions referred to in paragraph 1, point (b) based on cost estimates set out in the transition plans. The support shall be limited to EUR [200 000] per farmer per programming period of the NRP Plan. [From NRP Art. 36(2)]

Member States shall pay the support to farmers in instalments over the period of implementation of the transition action plan. The payment of the last instalment shall be conditional upon completion of the implementation of the transition action plan. ~~Member States shall ensure that the payments are recovered if the farmer fails to implement the transition action plan.~~

5. Member States shall only grant support for management commitments referred to in paragraph 1, point (a), which go beyond the relevant statutory management requirements referred to in Annex I, Part A, and the relevant minimum requirements for the use of fertiliser and plant protection products, animal welfare and other relevant mandatory requirements established by national and Union law.

However, where national law imposes requirements which go beyond the corresponding mandatory minimum requirements laid down in Union law, support may be granted for management commitments referred to in paragraph 1, point (a), contributing to compliance with those requirements.

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ANNEX I (to the CAP post-2027 Regulation)

Farm stewardship requirements referred to in Article 3

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Part A: Rules on farm stewardship:

Areas	**Main issue**	**Statutory Management Requirements**	
Climate and environment	Water	SMR 1	Directive 2000/60/EC: Article 11(3), point (e) and (h), as regards mandatory requirements to control diffuse sources of pollution by phosphates
		SMR 2	Council Directive 91/676/EEC[7]: Articles 4 and 5
	Biodiversity and landscape (protection and quality)	SMR 3	Directive 2009/147/EC: Article 3(1), Article 3(2), point (b), and Article 4(1), (2) and (4)
		SMR 4	Directive 92/43/EEC: Article 6(1) and (2)
	Food safety	SMR 5	Regulation (EC) No 178/2002 of the European Parliament and of the Council[8]

[7] Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1, ELI: http://data.europa.eu/eli/dir/1991/676/oj).

[8] Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1, ELI: http://data.europa.eu/eli/reg/2002/178/oj).

Public health, and plant health			Articles 14 and 15, Article 17(1)[9] and Articles 18, 19 and 20
		SMR 6	Council Directive 96/22/EC[10]: Article 3, points (a), (b), (d) and (e), and Articles 4, 5 and 7
	Plant protection products	SMR 7	Regulation (EC) No 1107/2009 of the European Parliament and of the Council[11]: Article 55, first and second sentence
		SMR 8	Directive 2009/128/EC of the European Parliament and of the Council[12]: Article 5(2) and Article 8(1) to (5), Article 12 with regard to restrictions on the use of pesticides in

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[9] As implemented in particular by:
— Article 14 of Regulation (EC) No 470/2009 and the Annex to Regulation (EC) No 37/2010,
— Regulation (EC) No 852/2004: Article 4(1) and Annex I part A (II 4 (g, h, j), 5 (f, h), 6; III 8 (a, b, d, e), 9 (a, c)),
— Regulation (EC) No 853/2004: Article 3(1), Annex III Section IX Chapter 1 (I-1 b, c, d, e; I-2 a (i, ii, iii), b (i, ii), c; I-3; I-4; I-5; II-A 1, 2, 3, 4; II-B 1(a, d), 2, 4 (a, b)), Annex III Section X Chapter 1(1),
— Regulation (EC) No 183/2005: Article 5(1), (5) and (6), Annex I, part A (I-4 e, g; II-2 a, b, e), and Annex III (under the heading 'FEEDING', point 1 entitled 'Storage', first and last sentences, and point 2 entitled 'Distribution', third sentence), and
— Regulation (EC) No 396/2005: Article 18.

[10] Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of ß-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3, ELI: http://data.europa.eu/eli/dir/1996/22/oj).

[11] Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/1107/oj).

[12] Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71, ELI: http://data.europa.eu/eli/dir/2009/128/oj).

			protected areas defined on the basis of Directive 2000/60/EC and Natura 2000 legislation Article 13(1) and (3) on handling and storage of pesticides and disposal of remnants
Animal welfare	Animal welfare	SMR 9	Council Directive 2008/119/EC[13]: Articles 3 and 4
		SMR 10	Council Directive 2008/120/EC[14]: Articles 3 and 4
		SMR 11	Council Directive 98/58/EC[15]: Article 4

Part B: Rules on social conditionality:

Areas	**Main issue**	**Statutory Management Requirements**	
Employment of workers	Working conditions	SMR 12	Directive (EU) 2019/1152 of the European Parliament and of the Council[16]: Articles 3 to 6, 8, 10 and 13

13 Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7, ELI: http://data.europa.eu/eli/dir/2008/119/oj).

14 Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5, ELI: http://data.europa.eu/eli/dir/2008/120/oj).

15 Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23, ELI: http://data.europa.eu/eli/dir/1998/58/oj).

16 Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105, ELI: http://data.europa.eu/eli/dir/2019/1152/oj).

	Occupational safety and health	SMR 13	Council Directive 89/391/EEC[17] : Articles 5 to 12
		SMR 14	Directive 2009/104/EC of the European Parliament and of the Council[18]: Articles 3 to 9

Part C: Rules on protective practices

General objectives set out in Article 3(4)	**Specific objectives of the protective practices**
(a) Protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area	Protection of carbon-rich soils including protection of wetlands, peatlands and landscape features
	Protection of environmentally sensitive permanent grasslands on agricultural area in Natura 2000 areas
(b) Protection of soil against erosion, preservation of the soil **health**~~potential~~, maintenance of soil organic matter including **crop**~~soil~~	Protection of soil against erosion subject to site specific conditions
	Preservation of the soil **health**~~potential~~, including:

[17] Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1, ELI: http://data.europa.eu/eli/dir/1989/391/oj).

[18] Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 260, 3.10.2009, p. 5, ELI: http://data.europa.eu/eli/dir/2009/104/oj).

rotation or diversification, and protection against burning of stubble on arable land	- Protection of soils in periods that are most sensitive - Crop rotation or diversification
	Maintenance of soil organic matter through crop residue management, including ban on burning stubble on arable land
(c) Protection of water courses and ground water against pollution and runoff	Protection of water courses and ground water against pollution and runoff, including through establishment of buffer strips along water courses

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