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CONTRIBUTION

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Regulation establishing the conditions for the implementation of Union support under the CAP - Comments from Poland on the CAP post-2027 Regulation, Art 10 and Annex I

Poland's proposal concerning Article 10 (4) of the CAP Regulation

*Article 10(4) Support for the transition actions referred to in paragraph 1, point (b), shall be granted on the basis of actions which facilitate a holding, or part of a holding, to evolve towards more environmentally sustainable and resilient production systems. ~~Member States shall describe these systems in their NRP Plan.~~ **Member States shall describe in their NRP Plan, as a minimum, the framework and objectives applicable to these systems.***

Justification

Generally, Poland considers that the implementation of transition actions by Member States (Article 10 (1)(b) of the CAP Regulation), leading to more sustainable and resilient production systems, should be voluntary.

Notwithstanding the above, in view of the need for more flexibility in the implementation and design of this instrument, Poland proposes to amend Article 10 (4). The current wording of this provision obliges Member States to describe in the NRP plan the specific production systems (more environmentally sustainable and resilient production systems) that the transition would lead to. In our view, this excessively limits the possibility of adapting measures to the specific characteristics and needs of individual farms.

Meanwhile, we consider the greatest advantage of this new instrument to be the opportunity to place the initiative in the hands of farmers, while limiting the role of administration in defining the specific systems to be implemented.

Therefore, we propose that Member States should, in the NRP Plan, as a minimum, only define the framework and objectives that these transition systems should meet.

Such an approach would entail greater involvement of farmers in shaping transition actions. Within the objectives and framework defined by the Member State, farmers would propose actions tailored to the specific characteristics and individual needs of their farms, which they would intend to implement. This would ensure the selection of solutions appropriate to local circumstances, environmental and climate challenges and provide the possibility to support measures precisely tailored to the needs of the individual farm. In our view, such an approach to selecting actions would ensure that adaptation efforts are more effective.

The proposed solution would also give Member States more flexibility in the implementation of this measure. Member States would not have to define an exhaustive list of production systems in advance in the NRP Plan. Setting only a framework and objectives in the NRP Plan would leave open the possibility to consider, during the implementation phase, new emerging challenges, systems or technologies, without the need to revise the NRP Plan on a case-by-case basis.

Moreover, the current wording of the draft provision means that this instrument will only be available to selected farms for which well-defined production systems can bring real economic benefits and for which the transition in the intended direction alone will be feasible. In Poland's view, this significantly limits the possibility to use this tool on a wider scale.

Accepting Poland's proposal will make this instrument more open to a larger group of farms, regardless of the type of production, stage of development, location or other specific conditions.

The role of the Member State would be to establish an appropriate selection and qualification mechanism to support such transition systems proposed by farmers. Those solutions that best meet the identified objectives and have the highest potential to contribute to the transition of farms towards more sustainable and resilient production systems would be eligible for support.

In conclusion, the proposed amendment would make it possible to combine the provision by Member States of an appropriate framework and clear directions for the transition with flexibility in selecting specific solutions tailored to the specific characteristics of individual farms.

Poland's proposal concerning Annex 1, Part C of the CAP Regulation (Protective Practices)

Poland is in favour of limiting the details of the requirements provided for in Annex I, Part C, on protective practices. In Poland's opinion Member States should have an appropriate flexibility in defining protective practices tailored to national conditions and needs. Therefore, certain provisions in Annex I, Part C, particularly those related to buffer zones and organic matter maintenance, should be simplified. Member States should be able to maintain existing, proven and well-functioning solutions.

Poland also indicates that the national NRP plans should present only a general description of protective practices, while detailed solutions should be defined at the level of national law.

In view of the interpretative doubts regarding the scope of element PP6 – especially, how to interpret the requirement „maintenance of soil organic matter through crop residue management” – Poland, like Latvia, proposes removing this element from PP6 and retaining only the ban on burning stubble on arable land, except for plant health reasons.

Furthermore, like Latvia, Poland is also calling for removing from PP8 the first part of the description of the specific objectives – “Protection of watercourses against pollution and runoff, including through” –, leaving only the requirement for the “establishment of buffer strips along watercourses”.

Please find below Polish proposal under PP6 and PP8 written in the red font.

Part C

Rules on protective practices

General objectives set out in Article 3(4)	Specific objectives of the Protective Practices (PPs)	
(b) Protection of soil health and resilience	<u>PP 6</u>	~~Maintenance of soil organic matter through crop residue management, including a~~ Ban on burning stubble on arable land, except for plant health reasons
(c) Protection of water courses	<u>PP 8</u>	~~Protection of water courses against pollution and runoff, including through the~~ Establishment of buffer strips along water courses