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## **CONTRIBUTION**

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From:	General Secretariat of the Council
To:	Working Party on Horizontal Agricultural Questions (Post-2027 CAP)
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**Written comments on Articles 18, 19, 20 and 21 of the CAP proposal.**

**Comments from Latvia**

CAP proposal	Comments from Latvia
<p><b>Articles 18 LEADER</b></p>	
<p>1. Member States shall provide support for LEADER to prepare and implement LEADER local development strategies under the conditions laid down in Article 76 of Regulation (EU) [...] [NRP] and as further specified in their NRP Plans.</p> <p>2. Member States shall support LEADER at least in rural areas with specific disadvantages defined by the Member States in the NPR Plans.</p> <p>3. Member States shall provide support through LEADER for projects implemented by local action groups involving startups, value added capacity in transformation, diversification of farm activities, including agrotourism, direct sale of agricultural products and innovation.</p> <p>4. Support provided from LEADER shall be focused on rural development fields with added value for farmers and forest holders, such as social, environmental, digital and economic transformation of rural areas, improvement of well-being of rural citizens, strengthening social capital.</p>	<p>1) <b>Why there is no ring-fencing for such an important element as LEADER, and why is it not included in the funding allocated to the CAP?</b> LEADER is an important tool for regional development, based on local needs and the involvement (participation) of local communities, so it is very important to preserve the covered area by community-led local development strategies and all the activities that are currently supported under LEADER intervention.</p> <p>2) Please clarify whether, within the framework of the LEADER approach, the range of beneficiaries still covers a broader scope and various stakeholders, taking into account the bottom-up principle of the LEADER approach. Can beneficiaries under Article 18(4) also include NGOs (associations, foundations), rural economy enterprises, local authorities, or only CAP beneficiaries referred to in Article 4(3) point c of the NRP Regulation?</p> <p>3) <b>What can be considered specific disadvantages of a territory under Article 18(2)</b>, what criteria can be used and in how broad a context? Does this mean that the support referred to in Article 18 can only be invested (the project implemented) in a defined area with specific disadvantages, or more broadly, for example, also in a neighboring town, provided that the specific project benefits the local population of the defined area? Will areas with specific disadvantages also have to be defined if the LEADER approach is implemented in all rural areas? Latvia is of the view that the LEADER approach should be promoted in a wider area, as rural areas face many challenges.</p> <p>4) At the moment, it is not entirely clear who the beneficiary is in the context of Article 18(3), as it is stated that support is provided for projects implemented by local action groups. Please clarify what is meant by "projects" and what is the connection with local action groups, or whether it would be more appropriate to refer to the local development strategy, which is a set of several activities (projects).</p> <p>5) Similarly, does Article 18(3) excessively narrow down the overall approach by predefining project themes? Are the themes mentioned in Article 18(3) mandatory or optional? Why is there no reference to local entrepreneurship, including possible investments in local infrastructure and services that could improve the quality of life in rural areas?</p>

	<p>6) Does the requirement in Article 18(4) which implies that LEADER support must create added value for farmers and forest holders not create a risk that one interest group will influence the decisions taken by the LAGs, which is contrary to Article 76(1) point b of the NRP Regulation? It also creates an additional administrative burden to assess the impact of each project on the added value for farmers and forest holders and is not in line with the LEADER bottom-up approach.</p> <p>7) Who will now be the final decision-maker on granting support to specific LEADER projects? Article 76(3) of the NRP Regulation sets out the mandatory tasks of local action groups, and point d stipulates that LAGs shall select the operations to be supported. Does this mean that local action groups will have to make the final decision on project approval? This would be a new responsibility for LAGs – to assess the eligibility of projects for EU and national support, which was previously carried out by the Paying Agency.</p> <p>8) Since the Article 76(3) does not mention the obligation of LAGs to prepare and publish calls for proposals and determine the amount of support for a project, does this mean that this will have to be done by the Paying Agency?</p> <p>9) Do the costs referred to in Article 77(2) as "the costs of operations implemented" also include the costs of ensuring the operation of the LAG?</p>
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**Articles 19**  
**Support for knowledge sharing and innovation in agriculture, forestry and rural areas**

<p>1. Member States shall provide support for knowledge sharing and innovation in agriculture, forestry and rural areas under the conditions laid down in this Article. Member States shall provide support:</p> <ul style="list-style-type: none"> <li>(a) to prepare and implement the projects of the EIP-AGRI operational groups as well as actions to ensure broader uptake of projects' results;</li> <li>(b) for actions to promote innovation, training and advice, skills development, advisory services and other forms of knowledge sharing and dissemination of information.</li> </ul> <p>Support for advisory services shall only be granted for those advisory services that comply with Article 20(3).</p> <p>2. The aim of EIP-AGRI shall be to accelerate development and use of innovations by improving the exchange of knowledge and fostering synergies between policies, actors and instruments in agriculture, forestry and rural areas. Results from its work shall be disseminated and multiplied through the AKIS.</p> <p>The EIP-AGRI shall:</p> <ul style="list-style-type: none"> <li>(a) support cooperation projects for innovation through operational groups based on the 'interactive innovation model' referred to in paragraph 4;</li> <li>(b) link research and farming and forestry practice and inform the scientific community of the needs of those practices;</li> </ul>	<p>1) <b>Why there is no ring-fencing for such an important element as knowledge sharing and innovation, and why is it not included in the funding allocated to the CAP?</b></p> <p>2) Article 19 also includes implementation in "rural areas", please provide a more detailed explanation of what it envisages under this reservation? How could this be applied to advice, given the requirement that support for advisory services shall only be granted for those advisory services that comply with Article 20(3), which stipulates advice to farmers and forest holders? Can other final beneficiaries in rural areas also receive advice?</p> <p>3) Currently, there are more detailed conditions for advisory services, but no such details for other forms of knowledge sharing, such as training and demonstrations. Does this mean that MS can organize training and demonstrations using their own conditions and, if necessary, also expand the existing period approach?</p> <p><b>EIP-AGRI:</b></p> <p>1) Point 1(a) - What actions are foreseen/allowed for the broader uptake?</p> <p>2) Can 2(b) also include processing, as it is linked to the creation of added value in the sector as a whole?</p>
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- (c) connect innovation actors and projects, particularly via the Union and national CAP networks;
  - (d) promoting the use of innovative solutions through dissemination of information and knowledge, including farmer-to-farmer exchanges.
3. The projects implemented by the EIP-AGRI operational groups shall be based on the 'interactive innovation model' that complies with the following principles:
- (a) develop innovative solutions focusing on the specific needs of farmers, forester holders and rural actors;
  - (b) bring together partners with complementary knowledge such as academia, researchers and the farming community, and where relevant, actors of the food chain and ensure their active involvement in projects;
  - (c) the projects are co-created and co-decided among the actors involved in the projects and implemented in a consultative manner, including ensuring the potential for scale up.

Member States shall ensure that the key results of the projects referred to in this paragraph are disseminated through practice-oriented channels, including the national and Union CAP networks. The disseminated information shall include the objectives of the projects, participating partners, key thematic areas addressed, geographical location of the project, total budget, and the final outcome of the project, with focus on the practical innovative solutions developed.

4. Member States may grant support for projects of EIP-AGRI operational groups under the following conditions:
- (a) support may only be granted on the basis of an approved project plan that is based on the principles referred to paragraph 3;
  - (b) the operational group implementing the project shall involve at least two different actors and shall contribute to one or more CAP-related specific objectives set out in Article 3, point (d), of Regulation (EU) [...] [NRP];

Member States shall set objective criteria and transparent requirements for the content, the duration, the submission and approval of project plans to be drawn up by the EIP-AGRI operational groups.

5. Member States shall not provide support under this Article to knowledge sharing and innovation involving research bodies only.

3) Point 3(a) - interaction throughout the food chain is currently accepted - now that point 3(a) is to be made more specific, are any significant changes to the current approach planned? LV considers that point **3(a) should cover all actors in the supply chain!** We are concerned that this may restrict projects at the sectoral level or mean that only farm-level projects can be implemented.

4) Point 4(b) - it is stated that the project is implemented by "at least two" partners - will Member States be allowed to impose a requirement for a larger number of participants in their national plans?

5) Is it permissible to continue implementing trans-national EIP projects, as we do not see any specific provisions regarding this in the proposed wording?

6) For what controls EIP data will be used, as currently provided for in Article 63 of the NRP Regulation?

7) Please explain in more detail the application of aid intensities, taking into account that the project is submitted by an EIP working group comprising at least two different partners, and that the application of different aid intensities depending on the type of partner will significantly complicate the implementation of the intervention.

8) Is it planned to maintain the current approach that EIP working group projects (up to EUR 500,000) are exempted from the application of state aid rules?

9) We would like the Commission to clarify which "field of intervention" and which indicators are intended for EIPs in Annex 1 to the performance regulation. At present, there is no clear reference to EIPs there. Theoretically, we can see that it could be No. 26, but its name does not currently include forestry and rural areas. Or perhaps the EIP is planned under No. 360?

**Articles 20**  
**Agricultural knowledge and innovation systems and farm advisory services**

1. Each Member State shall ensure that farmers and forest holders have access to innovation and that new knowledge reaches them in a timely and effective manner, enabling them to deploy innovative and sustainable solutions effectively and profit from up-to-date knowledge in the agricultural sector.
2. To meet the requirement laid down in paragraph 1, each Member State shall establish in the NRP Plan how innovations and up-to-date knowledge reach farmers,

1) Do we understand correctly that the legislation now fragments the approach, and in the case of CAP advisory interventions, the beneficiary of support may only be the farmer and forest holder (as defined in Article 20(3))?

2) How to support advice for others living and working in rural areas?

<p>in particular through the Agricultural Knowledge and Innovation System (the AKIS). The AKIS shall include:</p> <ul style="list-style-type: none"> <li>(a) arrangements to ensure effective knowledge flows and synergies between advisors, researchers, practitioners, national CAP networks and other relevant stakeholders;</li> <li>(b) actions to improve access for farmers and forest holders to impartial and qualified advice;</li> <li>(c) support for innovation as a part of the farm advisory services, particularly support for the EIP-AGRI operational groups referred to in Article 19 including for the use of the 'interactive innovation model' referred to in Article 19(4);</li> <li>(d) a plan to improve dissemination and demonstration of research outcomes and innovative and sustainable solutions to farmers, forester holders and other end-users at a large scale;</li> <li>(e) interventions set out in the NRP Plan supporting AKIS operation, in particular those referred to in Article 19, and their complementarity and coherence with relevant national initiatives and other relevant measures set out in the NRP Plan;</li> <li>(f) a system for provision of farm advisory services, established in accordance with paragraph 3.</li> </ul> <p>3. As part of the AKIS, Member States shall describe in the NRP Plans, and implement, a system for provision of farm advisory services to be established to support access to knowledge and wider deployment and use of innovations. The farm advisory services shall cover all the following elements:</p> <ul style="list-style-type: none"> <li>(a) advice to farmers and forest holders on sustainable and resilient management of land, farms and forests tailored to farm types and different production systems, as well as on the requirements for support set out in the NRP Plans, including farm stewardship, setting-up and transfers of holdings and start-ups; business management, access to social support, raising awareness about mental health issues and availability of the relevant services; and the use of innovations, data-driven solutions and digital tools;</li> <li>(b) targeted advice for young farmers, in particular as regards business management, access to finance, access to public support, access to knowledge and innovation.</li> </ul> <p>4. Member States shall ensure that farmers and forester holders have direct access to advisers, such as by providing public databases of advisors. Member States shall ensure that the advice provided to farmers and forest holders is impartial, and that advisors are suitably qualified and free from conflict of interest.</p>	<p>3) Who can receive support for training and demonstrations, and other forms of knowledge sharing? In the context of the indicators - who is a beneficiary? Will we have to count how many farmers and forest holders have training OR beneficiaries who have training in agriculture and forestry?</p> <p>4) If training or advisory services are used by a rural resident to gain knowledge about agriculture, can they receive support and will they have to be counted in indicators?</p> <p>5) Will the Performance regulation also include indicators for training and demonstrations, and what indicators, because we don't see any of those at the moment? In Annex 1 of the Performance regulation, in the field of Agriculture, only advisory services are mentioned as No. 25? And also, for the same advisory services, only agriculture is mentioned and forestry is missing, does this mean that performance has to be planned only for agricultural advisory services? Or, given that Article 20(3) of the CAP Regulation defines advice to forest holders as an obligatory activity, even though the policy area is 'agriculture' and not 'agriculture and forestry' (as for other intervention fields), should it be understood that 'agricultural advisory services' also apply to foresters and forest holders? In the context of training, will we need to plan an indicator together with an education block, for example indicator No134 "adult learning"?</p> <p>Activities intended for agriculture or farmers, in our opinion, would be the policy area 'agriculture', but currently the only intervention field to be attracted to this policy area in terms of knowledge exchange is 'agricultural advisory services'. At present, we do not see where to attract other knowledge exchange activities for farmers, foresters, forest holders (in agriculture and forestry).</p> <p>6) Is the database referred to in Article 20(4) the same as what is applicable today, that is, a publicly available list of advisers, or is it mandatory to create a database? Latvia believes that it would be sufficient to provide only a publicly available list of advisers (as it is now) and not to create a database.</p> <p><b>The text of Art.20(4) should be changed as follows:</b></p> <p>4. Member States shall ensure that farmers and forester holders have direct access to advisers, such as by providing <b>public databases list</b> of advisors. Member States shall ensure that the advice provided to farmers and forest holders is impartial, and that advisors are suitably qualified and free from conflict of interest.</p>
<p><b>Articles 21</b> <b>Authority in charge of data governance under the CAP</b></p>	

1. Each Member State shall designate one authority responsible for taking or coordinating actions to achieve and maintain national and cross-border interoperability between information systems used for the implementation, administration, monitoring and evaluation of the CAP for the benefit of farmers and other CAP beneficiaries. For the purposes of this Article, interoperability means the ability of information systems to interact with each other by sharing data by means of electronic communication.

2. The designated authority shall have in particular the following tasks:

- (a) drawing up and submitting to the Commission a Roadmap at the level of the Member State to achieve and maintain interoperability (hereinafter the 'Roadmap') and follow up of Commission observations on the Roadmap;
- (b) coordination of the implementation, or, as decided by the Member State, implementation of the Roadmap in an efficient, effective and timely way.

The Member States shall notify the Commission of the designation of the authority at the latest by [OPOCE: [within three months from the entry into force of this Regulation].

3. The Roadmap referred to in paragraph 2 shall cover:

- (a) identification of needs to achieve and maintain interoperability as referred to in paragraph 1, and design of measures to address them as well as timeframe with milestones and targets for their implementation;
- (b) identification of possible synergies with other Union and national interoperability initiatives.

To the extent possible, Member States shall base their assessment of needs and the design of the measures on the principle that data is collected only once and re-used.

For the elements referred to in the first subparagraph, point (a), the Member State shall consider in particular the need to establish a single digital identity framework and shall consider alignment with Regulation (EU) No 910/2014, including as regards the European Digital Identity Wallet for natural and legal persons.

4. The Member States shall submit to the Commission by 16 December of each calendar year an annual report on the implementation of the Roadmap, assessing the progress of the implementation of the steps and measures and the timeframe set out in the Roadmap.

Where necessary, Member States shall submit to the Commission amendments of the Roadmaps together with the annual reports.

Member States shall submit the first annual report to the Commission by 16 December 2029.

5. The Commission is empowered to adopt delegated acts in accordance with Article 23, which are necessary to ensure that interoperability and seamless data exchange between information systems used for the implementation, monitoring and evaluation of the CAP are implemented in an efficient, coherent, effective and timely manner, supplementing this Article with rules where the implementation of the Roadmap

1) What is meant by "CAP beneficiaries" – is this about interventions and data within the CAP ring-fenced framework?

2) Why should the data coordination authority be designated only in relation to the CAP, when the concerns of farmers relate to the amount of data that must be reported outside the CAP?

And how does this additional obligation fit together with Article 63(4) of the NRP Regulation on data collection, which already states that Member States shall establish digital data collection systems in an interoperable manner and based on the principle that data shall be collected only once. Why does the CAP Regulation need to duplicate this with an additional burden?

3) What is meant by milestones and targets in point 3(a)? Why such a complicated approach, why is it necessary to set milestones? Why are targets not enough? Do these indicators have to be expressed in numerical values, or can they be project steps? Please provide examples of what milestones and targets could be.

4) What does the condition in point 3(b) "identification of possible synergies with other Union and national interoperability initiatives" mean? Please give an example!

5) What does "a single digital identity framework" mean? How should it work in practice?

6) Point 4 – why does the report have to be submitted every year, why is it not enough to submit one report in the middle of the period and one at the end of the period? Why specifically December 16? Why can't it be a month at the beginning of summer, since the end of the year is one of the busiest periods for paying agencies, when all payment reports and statements have to be prepared?

During the discussions regarding CAP simplification package, we have already expressed the view that Latvia supports the principle that farmers should only have to submit data once. Latvia is already implementing this approach step by step, so we believe that it is not necessary to designate a separate authority for this purpose. This can be done by the Member State within its own administrative structure.

**We do not agree that the MS should be obliged to designate an authority for the coordination of information systems.** The functions and competences of this authority are still unclear, as is the assessment of costs and benefits.

referred to in paragraph 2 so requires as well as rules on interoperability measures referred to in paragraph 3, point (b).

6. The Commission may adopt implementing acts laying down rules on:

(a) form and content of the Roadmap and annual report;

(b) arrangements for transmitting or making available to the Commission the Roadmaps and annual reports.

These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.

PUBLIC