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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 and drafting suggestions from the Member States on Block II

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Consolidated comments from delegations

Please note that this document contains an automatically consolidated version of the comments received from the delegations mentioned above. If you notice that the consolidated version does not correctly reflect your original comments, please inform the Council Secretariat of this,

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Thank you for your cooperation.

CY PCY suggestions	Drafting suggestions and Comments
<p>(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 <u>the</u> 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.</p>	<p>BE- (Drafting suggestions):</p> <p>(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 by incentives for delivering more ambitious resilient 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, biodiversity, climate and animal welfare and a transition towards more resilient production systems.</p> <p>BE- (Comments):</p> <p>BE suggests to replace the wording ‘more ambitious ecosystem services’ by the wording ‘resilient ecosystem services’ as mentioned in art. 10 (3) point (a) of this Regulation and to clarify the text by making the link between the importance of incentives and delivering resilient ecosystems.</p> <p>BE also suggests to add ‘biodiversity’ in the last sentence of the recital (7) in line with art. 10 (3).</p> <p>IE (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>contributing to <u>the</u> climate-neutrality and <u>biodiversity</u> objectives by 2050.</p> <p>PL (Drafting suggestions):</p> <p>(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 or a transition towards more resilient production systems.</p> <p>PL (Comments):</p> <p>Technical adjustment to amendments introduced in Article 10. In Poland’s opinion, Member States should have more flexibility to decide how to implement the CAP, taking into account their national or regional needs and challenges. Transition towards resilient production systems should be voluntary for Member States.</p>
<p><u><i>(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</i></u></p>	<p>BE- (Drafting suggestions):</p> <p>(7a) In view of their high performance in respect of the environment, the climate and biodiversity <u>at least one</u> 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, <u>biodiversity</u> 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.</p>

CY PCY suggestions	Drafting suggestions and Comments
<p><u><i>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.</i></u></p>	<p>BE- (Comments):</p> <p>(BE) BE suggests to add ‘biodiversity’ in the last sentence of the recital (7a) in line with art. 10 (3).</p> <p>(BE) Same comment as in article 10.1:</p> <ul style="list-style-type: none"> • The obligation to cover organic farming should be fulfilled with only one of the two types of action. <p>It is up to the Member States to choose which issues the CAP/NRPP budget should focus on.</p> <p>EE (Comments):</p> <p><u><i>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.</i></u></p> <p>Could the meaning of <i>other land managers and other beneficiaries</i> than farmers be specified? What is the definition of <i>nature conservation and improvement of biodiversity</i>?</p> <p>ES (Drafting suggestions):</p> <p>(7a) <u><i>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 may cover organic farming or more environmentally sustainable livestock production. Considering the significant costs and risks related to changes of production systems, the transition actions, where applicable, 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.</i></u></p> <p>ES (Comments):</p> <p>Organic farming or more sustainable livestock production are only examples of the actions, we consider that there are many other options to contribute to the objectives fixed in article 4.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>We consider that transition action plans are not a possibility in all the territory of the EU, so we consider that the implementation of these transition plans must also be voluntary for the Member States, as we have explained in Article 10.4.</p> <p>FR (Drafting suggestions):</p> <p>In view of their high performance in respect of the environment, the climate and biodiversity, both types of agri-environmental and climate commitments (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, <u>including organic farming, the transition actions commitments</u> 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. <u>It should also be possible to support the maintenance of agricultural systems that are already resilient and environmentally efficient.</u> 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.</p> <p>FR (Comments):</p> <p>FR : Les autorités françaises rappellent que la distinction stricte entre engagements et actions de transition soulève de nombreuses difficultés et n'apparaît pas justifiée, car de nombreuses pratiques agronomiques bénéfiques pour l'environnement et le climat peuvent relever soit des engagements de gestion, soit des actions de transition. Elles demandent que cette distinction soit supprimée dans ce considérant comme dans l'article 10.</p> <p>EN : The French authorities point out that the strict distinction between commitments and transition actions raises numerous difficulties and does not appear justified, as many agricultural practices that benefit the environment and the climate can fall under either management commitments or transition actions. They request that this distinction be removed from this recital as well as from Article 10.</p> <p>LU (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>LU (Comments): LU does not support extending agri-environmental and climate action payments to beneficiaries other than farmers. We also consider that conversion to organic farming should be eligible under voluntary management commitments. From our perspective, this recital could therefore be removed.</p> <p>NL (Comments): Thank you for including ‘commitments to other beneficiaries than farmers’]</p> <p>PL (Drafting suggestions): (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, Member State may decide to implement the transition actions should aimed at encouraging 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.</p> <p>PL (Comments): Technical adjustment to amendments introduced in Article 10. In Poland’s opinion, Member States should have more flexibility to decide how to implement the CAP, taking into account their national or regional needs and challenges. Transition towards resilient production systems as well as extensification of livestock production systems should be voluntary for Member States.</p> <p>SE (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p><u>Comment:</u></p> <p>Payments for environmental and climate measures in agriculture are normally targeted at agriculture and are therefore subject to the exemption from state aid under the now partially moved Article 85 of the NRP Regulation. The question is whether other land managers who receive support for this measure, which according to its title deals with measures in agriculture, can also be considered to be covered by the exemption – or whether there are cases where the measures of other land managers are not considered to be covered by the state aid exemption. In the latter case, it would be helpful to have a reference to which state aid basis may be appropriate to notify. Given the amounts that can be provided within the measure, de minimis is not appropriate.</p> <p>SI</p> <p>(Drafting suggestions):</p> <p><u><i>(7a) In view of their high performance in respect of the environment, the climate and biodiversity, both types of either the commitments or the transition as 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 or animal 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.</i></u></p>
<p>Article 3</p> <p>Farm stewardship</p>	<p>HU</p> <p>(Comments):</p> <p>Our general comment on Farm stewardship under Article 3 is that it should not apply horizontally to hectares that do not receive support due to degressivity and capping.</p> <p>In case of larger farms, compliance with the farm stewardship requirements may not only fail to provide support, but may also result in additional costs as an obligation. Above a certain farm size, this is almost exclusively an obligation. This is even more serious in the current economic situation, where farmers are facing the Mercosur agreement, CAP budget cuts, and other challenges. This runs counter to business logic and paves the way for the creation of artificial conditions. Furthermore, there has been no precedent in the past for imposing obligations on areas not receiving any support.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Furthermore, we consider it a priority that the derogations and exemptions introduced by Simplification Regulations 2024/1468/EU and 2025/2649/EU should continue to apply in the new period.</p> <p>MT (Comments):</p> <p>Malta is of the strong opinion that social conditionality should be removed completely from farm stewardship. Farmers are already subject to Labour Laws and Occupational Health and Safety Laws. Adding further requirements for social conditionality under Farm Stewardship would reduce clarity and increase the administrative burden for farmers.</p>
<p>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.</p>	<p>BE- (Drafting suggestions):</p> <p>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. <u>By way of derogation, Member States that do additional efforts regarding improving the conditions of employment and enforcing employer obligations as well as occupational health and safety requirements, can exclude Annex I, part B from the conditionality.</u></p> <p>BE- (Comments):</p> <p>(BE) Derogation from social conditionality should be possible if the Member State itself does additional efforts outside the CAP and efforts additional to the applicable European regulation to simulate farmers to focus on addressing safety and conditions for workers.</p> <p>CZ (Drafting suggestions):</p> <p>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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>CZ (Comments): The requirements do not fall within the concept of farm stewardship as they do not fit the definition of conditions that do not significantly harm environmental objectives consisting of climate change mitigation, climate change adaptation, sustainable use and protection of water and marine resources, transition to a circular economy, pollution prevention and control, and the protection and restoration of biodiversity and ecosystems, as set out in Article 9 of Regulation (EU) 2020/852 of the European Parliament and of the Council.</p> <p>DE (Drafting suggestions): 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.</p> <p>DE (Comments): Social conditionality should be deleted, as it showed to be too bureaucratic, a foreign matter for CAP and with less additional value concerning working conditions and occupational safety and health.</p> <p>EE (Drafting suggestions): 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.</p> <p>EE (Comments): Estonia do not support social conditionality system in Farm Stewardship.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>HU (Drafting suggestions):</p> <p>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.</p> <p>HU (Comments):</p> <p>We do not support social conditionality under Farm stewardship, because it has no added value whilst causing an additional layer of administrative burden, which we find disproportionate.</p> <p>LT (Drafting suggestions):</p> <p>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.</p> <p>LT (Comments):</p> <p>We do not support the inclusion of social conditionality in farm stewardship. The application of social conditionality is a double punishment for farmers, therefore it must be ensured under the national law of the Member State and therefore eliminated from the CAP.</p> <p>LV (Drafting suggestions):</p> <p>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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>LV (Comments):</p> <p>We do not support the continuation of the social conditionality system, nor its inclusion in the list of protective practices under Section B of Annex I. The inclusion of social conditionality in the list of protective practices is conceptually problematic. Protective practices should relate directly to environmental, climate, or land management outcomes, whereas social requirements address a different policy domain. These risks diluting the focus and coherence of CAP instruments. Social conditionality introduced a layer of requirements that falls outside the core objectives and expertise of the CAP, which is primarily designed to support agricultural income, productivity, and environmental performance. Labour and social law enforcement is already governed by well-established national systems and competent authorities, and duplicating these controls within the CAP framework creates overlaps and legal uncertainty.</p> <p>LU (Drafting suggestions):</p> <p>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</p> <p>LU (Comments):</p> <p>As a majority of member states requested, LU would also like to delete social conditionality in the farm stewardship, since these aspects are already covered and, where applicable, sanctioned by specific legislation.</p> <p>MT (Drafting suggestions):</p> <p>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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>NL (Drafting suggestions):</p> <p>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 B, and the social conditionality system which comprises the statutory management requirements listed in Annex I, Part B</p> <p>NL (Comments):</p> <p>Social conditionality is already a part of the social legislation in a member state. When part B social conditionality is deleted. Annex 1 part C becomes Part B.</p>
<p>2. Payments under <u>the following</u> interventions <i>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</i>, shall be subject to compliance with a system of statutory management requirements and protective practices collectively referred to as ‘farm stewardship’.</p>	<p>HR (Drafting suggestions):</p> <p>Payments under <u>the following</u> interventions <i>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</i>, shall be subject to compliance with a system of statutory management requirements and protective practices collectively referred in paragraph 1 to as ‘farm stewardship’.</p> <p>HR (Comments):</p> <p>Technical amendment: The concept of farm stewardship has already been defined in the first paragraph, so its repetition is unnecessary.</p> <p>LU (Drafting suggestions):</p> <p>Payments under <u>the following</u> interventions <i>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</i>, shall be subject to compliance with a system of statutory management requirements and protective practices collectively referred to as ‘farm stewardship’ as well as the do no significant harm principle.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>LU (Comments):</p> <p>LU does not agree with the logic, that small farmers which are exempted from farm stewardship should not be exempted from DNSH principle. Changes according to this should be made either in paragraph 2 or 3.</p>
<p><u>(i) the interventions referred to in Article 5(1), points (a) to (f), and</u></p>	<p>AT (Drafting suggestions):</p> <p><u><i>i) the interventions referred to in Article 5(1), points (a) to (g) (f), and</i></u></p> <p>AT (Comments):</p> <p>Payments for small farmers shall be subject to compliance with a system of statutory management requirements and protective practices</p> <p>MT (Drafting suggestions):</p> <p><u><i>(i) the interventions referred to in Article 5(1), points (a) to (f g), and</i></u></p> <p>MT (Comments):</p> <p>Malta is of the opinion that subjecting beneficiaries of Payments to Small Farmers (Article 5(1) point (g), and Article 7) to a separate set of conditions, namely the Do No Significant Harm guidelines, is confusing, administratively and – potentially – financially burdensome for farmers. Malta is advocating that the current <i>status quo</i> should be retained, i.e. that beneficiaries from Payments to Small Farmers are subject to Conditionality/Farm Stewardship, with the exemption from controls and penalties under the second subparagraph of Article 62 (1) of the NRP Regulation applicable for holdings with eligible area not exceeding 10 hectares. This has the advantage of continuity for farmers and national administrations, while avoiding burdens of further controls and expenditure to ensure compliance for small farmers. Furthermore, this would signal the EU’s continued commitment towards the simplification efforts initiated and enacted from 2024 onwards.</p> <p>NL (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(i) the interventions referred to in Article 5(1), points (a) to (f g), and</p> <p>NL (Comments):</p> <p>Include the small farmer scheme (g) under the Farm Stewardship system. In this way, it also automatically complies with the Do No Significant Harm principle just like the other income support interventions. And since this regulation also offers higher lump sum possibilities for small farmers, we see that a significantly larger subset of the European farming sector could now potentially fall under the small farming scheme than after the omnibus political compromise, so we believe including them in the farm stewardship system is justified.</p>
<p><u>(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.</u></p>	
<p>The list of statutory management requirements and the objectives of protective practices are set out in Annex I.</p>	<p>DE (Drafting suggestions):</p> <p>The list of statutory management requirements and the objectives of protective practices are set out in Annex I.</p> <p>DE (Comments):</p> <p>Superfluous, as this is already explained in paragraph 1 (“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”).</p> <p>SK (Drafting suggestions):</p> <p>We request the repeal of Part B Rules on social conditionality from Annex I according to Article 3 Farm stewardship</p> <p>SK (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>We consider transparent and uniform working conditions across all EU Member States an important element for enabling European agriculture to face upcoming challenges. At the same time, based on discussions with several Member States, we are convinced that employment matters and occupational health and safety are already sufficiently regulated and enforced under national legislation. Social conditionality was introduced primarily to address undeclared work, and therefore enforcement should focus on the most serious infringements in this area. We see no justification for extending this obligation to occupational health and safety requirements, nor for imposing additional financial or administrative burdens on farmers when fulfilling land management conditions.</p>
<p><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).</i></p>	<p>AT (Comments): Conditions of farm stewardship listed in Annex I, Parts A and C, <u>SHALL</u> apply to farmers receiving support under Article 5(1), point (g).</p> <p>EE (Drafting suggestions): <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).</i></p> <p>EE (Comments): Estonia does not agree with the CY amendment, derogation must still be made for applicants who have joined the small farmer scheme (Article 5(1), point (g)).</p> <p>IE (Drafting suggestions): However, Member States may decide that the conditions of farm stewardship listed in Annex I, Parts A and C, shall do not apply to farmers receiving support under Article 5(1), point (g).</p> <p>IE (Comments): This exemption should be optional for Member States. Part A refers to mandatory national standards and should not be exempted for any category.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>SI (Drafting suggestions): <i>However, the conditions of farm stewardship shall not apply to farmers receiving support under Article 5(1), point (g).</i></p>
<p>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.</p>	<p>BE- (Drafting suggestions): 3. Support subject to the farm stewardship conditions listed in Annex I, Parts A and C, and payments under the intervention referred to in Article 5 (1) point (g) 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.</p> <p>BE- (Comments): (BE) Part B of Annex I refers to social conditionality which has nothing to do with the principle of “do not significant harm”.</p> <p>BE request that payment for small farmers of the intervention referred to in Article 5(1) point (g) shall be deemed to comply with the Farm Stewardship and DNSH to reduce administrative burden.</p> <p>CZ (Drafting suggestions): 3. Support subject to the farm stewardship conditions and Payment for small farmers according to Article 7 of this regulation 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.</p> <p>CZ (Comments): In order to reduce the complexity of the income support, both for small farmers and for administrations in line with the OMNIBUS III amendments.</p> <p>IE (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>3. Support subject to the farm stewardship conditions listed in Annex I, Parts A or C 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.</p> <p>LT (Drafting suggestions):</p> <p>3. Support subject to the farm stewardship conditions and to payment for small farmers, referred to in Article 5(1), point (g) 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.</p> <p>LT (Comments):</p> <p>The principle “do no significant harm” requirement should not apply to small farmers.</p> <p>LV (Comments):</p> <p>We have reservations regarding the approach whereby small farmers are automatically deemed to comply with the principle of “Do No Significant Harm” (DNSH). Such compliance may undermine the credibility and integrity of the DNSH principle. The DNSH requirement is intended to ensure that supported activities do not cause harm to environmental and climate objectives. Exempting a category of beneficiaries from any form of verification risks creating unequal treatment and weakening the overall environmental ambition.</p> <p>PT (Drafting suggestions):</p> <p>3. <u>Payments under the intervention referred to in Article 5(1), point (g)</u> and 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.</p> <p>PT (Comments):</p> <p>The implementation of the DNSH principle must comply with the principle of proportionality. The guidelines currently being developed must consider the scale of the agricultural activity.</p>

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	<p>In this regard and bearing in mind that the payments provided for in Article 5(1)(g) relate to small farms that are exempt from farm stewardship, it is considered that, for reasons of proportionality and farmer and administrative simplification, this type of payment should also be deemed to comply with the DNSH principle.</p>
<p>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.</p>	<p>DE (Drafting suggestions): 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.</p> <p>LT (Drafting suggestions): 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.</p> <p>LT (Comments): We propose to remove social conditionality from the farm stewardship system. The application of social conditionality is a double punishment for farmers, therefore it must be ensured under the national law of the Member State.</p> <p>LV (Drafting suggestions): 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.</p> <p>LV (Comments): We do not support the continuation of the social conditionality system, nor its inclusion in the list of protective practices under Section B of Annex I.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>MT (Drafting suggestions): 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.</p> <p>NL (Drafting suggestions): 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</p> <p>NL (Comments): See first comment</p> <p>SE (Drafting suggestions): 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. By way of derogation, Member States may choose not to implement ‘statutory management requirement’ 2 and 5-11.</p> <p>SE (Comments): Sweden is of the opinion that the implementation of SMRs covered by the Regulation on official controls (Regulation (EU) 2017/625, OCR) should be voluntary (SMR 2, 5-11). Sweden considers this a necessary part of the overall ambition to provide simplification and understanding for our farmers. The OCR has entered into force, setting up a common framework for controls and sanctions for several of the legislative acts constituting the SMRs.</p>
<p>The legal acts listed in Annex I concerning the statutory management requirements shall apply in the version that is applicable and, in the case</p>	<p>CZ (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>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.</p>	<p>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.</p> <p>CZ (Comments): For the reason of unclear interpretation</p> <p>DE (Drafting suggestions): 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.</p> <p>FR (Drafting suggestions): 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.</p> <p>FR (Comments): FR: La Commission ayant confirmé lors du groupe de travail des 29 et 30 janvier que d'autres services vérifient si les directives sont transposées correctement et que la transposition des directives ne sera pas vérifiée dans le cadre de la PAC, il est proposé de supprimer cette mention. En revanche, il conviendra de clarifier l'articulation entre une éventuelle procédure d'infraction liée à la transposition d'une directive et l'application de la conditionnalité. Il conviendrait dans ce cas d'avoir l'assurance que cette procédure n'entraînera pas de refus d'apurement, au titre de la PAC. Le cas échéant, un paragraphe complémentaire pourrait être ajouté dans cet alinea : “in the event of infringement procedure relating to the transposition of a provision of a directive listed in Annex I, Parts A and B, the legal acts taken by the Member states pursuant to that directive shall be deemed to comply with the requirements of farm stewardship until the procedure have been completed and legal acts taken by the Member states</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>have been modified.”</p> <p>EN : As the Commission confirmed at the working group meeting on January 29 and 30 that other services are checking whether the directives have been transposed correctly and that the transposition of the directives will therefore not be checked in the context of the CAP, it is proposed that this reference be deleted. However, the relationship between any infringement proceedings relating to the transposition of a directive and the application of cross-compliance should be clarified. In this case, it should be ensured that such proceedings will not lead to a refusal of clearance under the CAP. If necessary, an additional paragraph could be added to this subparagraph: “in the event of infringement proceedings relating to the transposition of a provision of a directive listed in Annex I, Parts A and B, the legal acts taken by the Member States pursuant to that directive shall be deemed to comply with the requirements of farm stewardship until the proceedings have been completed and the legal acts taken by the Member States have been modified.”</p> <p>LT (Drafting suggestions):</p> <p>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.</p> <p>LT (Comments):</p> <p>We propose to remove social conditionality from the farm stewardship system. The application of social conditionality is a double punishment for farmers, therefore it must be ensured under the national law of the Member State.</p> <p>LV (Drafting suggestions):</p> <p>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.</p> <p>LV (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>We do not support the continuation of the social conditionality system, nor its inclusion in the list of protective practices under Section B of Annex I.</p> <p>MT (Drafting suggestions):</p> <p>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.</p> <p>NL (Drafting suggestions):</p> <p>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.</p> <p>NL (Comments):</p> <p>Statutory management requirements shall apply in the version that is applicable means that always the most actual version will apply. How does this work with multiannual commitments?</p> <p>PL (Drafting suggestions):</p> <p>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.</p> <p>PL (Comments):</p> <p>We propose to remove the second sentence of subparagraph 3. It seems to be unnecessary and unclear. Removing the provision will bring the provision more into line with the current provisions on the same matter.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>SI (Drafting suggestions):</p> <p>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.</p>
<p>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 <u>general</u> objectives:</p>	<p>HR (Drafting suggestions):</p> <p>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 <u>general</u> objectives in accordance with Annex I, Part C.</p> <p>HR (Comments):</p> <p>Technical amendment: It is not necessary to state the same thing twice, as everything is already set out in Annex 1C.</p> <p>NL (Drafting suggestions):</p> <p>Member States shall define in accordance with Annex I, Part B, 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 <u>general</u> objectives</p> <p>PL (Drafting suggestions):</p> <p>4. Member States shall define in accordance with Annex I, Part C, at a national or regional level, protective practices that set out minimum requirements, which are to be respected by farmers and other beneficiaries receiving the support referred to in paragraph 2; to achieve the following general objectives</p> <p>PL (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Protective practices should be defined by Member States at a minimum level. Member State should decide whether a specific protective practices will be covered by incentives provided under Article 10 on agri-environmental and climate actions.</p> <p>Member States should have flexibility to decide how to implement the CAP, taking into account their national or regional needs and challenges.</p> <p>SI (Drafting suggestions):</p> <p>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, where relevant, other beneficiaries receiving the support referred to in paragraph 2, to achieve the following general objectives:</p>
<p>(a) protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area;</p>	<p>BE- (Drafting suggestions):</p> <p>(a) protection of carbon-rich soils, landscape features and environmentally sensitive permanent grasslands on agricultural area;</p> <p>BE- (Comments):</p> <p>(BE) The scope of he general objective and the corresponding specific objectives in part C of Annex I is not exactly the same. The scope of the second specific objective of the protective practices in Annex I part C is limited to environmentally sensitive permanent grasslands in agricultural area. This should also be the scope in the general objective. So, we would like to bring the wording in line with each other.</p> <p>FI (Drafting suggestions):</p> <p>protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area situated in Natura 2000 -areas;</p> <p>FI (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>There is no longer a general GAEC requirement concerning permanent grasslands, so Article 3(4)(a) needs to be clarified to be in line with Annex I, part C, point (a).</p> <p>FR (Comments):</p> <p>FR : La France a une réserve d'examen sur ce point, en lien avec la nécessité d'éviter la superposition des normes entre les pratiques de protection et les ERMG</p> <p>EN : France has a scrutiny reservation on this point, linked to the need to avoid overlapping standards between protection practices and SMR.</p> <p>HR (Drafting suggestions):</p> <p>(a) — protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area;</p> <p>SK (Drafting suggestions):</p> <p>(a) — protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area;</p> <p>SK (Comments):</p> <p>We request the removal of the condition set out in Article 3(4)(a) 'Protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area' from Annex I, Part C ('Protection of carbon-rich soils including protection of wetlands, peatlands and landscape features') and its transfer to the conditions under Article 4 – Environment and climate priority areas. Farmers should be rewarded for implementing positive environmental practices rather than burdened with uncompensated obligations.</p> <p>PT (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(a) protection of carbon-rich soils, landscape features and environmentally sensitive permanent grasslands on agricultural area;</p> <p>PT (Comments): Need to focus the protection on environmentally sensitive permanent grassland.</p>
<p>(b) protection of soil against erosion, preservation of the soil potentialhealth, maintenance of soil organic matter, including through crop rotation or diversification, as well as protection against burning of stubble on arable land;</p>	<p>BE- (Drafting suggestions): (b) protection of soil against erosion, preservation of the soil health, maintenance of soil organic matter, including through crop rotation or diversification, and maintenance of soil organic matter as well as protection against burning of stubble on arable land;</p> <p>BE- (Comments): (BE) Elements of the specific objectives listed in Annex I part C have not to be repeated in the general objectives and the wording of the general objectives should be aligned with the order of the corresponding specific objectives listed in the 2nd column of table of Annex I Part C. We propose to delete ‘<i>protection against burning of stubble on areable land</i>’ as it is a clearly specific element linked to ‘maintenance of soil organic matter’ and to delete ‘<i>crop rotation or diversification</i>’ as it is a clearly specific element linked to ‘preservation of soil health’. This amendment should also be implemented in the general objective in Annex I Part C.</p> <p>FI (Drafting suggestions): protection of soil against erosion as determined by Member State, preservation of the soil health, maintenance of soil organic matter, including through crop rotation or diversification, as well as protection against burning of stubble on arable land except for plant health reasons;</p> <p>FI (Comments): Burning stubble is a traditional plant protection method, and it is important that the exception for plant health reasons in Regulation (EU) 2021/2115 will still be applicable. It is very important for</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>farmers to be able to continue to use this method under certain specific conditions because otherwise they might need to use methods that are less environmentally friendly.</p> <p>Maintenance of soil organic matter through crop residue management incorporates a new objective that is not provided for in the current GAEC regulations and appears redundant with the objective of preserving soil potential. Thus, the method should be left to MS. In addition, it is very difficult to control via AMS.</p> <p>HR (Drafting suggestions): (b) — protection of soil against erosion, preservation of the soil <i>potential health</i>, maintenance of soil organic matter, including through crop rotation or diversification, as well as protection against burning of stubble on arable land;</p> <p>SE (Drafting suggestions): b) protection of soil against erosion, preservation of the soil potential, maintenance of soil organic matter, including through crop rotation or diversification, as well as protection against burning of stubble on arable land;</p> <p>SE (Comments): We propose to delete “crop rotation or diversification”. Through the current GAEC 7, a large part of the farming community in Sweden, as well as national authorities, use administrative capacity for requirements only needed in a few cases. Instead of a requirement similar to the current GAEC 7, targeted interventions could be provided for farms or regions where insufficient crop rotation has been identified, including interventions for knowledge transfer. Crop rotation or diversification should not be required in Member States where insufficient crop rotation is not a problem. We propose a similar deletion in Annex I.</p> <p>We would also like to see the following addition in Annex I: <i>Maintenance of soil organic matter through crop residue management, including ban on burning stubble on arable land, except for plant health reasons.</i></p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Burning stubble is a traditional plant protection method used in Sweden, and it is important for us that the exception for plant health reasons in Regulation (EU) 2021/2115 is maintained. Our farmers must be able to continue using this method under certain specific conditions. Otherwise, they might need to use methods that are less environmentally friendly.</p> <p>SI (Drafting suggestions):</p> <p>(b) protection of soil against erosion, preservation of the soil potentialhealth, maintenance of soil organic matter, including through crop rotation or diversification, as well as protection against burning of stubble on arable land</p>
<p>(c) protection of water courses and ground water against pollution and runoff.</p>	<p>BE- (Drafting suggestions):</p> <p>(c) protection of water courses and ground water against pollution and runoff.</p> <p><u>Member States may define their protective practices, where relevant, so that they are consistent with mandatory requirements established by national law and do not go beyond them, provided that these existing national mandatory requirements contribute to the objectives set out in the first subparagraph of this paragraph.</u></p> <p>BE- (Comments):</p> <p>(BE) BE asks to delete ‘ground water’ in the wording of general objective (c) because protection of ground water is already covered by SMR 1 and 2 in Annex I Part A.</p> <p>This amendment must also be implemented in Annex I Part C in the wording of general and specific objective (c).</p> <p>(BE) BE asks to incorporate the elements of the OMNIBUS III, new article 13 §1 in this regulation for the protective practices.</p> <p>CZ (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(c) protection of water courses and ground water against pollution and runoff.</p> <p>CZ (Comments): Beyond the scope of GAEC standards under Reg. 2115/2021</p> <p>FI (Drafting suggestions):</p> <p>(c) protection of water courses and ground water against pollution and runoff.</p> <p>FI (Comments): This provision represents a change from the current GAEC framework and raises questions about how it fits in with the SMR1, which also aims to introduce measures to combat groundwater pollution (point e) “measures to control freshwater abstraction from surface water and groundwater” and point (h) “for diffuse sources likely to cause pollution, measures to prevent or control the discharge of pollutants.” If, on the contrary, this provision aims to introduce an obligation for Member States to provide specific measures for the protection of groundwater other than buffer zones, the question of coordination with the SMR1 arises. Thus, this requirement should be removed from protective practices. Otherwise, it would lead to a new case of overlapping standards for the same objective, which is incompatible with the general objective of simplification.</p> <p>FR (Drafting suggestions):</p> <p>(c) protection of water courses and ground water against pollution and runoff.</p> <p>FR (Comments): FR : L’ajout de la mention aux eaux souterraines constitue une évolution par rapport au cadre actuel des BCAE et interroge dans son articulation avec l’ERMG1 qui vise également la mise en place de mesures sur la pollution des eaux souterraines (point e) “des mesures de contrôle des captages d'eau douce dans les eaux de</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>surface et les eaux souterraines” et point (h) “pour les sources diffuses susceptibles de provoquer une pollution, des mesures destinées à prévenir ou à contrôler les rejets de polluants.”</p> <p>S’il s’agit uniquement d’afficher le rôle des bandes tampons, qui sont citées en annexe, également sur la qualité des eaux souterraines mais sans exiger de mesures complémentaires, il conviendra alors de le préciser en annexe.</p> <p>Si au contraire, cet ajout vise à introduire l’obligation pour les Etats membres de prévoir des mesures spécifiques pour la protection des eaux souterraines autres que les bandes tampons, la question de l’articulation avec l’ERMGI se pose et les autorités françaises demandent de supprimer cette exigence dans les pratiques de protection. Cet ajout conduirait sinon à un nouveau cas de superposition de normes pour le même objectif, ce qui est incompatible avec l’objectif général de simplification.</p> <p>EN : The addition of the reference to groundwater represents a change from the current GAEC framework and raises questions about its relationship with the SMR1, which also aims to introduce measures to combat groundwater pollution (point e) "measures to control freshwater abstraction from surface water and groundwater“ and point (h) ”for diffuse sources likely to cause pollution, measures to prevent or control the release of pollutants."</p> <p>If the aim is simply to highlight the role of buffer strips, which are mentioned in the annex, also in relation to groundwater quality, without requiring additional measures, this should be specified in the annex. If, on the other hand, this addition aims to introduce an obligation for Member States to provide for specific measures for the protection of groundwater other than buffer strips, the question of coordination with the SMR1 arises and the French authorities request that this requirement be removed from protection practices. Otherwise, this addition would lead to a new case of overlapping standards for the same objective, which is incompatible with the general objective of simplification.</p> <p>HR (Drafting suggestions): (e) — protection of water courses and ground water against pollution and runoff.</p> <p>NL (Drafting suggestions): (c) protection of water courses and ground water against pollution and runoff.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Additionally Member States may define protective practices for the enhancing of existing animal welfare status</p> <p>NL (Comments): Addition to article 4. After objectives A, B and C. But not part of A,B or C</p> <p>PL (Drafting suggestions): (e) — protection of water courses and ground water against pollution and runoff.</p> <p>PL (Comments): We propose to delete point c). With the aim of simplifying the EU provisions, this protective practice concerning protection of water should be deleted, because it overlaps with the scope of SMR 1 and 2 concerning protection of water (Annex 1, Part A: Rules on farm stewardship) and duplicates the provisions. As a consequence additional amendment in Annex I Part C was proposed.</p>
<p>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 different land management systems and different environmental and climatic conditions in their territory.</p>	<p>BE- (Drafting suggestions):</p> <p>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. When setting Member States shall adapt the protective practices, Member States take into account where relevant the when there are different land management systems and different environmental and climatic conditions in their territory.</p> <p>BE- (Comments):</p> <p>(BE) It is up to the MS to decide if relevant difference in land management systems and different environmental and climatic conditions in their territory has to be taken into account when setting their protective practice in function of the regional characteristics.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>CZ (Drafting suggestions):</p> <p>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, where relevant, adapt the protective practices to the specific characteristics of the areas concerned, including soil and climatic conditions, to different land management systems and different environmental and climatic conditions in their territory, agricultural practices, the size and structure of agricultural holdings, land use.</p> <p>CZ (Comments):</p> <p>More flexibility for MS is needed.</p> <p>DE (Drafting suggestions):</p> <p>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. Member States shall adapt the protective practices, where relevant to when there are different land management systems and different environmental and climatic conditions in their territory.</p> <p>DE (Comments):</p> <p>to keep it manageable, adaptation of protective practices only when differences are relevant (like CSPReg 2021/2115 art. 13).</p> <p>DK (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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 may adapt the protective practices, when there are to different land management systems and different environmental and climatic conditions in their territory.</p> <p>DK (Comments):</p> <p>To adapt the protective practices to different conditions, may not be appropriate for smaller Member States where environmental and climatic conditions may not vary greatly. A ‘may’ provision could be suggested</p> <p>FR (Drafting suggestions):</p> <p>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. Member States shall adapt the protective practices when there are different land management systems and different environmental and climatic conditions in their territory and the specificities of outermost regions.</p> <p>FR (Comments):</p> <p>Les autorités françaises remercient la présidence pour la prise en compte des commentaires précédents qui ont été inclus dans la version de compromis, à savoir la suppression de la référence aux recommandations nationales et l’ajout du caractère optionnel de l’adaptation des pratiques de protection. En revanche, il convient d’ajouter la possibilité d’adaptation aux spécificités des RUP, qui peuvent dépasser les conditions climatiques et environnementales et les types d’exploitation.</p> <p>EN : The French authorities thank the Presidency for taking into account the previous comments, which have been included in the compromise version, namely the removal of the reference to national recommendations and the addition of the optional nature of adapting protection practices. However, it is necessary to add the possibility of adapting to the specific characteristics of the outermost regions, which may go beyond climatic and environmental conditions and types of farming.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>IE (Drafting suggestions):</p> <p>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. In setting the practices, Member States shall take into account, where relevant, adapt the protective practices, when there are to the different land management systems, soil conditions, farming systems, farming practices, farm size and structures, land use and different environmental and climatic conditions in their territory.</p> <p>IE (Comments):</p> <p>Repetition of article 2.</p> <p>LV (Comments):</p> <p>How should the amendments in this point be understood – the wording “when there are”? Does this mean that Member States may introduce their own protective measures in addition to those listed in Part C of Annex I?</p> <p>LU (Drafting suggestions):</p> <p>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 may adapt the protective practices, when there are to different land management systems and different environmental and climatic conditions in their territory</p> <p>LU (Comments):</p> <p>While the changes go into the right direction, it should be optional for member states to adapt the protective practices. Environment and climate conditions don't vary significantly in smaller MS.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>PL (Drafting suggestions):</p> <p>Member States shall include in the NRP Plan a general 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. (...)</p> <p>PL (Comments):</p> <p>Based on the current experience with the implementation of the CAP Strategic Plan, Member States should be allowed to include in their Plans only a general description of protective practices. Due to the extended time to amend the Plan, the detailed provisions on the practices should be included in the national legislation.</p> <p>SI (Drafting suggestions):</p> <p>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. <i>In setting the protective practices, Member States shall take utmost account of the CAP national recommendations referred to in Article 2. <u>In setting their protective practices, Member States shall take into account, where relevant, the specific characteristics of the areas concerned including soil and climatic condition, existing farming systems, farming practices, farm size and farm structures, land use, and the specificities of outermost regions.</u></i> Member States shall adapt the protective practices, when there are to different land management systems and different environmental and climatic conditions in their territory.</p> <p>SI (Comments):</p> <p>Too many details on practices is not simplification and probably will not be available, e.g. territorial scope, when the proposal of the NRPP will be discussed with the Commission;</p> <p>The text is further revised as to be in line with the current provisions, thus acknowledging that a MS can take into account national specifics, if needed. And to avoid misunderstanding, that each practice has to be differentiated for each land management system and environmental and climatic conditions.</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>6. Farmers whose entire holding is certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council¹ 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.</p> <p>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 <u>No 834/2007</u> (OJ L 150 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).</p>	<p>AT (Comments): The exception shall also apply to partially organic farms, we therefore welcome the presidencies drafting suggestion.</p> <p>BE- (Comments): (BE) Although BE supports reducing the burden on organic farmers and believe that, by definition, organic farmers are sustainable due to the organic production system, BE wonders whether extending this provision to all protective practices (instead of only point (b) and (c) of paragraph 4 of this article) might not entail a risk of environmental damage. Moreover Belgium wonders whether this extension can lead to a growing feeling of unfair treatment between organic farmers and conventional farmers.</p> <p>DE (Drafting suggestions): 6. Farmers certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council¹ shall be deemed to comply with protective practices listed in Annex I, Part C, points (b) and (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.</p> <p>DE (Comments): There is no factual basis that would justify broadening the scope of “green by concept” even further than under the Omnibus III Regulation for the current CAP. There is no indication of organic farming “automatically integrating” the protection of carbon-rich soils, landscape features and permanent grasslands into its farming practices.</p> <p>DK (Drafting suggestions): 6. Farmers whose entire holding is certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council¹ shall be deemed to comply with protective practices set out in the</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p><i>NRP Plans in respect to objectives set out in paragraph 4, points (b) and (c) listed in Annex I, Part C, points (b) and (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.</i></p> <p>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 No 834/2007 (OJ L 150 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).</p> <p>DK (Comments):</p> <p>The exemption for certified organic farms should reflect the agreed text from the Omnibus III. Hence there should be no further exemptions for organic farms. I.e. organic farms should respect protective practices part C point a).</p> <p>These concern the protection of carbon-rich soils, landscape features and permanent grassland in Natura 2000 areas. The organic farming method does not include these elements, or contribute to a similar protection of these areas.</p> <p>FI (Drafting suggestions):</p> <p>6. Farmers certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council⁺ shall be deemed to comply with protective practices 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. <u>Certified organic production units, as defined in Article 3, point (10), of Regulation (EU) 2018/848, and in-conversion production units, as defined in Article 3, point (11), of that Regulation. shall be deemed to comply with protective practices listed in Annex I, Part C to this Regulation</u></p> <p>FI (Comments):</p> <p>Farmers are not the ones that will be certified. The sentence could be simpler as well.</p> <p>FR (Drafting suggestions):</p> <p>6. Farmers whose entire holding is certified in accordance with Regulation (EU) 2018/848 of the</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>European Parliament and of the Council¹ 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).</p> <p>FR (Comments):</p> <p>Les autorités françaises regrettent les modifications proposées par la Présidence. En effet, la reprise de la rédaction du règlement (UE) 2025/2649, introduit de la complexité à la fois pour l’administration et les agriculteurs et elle participe au risque de décommunautarisation en entraînant l’existence de règles différentes selon les Etats membres.</p> <p>De plus, le champ d’application de la présomption de respect des pratiques de protection, incluant des pratiques relatives à la « <i>protection des sols riches en carbone, des particularités topographiques et des prairies permanentes présentes sur la surface agricole</i> » devrait être supprimé car la certification en AB n’a pas nécessairement d’impact sur les obligations liées à ces mesures de protection.</p> <p>Les autorités françaises réitèrent l’importance pour elles du dernier alinéa laissant la possibilité aux Etats membres de restreindre cette présomption aux seules exploitations conduites entièrement en agriculture biologique, qui correspond à ce que proposait initialement la Commission européenne.</p> <p>EN : The French authorities regret the amendments proposed by the Presidency. Indeed, the revised wording of Regulation (EU) 2025/2649 introduces complexity for both the administration and farmers, and contributes to the risk of decommunitarization by leading to differing rules across Member States.</p> <p>Furthermore, the scope of the presumption of compliance with protection practices—including practices related to the “protection of carbon-rich soils, topographical features, and permanent grasslands on agricultural land”—should be removed, as organic certification does not necessarily affect the obligations associated with these protection measures.</p> <p>The French authorities reiterate the importance they attach to the final paragraph, which allows Member States to restrict this presumption to farms operated entirely under organic farming practices, in line with the European Commission’s initial proposal.</p> <p>IT</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(Drafting suggestions):</p> <p>6. Farmers whose entire holding is certified in accordance with <u>either</u> Regulation (EU) 2018/848 of the European Parliament and of the Council¹ <u>or other certified national system of sustainable farming</u> 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:</p> <p><u>a) 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;</u></p> <p><u>b) their production units certified with other national systems of sustainable farming.</u></p> <p>IT</p> <p>(Comments):</p> <p>In relation to compliance with protective practices, it is very important to embed also nationally certified sustainable production methods that provide the same environmental benefits for natural resources as organic production does, such as the Italian quality system for integrated production. In this regard, integrated production is a sustainable farming system based on the integrated use of agronomic, biological and chemical methods, aiming to optimise natural resources and reduce environmental impacts, through the application of integrated pest management principles as required under Directive 2009/128/EC. While not established as a harmonised EU quality scheme, integrated production may be implemented and certified under recognised national or regional quality systems consistent with EU law.</p>
<p><u>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 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.</u></p>	<p>DE</p> <p>(Drafting suggestions):</p> <p>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 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, <u>points (b) and (c)</u> to this Regulation.</p> <p>DE</p> <p>(Comments):</p> <p>See comment above on para. 6, first subpara.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>IT (Drafting suggestions):</p> <p><u>Member States may, taking into consideration the administrative burden of checks, decide that only farmers certified in accordance with either Regulation (EU) 2018/848 whose entire 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, or a national system of sustainable farming whose entire holding consists of such system production units, are deemed to comply with protective practices listed in Annex I, Part C to this Regulation.</u></p>
<p>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 <u>significantly</u> the objectives set out in paragraph 4 or distort competition.</p>	<p>CZ (Drafting suggestions):</p> <p>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, individual farming conditions 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 the objectives set out in paragraph 4 or distort competition.</p> <p>CZ (Comments):</p> <p>Extending exceptions to individual management cases that may arise, such as an Order issued by Czech Nature Conservation Authorities</p> <p>FI (Drafting suggestions):</p> <p>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, amount of agricultural area on the holding, geographic and climatic conditions and farming systems or damage to permanent grasslands agricultural area due, inter alia, to wild animals or invasive species. Those specific exemptions shall be limited defined 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</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>application of those practices, or where those practices are deemed unnecessary, and shall not hamper significantly the objectives set out in paragraph 4 or distort competition.</p> <p>FI (Comments):</p> <p>Member States need possibilities to take into account reasons that simplify the implementation. For example concerning crop rotation, where 30 ha limit was taken onboard in Omnibus III simplification and to increase efficiency. Member States need possibilities to make permanent derogations. such as for crop rotation, where 30 ha limit was taken onboard in Omnibus III simplification “Limited” should be replaced with “defined”.</p> <p>Based on limited scope of these exemptions, those are not likely to affect free competition.</p> <p>FR (Drafting suggestions):</p> <p>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.</p> <p>FR (Comments):</p> <p>Les autorités françaises remercient la présidence d’avoir repris la rédaction proposée afin de préciser l’impact des exemptions sur les objectifs des pratiques protectrices.</p> <p>Toutefois, il convient également de supprimer l’obligation d’éviter la distorsion de concurrence, qui est redondante. En effet, dès lors que l’exemption s’applique à une situation spécifique dûment justifiée, et s’appuyant sur des critères objectifs et non discriminatoires, elle devrait être considérée comme non susceptible d’affecter la libre concurrence.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>EN : The French authorities thank the Presidency for adopting the proposed wording to clarify the impact of exemptions on the objectives of protective practices.</p> <p>However, the requirement to avoid distorting competition should also be removed, as it is redundant. Indeed, since the exemption applies to a specific, duly justified situation based on objective and non-discriminatory criteria, it should be considered unlikely to affect free competition.</p> <p>IE (Drafting suggestions):</p> <p>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, farm size and farming systems or damage to permanent grasslands agricultural area 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 challenges and complementarity with wider environmental objectives including other national and union legislation in the application of those practices, and The exemptions shall not significantly hamper significantly the objectives set out in paragraph 4, or distort competition</p> <p>SE (Drafting suggestions):</p> <p>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 geographic and climatic conditions, 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 defined 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, or where those practices are deemed unnecessary and shall not hamper significantly the objectives set out in paragraph 4 or distort competition.</p> <p>SE (Comments):</p> <p>To increase efficiency and simplify the legislation, it should be possible to further target Protective practices to where they provide an actual environmental benefit. For this purpose, we propose to add “geographic and</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>8. Member States may grant temporary derogations from protective practices, where weather conditions, <u>plant diseases or pest infestations</u> 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 <u>significantly</u> the objectives set out in paragraph 4 or distort competition.</p>	<p>climatic conditions” as a factor to take into consideration. We suggest that “limited” should be replaced with “defined” because derogations should be applicable in all areas where they are justified. Furthermore, we believe that Member States should be able to define where certain practices are deemed unnecessary.</p> <p>DE (Drafting suggestions):</p> <p>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.</p> <p>DE (Comments):</p> <p>It is unclear why the wording should go beyond that of Regulation 2021/2115. Furthermore, the scenario of implementing one protective practice hampering the objectives of this (or another?) protective practice is inconceivable, as according to paragraph 4, protective practices must be designed from the outset in such a way that these objectives are achieved.</p> <p>FI (Drafting suggestions):</p> <p>Member States may grant temporary derogations from protective practices, where weather conditions, plant diseases or pest infestations <u>or nationwide or local disorder</u> 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. <u>These temporary derogations can be granted without changes of the plan.</u> 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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>FI (Comments):</p> <p>Different kinds of nationwide or local disorders should also be taken into account as they may also require derogating temporarily from certain practices.</p> <p>It should be clarified that these temporary derogations can be granted without changes to the plan</p> <p>FR (Drafting suggestions):</p> <p>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.</p> <p>FR (Comments):</p> <p>FR : Cf. Commentaire sur le paragraphe 7 EN : See comment on paragraph 7.</p> <p>IE (Drafting suggestions):</p> <p>8. <u>During implementation</u>, Member States may grant temporary derogations from protective practices, where weather conditions, <u>harmful organisms, plant diseases, plant pests, pest infestations or invasive species</u> 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 <u>or conflict with other environmental objectives in national or union legislation</u>. Member States shall ensure that the temporary derogations are limited in their scope and duration to the extent necessary and granted based on objective and non-discriminatory criteria and that they do not not <u>significantly</u> hamper significantly the objectives set out in paragraph 4. or distort competition</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>SE (Drafting suggestions):</p> <p>8. Member States may grant temporary derogations from protective practices, where weather conditions, <u>plant diseases or pest infestations</u> 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. These temporary derogations can be granted without changes of the plan. 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 <u>significantly</u> the objectives set out in paragraph 4 or distort competition.</p> <p>SE (Comments):</p> <p>We would like to clarify that temporary derogations can be granted without amendments to the NRP Plan.</p>
<p>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.</p>	<p>DK (Comments):</p> <p>DK: It should be prevented that farmers circumvent farm stewardship by committing to “equivalent practices” without intend to comply with these practices. In case of non-compliance with eligibility conditions set out in schemes equivalent to protective practices, the sanctions applied to the farmers should reflect that the non compliance concern not only the scheme based on Article 10(1) but also the relevant protective practises. Therefore the sanction for not complying with the Article 10 (1) scheme should take into account the penalty that would have applied to the non compliance of farm, stewardship (art. 62,5 in the NRP-proposal).</p> <p>FR (Drafting suggestions):</p> <p>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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>FR (Comments):</p> <p>FR : La possibilité de considérer certaines actions agro-environnementales et climatiques comme des pratiques équivalentes à la conditionnalité conduirait à revenir sur un fondement historique de la PAC de non-financement de la « ligne de base », garant du « level playing field » entre les Etats membres. Cette proposition vise donc à limiter le risque de décommunautarisation de la PAC. Par ailleurs, le système proposé serait particulièrement complexe à mettre en œuvre, en imbriquant le contrôle des dispositifs agroenvironnementaux avec la vérification du respect des règles de la conditionnalité.</p> <p>EN : The possibility of considering certain agri-environmental and climate actions as practices equivalent to cross-compliance would lead to a reversal of a historical principle of the CAP, namely that of not financing the “baseline,” which guarantees a level playing field between Member States. This proposal therefore aims to limit the risk of the CAP becoming less common. Furthermore, the proposed system would be particularly complex to implement, as it would involve intertwining the monitoring of agri-environmental measures with the verification of compliance with conditionally requirements.</p> <p>IE (Drafting suggestions):</p> <p>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.</p> <p>IT (Drafting suggestions):</p> <p>9. Member States may recognise the management practices under agri-environmental and climate actions referred to in Article 10(1), point (a) and (b), 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.</p> <p>IT (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>It should be noted that the possibility of remuneration and the concept of equivalence/compliance with the relevant protection practice should be applied to the transition support payment (measure b), given the onerous nature of implementing farm stewardship and the modest lump-sum amount provided for the farm to cover the transition measure.</p> <p>PL (Drafting suggestions):</p> <p>9. Member States may recognise the management practices under agri-environmental and climate actions referred to in Article 10(1); point (a) first subparagraph, 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</p> <p>PL (Comments):</p> <p>Technical adjustment due to amendments introduced in other parts of the Regulation.</p>
<p>Article 4 Environment and climate priority areas</p>	<p>PL (Drafting suggestions):</p> <p style="text-align: right;">Article 4</p> <p>Environment and climate priority areas</p> <p>PL (Comments):</p> <p>We propose to delete the whole Article.</p>
<p>1. Member States shall provide support to farmers and other beneficiaries at least in each of the following environmentalenvironment and climate priority areas:</p>	<p>AT (Drafting suggestions):</p> <p>(g) protection of water quality and reduction of pressure on water resources, air quality and sustainable nutrient management</p> <p>AT (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>We suggest to add a lit. g) with additional areas. Air and water quality needs to be part of the environmental and climate priorities and objectives. Other parts addition from Article 10(3) point (a).</p> <p>BE- (Drafting suggestions):</p> <p>1. Member States shall provide support to farmers and other beneficiaries at least in each four of the following environment and climate priority areas <u>within the CAP and shall demonstrate for the remaining areas how these are addressed outside the CAP:</u></p> <p>BE- (Comments):</p> <p>(BE) Member States should be able to choose which environmental and climate priorities they address through the CAP package and which ones they address outside the CAP (e.g. through other NRPP chapters, other MFF headings, national funds, etc.). These choices will also depend on the size of the available NRPP budget. The fact that Member States must contribute to environmental and climate objectives is ensured by other articles and mechanisms (e.g. the minimum environmental and climate shield in the NRP-Plan, etc.).</p> <p>FI (Drafting suggestions):</p> <p>Member States shall provide support to farmers and <u>may provide support to other beneficiaries at least in each of based on</u> the following environment and climate priority areas <u>determined by the Member State:</u></p> <p>FI (Comments):</p> <p>It must be made clear that supporting other beneficiaries is not mandatory. The national envelopes are adapted to the size of MS agricultural sector and the share of forest in MS may be huge. The Member States have to be able to target the support based on their own circumstances.</p> <p>HU (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>1. Member States shall provide support to farmers and other beneficiaries at least in each of the following in one or more environment and climate priority areas deemed most important:</p> <p>HU (Comments):</p> <p>Provisions of this article should remain optional, because not all of the priority areas are priorities for all MSs, therefore each MS should identify their own priority areas. This should be understood as a free to choose menu.</p> <p>IE (Drafting suggestions):</p> <p>1. Member States may shall provide support to farmers and other beneficiaries at least in one or more each of the following environmental<u>environment</u> and climate priority areas:</p> <p>LV (Drafting suggestions):</p> <p>Member States based on their specific situation shall provide support to farmers and other beneficiaries at least in each in some of the following environmental and climate priority areas:</p> <p>LV (Comments):</p> <p>We object that for CAP it is mandatory required to address ALL environmental and climate priority areas mentioned in Article 4 of the CAP Regulation. The more flexibility is needed that Member States could prioritize areas according to their specific situation and environmental needs.</p> <p>LU (Drafting suggestions):</p> <p>Member States may provide support to farmers at least in each of the following environmental<u>environment</u> and climate priority areas:</p> <p>LU (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>LU requests more subsidiarity on how addressing climate and environment interventions and does not want extending agri-environmental and climate action payments to beneficiaries other than farmers</p> <p>SK (Drafting suggestions): "Member States shall provide support to farmers and other beneficiaries <u>at least in each of the following in relevant</u> environmental and climate priority areas."</p> <p>SK (Comments): The proposed wording, which requires support "at least in each" of the environmental and climate priority areas, unduly limits the flexibility of Member States in setting CAP interventions. Such an approach may lead to fragmentation of priorities and the need to address individual areas separately, even in cases where they are interconnected or only partially relevant in the national context. Member States should be able to focus support on the most relevant priorities according to identified needs and national specificities, while other environmental and climate objectives can be effectively addressed through other EU instruments or national policies. Such an approach allows addressing environmental and climate challenges in a comprehensive manner, rather than through fragmented interventions. At the same time, Member States build on the European Commission's recommendations to prepare strategic plans that identify the main challenges, weaknesses and the need to address them through relevant priorities. These recommendations provide a sufficient framework to ensure ambition in the area of environmental and climate objectives without the need to introduce an obligation to cover every priority area under the CAP. The proposed amendment therefore supports simplification of implementation, enables a comprehensive and strategic approach to addressing environmental and climate challenges, while increasing the efficiency of resource use.</p> <p>PL (Drafting suggestions): Member States shall provide support to farmers and other beneficiaries at least in each of the following environmental <u>environment</u> and climate priority areas:</p> <p>PL (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>With the aim of simplifying the EU provisions, this Article should be deleted, because it duplicates the environmental and climate objectives of the interventions specified in Article 9, 10 and 13.</p> <p>SE (Drafting suggestions):</p> <p>1. Member States shall provide support to farmers and may provide support to other beneficiaries at least in each of the following environmental<u>environment</u> and climate priority areas:</p> <p>SE (Comments):</p> <p>Sweden is of the opinion that CAP measures should primarily be targeted towards farmers, especially since the national envelopes are adapted to the size of each country’s agricultural sector. Consequently, it should be optional for Member States to target other beneficiaries than farmers.</p> <p>SI (Drafting suggestions):</p> <p>1. Member States shall provide support to farmers and, <u>if appropriate</u>, other beneficiaries at least in each of the following environmental<u>environment</u> and climate priority areas:</p> <p>SI (Comments):</p> <p>MS should not be obliged to consider as beneficiaries also other beneficiaries, such decision should be left to a MS.</p>
(a) climate change adaptation and water resilience;	<p>DK (Drafting suggestions):</p> <p>a) climate change adaptation and water resilience including water quality;</p> <p>DK (Comments):</p> <p>The environmental priority areas should include water quality (nitrates).</p> <p>PL (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(a) — climate change adaptation and water resilience;</p> <p>SI (Drafting suggestions):</p> <p>(a) climate change adaptation and water resilience;</p> <p>SI (Comments):</p> <p>As to be able to take into account national specifics and needs, it should be left to a MS to decide on which “subareas” of priority areas it will focus measures and protective practices. As well, it is not clear, what is covered by “water resilience”.</p>
<p>(b) climate change mitigation including carbon removals and on-farm renewable energy production, including biogas production;</p>	<p>DE (Drafting suggestions):</p> <p>(b) climate change mitigation including long term carbon removals sequestration and on-farm renewable energy production, including biogas production;</p> <p>DE (Comments):</p> <p>Alignment with the wording in Article 10(3)(b) including clarification what is meant.</p> <p>FI (Drafting suggestions):</p> <p>climate change mitigation including carbon removals and on-farm renewable energy production, including such as biogas production both for on-farm and off-farm use;</p> <p>FI (Comments):</p> <p>There are at the moment wide range of possibilities under the energy and environmental State aid rules to support the production of biogas. Those do not limit the use only for on farm use. The legal</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>text of the CAP-Regulation should reflect this in order to align and simplify the rules on biogas production.</p> <p>Term “such as” clarifies that the list is illustrative/gives examples.</p> <p>FR (Drafting suggestions): b) climate change mitigation including carbon removals and on-farm renewable energy production, including biogas production;</p> <p>FR (Comments): FR : La Commission ayant confirmé lors du groupe des 29 et 30 janvier qu’il convenait de comprendre “including” comme introduisant des illustrations/exemples, il est proposé de supprimer ces parties de phrase qui n’ont pas de valeur prescriptive. EN : As the Commission confirmed during the meeting of the Group of 29 and 30 January that “including” should be understood as introducing illustrations/examples, it is proposed to delete those parts of the sentence that have no prescriptive effect.</p> <p>IE (Drafting suggestions): (b) climate change mitigation including such as carbon removals and on-farm renewable energy production, including biogas production;</p> <p>LT (Drafting suggestions): climate change mitigation including such as carbon removals and on-farm renewable energy production, including biogas production;</p> <p>LT (Comments): Aligning wording with the (d) point. With ”including” it will be obligatory for Member States to provide support for all areas (carbon removals, on-farm renewable energy production, biogas production)</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>and this should not be the case – Member States should have freedom to choose, which areas to support.</p> <p>LV (Drafting suggestions):</p> <p>(b) climate change mitigation including carbon removals and on-farm renewable energy production, including biogas production;</p> <p>LV (Comments):</p> <p>List of priority areas in some cases are broad and some case too specific, for example renewable energy also includes biogas.</p> <p>PL (Drafting suggestions):</p> <p>(b) climate change mitigation including carbon removals and on farm renewable energy production, including biogas production;</p> <p>PT (Drafting suggestions):</p> <p>b) climate change mitigation including carbon removals and on-farm renewable energy production, including such as biogas production;</p> <p>PT (Comments):</p> <p>Align the wording with points (d) and last subparagraph of this paragraph.</p> <p>SE (Drafting suggestions):</p> <p>b) climate change mitigation including such as carbon removals and on-farm renewable energy production, including biogas production;</p> <p>SE (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>It should be clarified that the measures listed here are just examples (and not mandatory to implement).</p> <p>SI (Drafting suggestions):</p> <p>(b) climate change mitigation including carbon removals and on-farm renewable energy production, including biogas production;</p> <p>SI (Comments):</p> <p>As to be able to take into account national specifics and needs, it should be left to a MS to decide on which “subareas” of priority areas it will focus measures and protective practices.</p>
(c) soil health;	<p>DE (Drafting suggestions):</p> <p>(c) soil health, protection of water quality and sustainable use of water resources;</p> <p>DE (Comments):</p> <p>Since “water resilience” in lit. (a) primarily addresses aspects related to climate change, the protection and sustainable use of water should be added here.</p> <p>PL (Drafting suggestions):</p> <p>(e) — soil health;</p>
(d) preservation of biodiversity, such as conservation of habitats or species, landscape features, reduction of use of pesticides;	<p>FI (Drafting suggestions):</p> <p>preservation of biodiversity, such as conservation of habitats or species, landscape features, reduction of the negative effects from the use of pesticides</p> <p>FI (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>The proposed amendment would allow Member States to work more efficiently to reduce risks connected to the use of pesticides. Such measures could have a wider scope than just reducing the use, e.g. promoting the use of less harmful substances and increasing knowledge regarding application close to sensitive areas or in proper time etc.</p> <p>PL (Drafting suggestions): (d) — preservation of biodiversity, such as conservation of habitats or species, landscape features, reduction of use of pesticides;</p> <p>SE (Drafting suggestions): (d) preservation of biodiversity, such as conservation of habitats or species, landscape features, reduction of negative effects from use of pesticides;</p> <p>SE (Comments): The suggested amendment would allow Member States to work more efficiently to reduce risks connected to the use of pesticides. Such measures could have a wider scope than just reducing the use, e.g. promoting the use of less harmful substances and increasing knowledge regarding application close to sensitive areas or in proper time etc.</p>
(e) development of organic farming;	<p>AT (Drafting suggestions): (e) development of organic farming;</p> <p>AT (Comments): For Austria, which has the highest share of organic farming in the EU, it is important to ensure that the maintenance of organic farming is equally embedded within the environmental focus</p>

CY PCY suggestions	Drafting suggestions and Comments
	IE (Drafting suggestions): (e) support and development of organic farming PL (Drafting suggestions): (e) — development of organic farming;
(f) animal health and welfare.	FR (Drafting suggestions): (f) animal health and welfare ; <u>(g) preservation of water quality, such as reduction of use of pesticides and nitrogen fertilizers.</u> FR (Comments): FR : Il est proposé d'ajouter la préservation de la qualité de l'eau dans les enjeux. EN : It is proposed to add the preservation of water quality to the list of issues. PL (Drafting suggestions): (f) — animal health and welfare.
Member States with areas affected by water pollution due to nitrate surplus shall provide support to farmers, <u>such as support</u> for extensification of livestock systems or for diversification to other agricultural activities <u>or other actions that contribute to mitigating the causes of pollution or restore the water bodies.</u>	BE- (Drafting suggestions): Member States with areas affected by water pollution due to nitrate surplus shall may provide support to farmers, such as support for extensification of livestock systems, diversification to other agricultural activities or other actions that contribute to mitigating the causes of pollution or restore the water bodies. BE- (Comments):

CY PCY suggestions	Drafting suggestions and Comments
	<p>(BE) Regarding the areas affected by nitrate surplus, the member state has to decide for themselves whether to tackle this issue with actions within or outside the CAP. Moreover, also the Nitrate Directive is applicable.</p> <p>CZ (Drafting suggestions):</p> <p>Member States with areas affected by water pollution due to nitrate surplus shall may 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.</p> <p>CZ (Comments):</p> <p>CZ supports proposal In addition to that we propose the wording in order to reflect specificities in livestock sector</p> <p>DE (Drafting suggestions):</p> <p>Member States with areas affected by water pollution due to nitrate or phosphate surplus shall provide support to farmers, such as support for extensification of livestock systems, diversification to other agricultural activities or other actions that contribute to mitigating the causes of pollution or restore of the water bodies.</p> <p>DE (Comments):</p> <p>Delete “or restore”. This issue cannot usually be addressed at individual farm level. In addition, measures to enhance water resilience are already being addressed in priority area a)</p> <p>ES (Comments):</p> <p>We fully support the change.</p> <p>FI (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Member States with agricultural areas affected by pollution due to nitrate surplus <u>based on impact assessment carried out by the Member State as per Annex II point 2.5 in 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,</u> shall may provide support to farmers, such as support for extensification of livestock systems, diversification to other agricultural activities or other actions that contribute to mitigating the causes of pollution or restore the water bodies.</p> <p>FI (Comments):</p> <p>It should be made clear that it is question about agricultural areas, not for example forests. Clarification is needed on how “water pollution due to nitrate surplus” is assessed.</p> <p>The choice should be left to MSs, in order to ensure at national level that no additional provisions are created in relation to the application of the Nitrates Directive, which would cause confusion.</p> <p>FR (Drafting suggestions):</p> <p>Member States with areas affected by water pollution due to nitrate surplus may shall provide support to farmers, such as support for extensification of livestock systems, diversification to other agricultural activities or other actions that contribute to mitigating the causes of pollution or restore the water bodies.</p> <p>FR (Comments):</p> <p>FR : Il est proposé de remplacer « shall » par « may » et de laisser le choix aux Etats membres, afin de s’assurer au niveau national de ne pas créer des dispositions supplémentaires par rapport à l’application de la Directive Nitrates, ce qui conduirait à superposer des normes ayant le même objectif. Il faut laisser la place aux arbitrages nationaux sur le traitement de cette problématique qui fait l’objet de mesures par ailleurs, dans de nombreux Etats membres.</p> <p>EN : It is proposed to replace “shall” with “may” and to leave the choice to Member States, in order to ensure at the national level that no additional provisions are created with respect to the implementation of the Nitrates Directive, which would result in overlapping standards with the same objective. There must be room for national</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>discretion in addressing this issue, which is already the subject of measures in many Member States.</p> <p>HU (Drafting suggestions): g) Member States with areas affected by mitigation of water pollution due to nitrate surplus shall provide support to farmers, such as support for extensification of livestock systems, diversification to other agricultural activities or other actions that contribute to mitigating the causes of pollution or restore the water bodies.</p> <p>HU (Comments): <i>Mitigation of water pollution</i> should be included as a separate point (g) similarly to other priority areas listed above for the sake of clarity and avoiding confusion regarding the structure of the article. We believe that <i>water pollution due to nitrate surplus</i> has the same weight as other priority areas, therefore there is no need to highlight it in a different paragraph.</p> <p>IE (Drafting suggestions): (g) where appropriate Member States with support to farmers, such as for extensification of livestock systems or for diversification to other agricultural activities, in areas affected by water pollution due to nitrate surplus, or to protect water quality from deterioration. 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.</p> <p>MT (Drafting suggestions): 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.</p> <p>MT (Comments): Malta is seriously concerned regarding the applicability of livestock extensification and density-limiting measures, which do not reflect the specific territorial, agronomic and structural realities of the Maltese Islands, nor the substantial and long-standing compliance pathway adopted to meet the objectives of the Nitrates</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Directive (91/676/EEC). Malta is unique in that its entire territory is designated as a Nitrate Vulnerable Zone, meaning that the Nitrates Action Programme applies uniformly nationwide and all livestock holdings are already subject to stringent nutrient management requirements, including stocking density limits, manure handling obligations, closed periods and fertilisation restrictions, without any spatial exemptions or flexibility. To prevent nitrate leaching in a context of shallow soils and highly vulnerable aquifers, Malta has over many years promoted and enforced a structural shift towards indoor livestock housing, particularly in the bovine, swine and poultry sectors, enabling controlled manure collection, storage and treatment, and requiring significant investment by micro-farmers in purpose-built facilities and compliance systems. Extensification, which is typically premised on increased land availability and outdoor grazing, is fundamentally incompatible with Malta’s severe land scarcity, fragmented holdings and climatic constraints on pasture productivity, and would contradict Malta’s tailored nitrates compliance model based on precision nutrient management and controlled systems. Moreover, imposing extensification risks increasing environmental pressures, including nitrate leaching and ammonia emissions, thereby undermining the very objectives it seeks to advance. Malta supports the EU’s environmental ambitions, but any such measures must recognise functional equivalence and allow Member States with demonstrable, effective compliance frameworks to pursue nitrates objectives through practical, locally adapted solutions. A forced shift to extensification would disregard sunk investments and could trigger severe economic and social consequences, including jeopardising the viability of the milk sector, associated processing capacity and employment. In light of the above, this position is a red line for MT.</p> <p>NL (Drafting suggestions): Member States with areas affected by water pollution due to nitrate surplus may shall provide support to farmers, <u>such as support</u> for extensification of livestock systems or for, diversification to other (agricultural) activities <u>or other actions that contribute to mitigating the causes of pollution or restore the water bodies</u></p> <p>NL (Comments): The CAP should focus and steer on goals, not via compulsory interventions, giving the decrease in EU budget. Addition of brackets “(agricultural)”: Emphasis that diversification to other activities then agricultural activities can also support the transition. The text suggestion will enable a broadened scope, but does not exclude diversification to other agricultural activities.</p> <p>PL (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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.</p> <p>PT (Drafting suggestions):</p> <p>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</p> <p>PT (Comments):</p> <p>We consider that it would be sufficient to limit support to measures that mitigate the causes of pollution. Other measures under the NRP Plan will be more appropriate to support water body restoration initiatives.</p> <p>SI (Drafting suggestions):</p> <p>Member States with areas affected by water pollution due to nitrate surplus from agriculture 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 from agriculture or restore the water bodies.</p>
<p>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.</p>	<p>BE- (Drafting suggestions):</p> <p>2. For each of the priority areas referred to in paragraph 1 support shall be provided under the conditions laid down in the interventions of this Regulation such as Articles 9, 10 or 13.</p> <p>BE- (Comments):</p> <p>(BE) Art. 4 (2) is too restrictive: the choice of the types of interventions to be used to address environmental and climate issues should be left to the Member States. Furthermore, among the types of interventions, Article 9 is not mandatory and therefore this intervention cannot be made mandatory through Article 4(2).</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>DK (Drafting suggestions):</p> <p>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 13. The priority areas may also be targeted through national incentives.</p> <p>DK (Comments):</p> <p>The objectives should also be achievable through national schemes and rules. This will create greater flexibility and better conditions for pursuing the green objectives. Such national schemes and rules should also be taken into account when formulating national recommendations.</p> <p>FR (Drafting suggestions):</p> <p>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 13.</p> <p>FR (Comments):</p> <p>La France soutient la proposition de modification de la Présidence qui permet aux Etats membres de choisir les interventions pertinentes afin de répondre à chaque domaine prioritaire.</p> <p>EN: France supports the Presidency's proposed amendment, which allows member states to select the appropriate measures to address each priority area</p> <p>IE (Drafting suggestions):</p> <p>2. For each of the priority areas referred to in paragraph 1 support shall may be provided under the conditions laid down in Articles 9, 10 and 13.</p> <p>PL (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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 13</p>
<p>Article 8 Payment for natural or other area-specific constraints</p>	<p>FR (Comments): FR : Les autorités françaises souhaitent indiquer qu’elles ont une réserve d’examen sur cet article s’agissant des modifications apportées par rapport à l’existant et en particulier sur les possibilités ouvertes d’élargir le zonage défini actuellement. EN : The French authorities wish to note that they have scrutiny reservation regarding this article, particularly with regard to the changes made to the existing provisions and, in particular, the possibilities for expanding the currently defined areas.</p>
<p>1. Member States shall provide support to compensate farmers for natural or other area-specific constraints.</p>	<p>BE- (Drafting suggestions): 1. Member States shall <u>may</u> provide support to compensate farmers for natural or other area-specific constraints. BE- (Comments): (BE) BE asks to make article 8 voluntary for the member state. Historically, payments for natural or area-specific constraints have never been mandatory under EU legislation. They have always been optional interventions activated when appropriate for national or regional contexts. According to the principles of the EU, in particular subsidiarity, the Union does not impose mandatory action when situations differ significantly between Member States. CZ (Drafting suggestions): Member States shall provide full or partial support to compensate farmers for natural or other area-specific constraints. DE (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Member States shall may provide support to compensate farmers for natural or other area-specific constraints <u>either in full or in part.</u></p> <p>DE (Comments):</p> <p>There is no need for an obligation. According to the EU Commission’s own statements a limited number of MS decided to not designate ANC areas as they saw no need to provide income support to compensate for natural constraints until now. Conversely we understand that MS seeing the need for income support provide and will provide it in future. If MS in future see no need to provide income support to compensate for natural constraints anymore, the obligation would artificially maintain it and entail additional bureaucracy just to support a minimum ANC area. Carrying out a fine tuning exercise to remove areas from the ANC delimited area additionally means great administrative effort. Clarification in relation to fully or partly compensation.</p> <p>Request for clarification towards the Commission: Is it right, that the duty (“shall”) is fulfilled, if one of the federal states/regions in a Member State provides support to compensate farmers for natural or specific constraints?</p> <p>DK (Drafting suggestions):</p> <p>1. Member States shall may provide support to compensate farmers for natural or other area-specific constraints.</p> <p>DK (Comments):</p> <p>DK: It should be voluntary for Member States to provide support to farmers for natural or other area-specific constraints. This option has worked well in the present CAP.</p> <p>EE (Drafting suggestions):</p> <p>Member States shall may provide support to compensate farmers for natural or other area-specific constraints.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>EE (Comments): Estonia will support more flexibility and voluntary implementation of Article 8 as it is proposed in the current period.</p> <p>HU (Drafting suggestions): 1. Member States shall may provide support to compensate farmers for natural or other area-specific constraints.</p> <p>HU (Comments): In previous CAP cycles, there was also the possibility of supporting areas affected by natural or other area-specific constraints, but this was not implemented in Hungary. Due to the complexity of defining these areas, the introduction of such a scheme would require a disproportionately great burden on the administrative side. In our opinion, these objectives can also be achieved through other forms of support. Furthermore, we would like to highlight that such a measure has never been compulsory before.</p> <p>IE (Drafting suggestions): 1. Member States may shall provide support to compensate farmers for natural or other area-specific constraints.</p> <p>IT (Drafting suggestions): 1. Member States shall may provide support to compensate farmers for natural or other area-specific constraints.</p> <p>IT (Comments): IT suggests again that support for areas facing natural constraints could be optional for Member States because Article 6 of CAP Regulation already provides for differentiated income support in</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>those same areas and it is decisive taking stock of what already clarified by DG Agri in QandA on block III, reply III.4 (“ANC support (both EU funded and nationally funded) are a source of farm income. As such, it should be taken into account when assessing farm income and thus in any decision on farm income support differentiation”). In this regard, maintaining a compulsory additional layer of support would risk creating a double payment structure, as both DABIS and ANC support may be based on the same underlying factor, namely income. This would be difficult to manage and would impose unnecessary administrative red tape on both farmers and national authorities. Allowing Member States to decide whether to grant this specific support ensures coherence among the various income support instruments and preserves administrative efficiency.</p> <p>LT (Drafting suggestions): Member States shall provide support to compensate farmers for natural or other area-specific constraints. By way of derogation from the first subparagraph, a Member State may refrain from providing support under this Article where comparable support for natural or other area-specific constraints is granted through differentiated DABIS pursuant to Article 6.</p> <p>LT (Comments): DABIS (art. 6) allows differentiation also based on ANC, so MS must have flexibility to choose.</p> <p>LV (Drafting suggestions): Member States may shall provide support to compensate farmers for natural or other area-specific constraints</p> <p>LV (Comments): Why has this payment become mandatory? We strongly disagree and consider that this payment should be voluntary, as it has been until now.</p> <p>NL (Drafting suggestions): Member States shall may provide support to compensate farmers for natural or other area-specific constraints.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>NL (Comments): This intervention should be made voluntary, not obligatory. The Netherlands currently does not implement this intervention. We want member states to have flexibility to choose which instruments to use from the CAP toolbox to reach the goals of the CAP.</p> <p>PL (Drafting suggestions): 1. Member States shall may provide support to compensate farmers for natural or other area-specific constraints</p> <p>PL (Comments): The draft assumes that ANC payments will become a mandatory form of intervention for Member States, whereas so far they have been voluntary. It is proposed to retain flexibility in the choice of this support and to leave the decision on implementing ANC payments to the discretion of the Member States, so that they can better adapt them to their national circumstances.</p>
<p>2. The payment for areas with natural and/or other specific constraints may shall be provided in respect of <u>at least one of the following categories of</u> areas that:</p>	<p>BE- (Drafting suggestions): 2. The payment for areas with natural or other specific constraints shall may be provided in respect of at least one of the following categories of areas that:</p> <p>BE- (Comments): (BE) In line with previous comment (on paragraph 1).</p> <p>CZ (Comments): CZ supports proposal</p> <p>DE (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>2. The payment for areas with natural or other specific constraints may shall be provided in respect of at least one of the following categories of areas that:</p> <p>EE (Drafting suggestions): The payment for areas with natural and/or other specific constraints may shall be provided in respect of <u>at least one of the following categories of</u> areas that:</p> <p>EE (Comments): See comment above.</p> <p>PL (Drafting suggestions):</p> <p>2. The payment for areas with natural and/or other specific constraints shall may be provided in respect of at least one of the following categories of areas that:</p> <p>PL (Comments): As above</p>
<p>(a) were designated pursuant to Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹;</p> <p><small>1. 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.</small></p>	
<p>(b) are newly designated <u>by Member States</u> in view of specific constraints defined by Member States <u>in accordance with paragraph 2a</u> and have been included in the NRP Plan.</p>	<p>PL (Comments):</p> <p>With regard to the possibility of designating new areas, we kindly request clarification as to the meaning of the wording “have been included in the Strategic Plan (NRP)”.</p> <p>In particular, we would appreciate clarification as to whether this implies that a detailed list of such ANC areas is required to form an integral part of the Strategic Plan (NRP).</p> <p>We would like to draw attention to the fact that the potential list of such areas — in the case of Poland — could be characterised by a high level of detail and considerable volume. To date, this list</p>

CY PCY suggestions	Drafting suggestions and Comments
	has been established at the level of national implementation rules , while the Strategic Plan included only the general framework, criteria and principles for the designation of these areas.
<i>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.</i>	
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.	
<u>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.</u>	<p>BE- (Drafting suggestions):</p> <p>2a. Member States may designate new areas referred to in paragraph 2, point (b) that are affected by specific constraints defined by Member states in the NRP Plans, 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.</p> <p>BE- (Comments):</p> <p>(BE) This new §2a gives the opportunity for the MS to define new areas under this article that cause issues for carrying out agricultural activity. The original proposal provided that they are defined by the Member States and have to be included in the NRP Plan. BE proposes to clarify this.</p> <p>(BE) <u>Questions</u>: The impact of this amendment is not clear:</p> <ul style="list-style-type: none"> - Does the text mean that a specific constraint can only be a constraint due to conservation or improvement of the environment, a constraint due to maintenance of the countryside, a constraint due to preservation of the tourist potential of the area, a constraint due to protection of the coastline or a combination? Does this limit the possibilities compared to the original provision?

CY PCY suggestions	Drafting suggestions and Comments
	<ul style="list-style-type: none"> - Which land management practices are meant in the criterium ‘where it is necessary for land management practices to conserve or improve the environment’? - Does this new paragraph give the same possibilities or more compared to article 32 of Regulation (EU) No. 1305/2013? <p>LT (Drafting suggestions):</p> <p>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 or to address serious socio-economic constraints, including depopulation or high levels of poverty, affecting the viability of those areas.</p> <p>LT (Comments):</p> <p>The proposed wording of paragraph 2a is too narrow and may in practice favour only certain territorial situations, such as coastal or Mediterranean areas. It should be clarified that, when identifying areas affected by specific constraints, Member States may also take into account socio-economic factors affecting the viability of those areas. This would better reflect the diversity of regional situations across the Union and avoid excluding areas facing serious structural difficulties.</p> <p>LV (Drafting suggestions):</p> <p><u><i>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.</i></u></p> <p>LV (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
<p><u><i>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.</i></u></p>	<p>Given the limited CAP budget, funding should be primarily targeted towards ensuring the continuation of agricultural activity, particularly in areas facing a high risk of land abandonment.</p> <p>BE- (Drafting suggestions):</p> <p>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 or specific 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.</p> <p>BE- (Comments):</p> <p>BE request to clarify that the fine-tuning exercise can apply to natural constraints areas and specific constraints areas.</p> <p>LT (Drafting suggestions):</p> <p>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, or Member States may adjust the level of support in such areas in order to avoid overcompensation.</p> <p>LT (Comments):</p> <p>The proposed wording of paragraph 2b is too restrictive, as it focuses only on excluding areas from support. A more proportionate approach would be to allow Member States, where appropriate, to adjust the level of support in order to avoid overcompensation, rather than automatically excluding</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>3. The payments per eligible hectare shall be limited to the additional costs or loss of <u>and</u> income <u>foregone</u> related to undertaking agricultural production in the designated areas compared to production in non-designated areas.</p>	<p>such areas. This would provide greater flexibility and better reflect different territorial and economic situations.</p> <p>CZ (Drafting suggestions): „ (3) The payments per eligible hectare shall be limited granted in order to compensate all or part of the additional costs and income foregone related to undertaking agricultural production in the designated areas compared to production in non-designated areas.“</p> <p>CZ (Comments): Given the difference in wording compared to the current programming period and the explicit mention of the possibility of partial compensation under Article 9(3), we request that the wording be harmonized and that the possibility of partial compensation be explicitly stated here as well.</p> <p>DE (Drafting suggestions): The annual payments per eligible hectare including nonproductive areas shall be limited to the additional costs and income foregone related to undertaking agricultural production in the designated areas compared to production in non-designated areas.</p> <p>DE (Comments): Clarification</p> <p>IT (Drafting suggestions): . The payments per eligible hectare shall be limited to the additional costs or loss of <u>and</u> income foregone <u>loss of revenues</u> related to undertaking agricultural production in the designated areas compared to production in non-designated areas.</p> <p>IT (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>In our opinion such proposed amendment (deletion of term “eligible”) is needed to avoid any misunderstanding with “eligible hectare” definition according to new article 2b, paragraph 5 of this regulation. Please note that the IT proposal is largely based on Article 72(4) of Regulation (EU) 2021/2115 as the relevant legal reference.</p> <p>PT (Drafting suggestions):</p> <p>3. The payments per eligible hectare shall be limited to compensate beneficiaries for all or part the additional costs or loss of <i>and</i> income <i>foregone</i> related to undertaking agricultural production in the designated areas compared to production in non-designated areas.</p> <p>PT (Comments):</p> <p>Clarify the possibility to a partial compensation of the additional costs and income foregone.</p> <p>SE (Drafting suggestions):</p> <p>3. The payments per eligible hectare, animal or animal unit, shall be limited to the additional costs or <i>loss of</i> <i>and</i> income <i>foregone</i> related to undertaking agricultural production in the designated areas compared to production in non-designated areas.</p> <p>SE (Comments):</p> <p>Similar to payments for Agri-environment and climate actions, it should be possible to pay the support per animal or animal unit in order to simplify the support.</p> <p>The possibility of applying the conditions this way would have positive effects on both the precision and the design of the support, as well as on European food security. It is of importance for both livestock production and the environment in ANC areas. The constraints in these areas are unfavourable for both crops and livestock with a risk of abandonment and loss of biodiversity. It is therefore more suitable to view this change from an environmental perspective, rather than coupled income support.</p> <p>Both the support under this article and under Article 10 are based on additional costs, which could be calculated based on increased costs for growing crops and/or rearing animals. The possibility to pay Agri-</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>environment and climate payments per animal or animal unit was included in Omnibus III* and as far as we have understood this possibility will remain.</p> <p>*According to the Annex I on Intervention fields and indicators, #12 (Support for environment and climate practices, including climate resilience measures) is followed up by output indicator “number of livestock units” (among others).</p> <p>SI (Drafting suggestions):</p> <p>3. The payments per eligible hectare shall be limited to <i>all or part of</i> the additional costs or loss of <i>and</i> income <i>foregone</i> related to undertaking agricultural production in the designated areas compared to production in non-designated areas.</p>
<p>Article 9 Support for disadvantages resulting from certain mandatory requirements</p>	<p>DK (Comments):</p> <p>DK: Schemes under this Article should count as 100% green in the Performance Regulation.</p>
<p>1. Member States may provide area-based support in agricultural and forest areas for disadvantages resulting from the implementation of:</p>	
<p>(a) Council Directive 92/43/EEC¹ and Directive 2009/147/EC of the European Parliament and of the Council²;</p> <p>_____ 1. 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. 2. 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.</p>	
<p>(b) Directive 2000/60/EC of the European Parliament and of the Council¹.</p> <p>_____ 1.</p>	<p>NL (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>1. 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.</p>	<p>(b) Directive 2000/60/EC of the European Parliament and of the Council1.</p> <p>(c) Regulation (EU) 2024/1991 of the European Parliament and of the Council (2).</p> <p>2. Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869.</p> <p>NL (Comments):</p> <p>The Nature Restoration Regulation (NRR) will evidently have implications for agricultural land, not least in relation to NRR targets concerning pollinators and the functioning of agro-ecosystems. It is therefore appropriate that Member States are afforded the possibility to provide area-based support to farmers who are adversely affected by such legally mandated measures.</p>
<p>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.-</p>	<p>BE- (Drafting suggestions):</p> <p>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% of the designated Natura 2000 areas covered by the NRP Plan.-</p> <p>BE- (Comments):</p> <p>(BE) BE proposes to delete the mentioned limitation for supporting other delimited nature protection areas with environmental restrictions applicable to farming. This can be useful, for example, in the context of the Nature Restoration Law.</p> <p>DE (Drafting suggestions):</p> <p>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%7% of the designated Natura 2000 areas covered by the NRP Plan.-</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>DE (Comments): An increase in the possible area is justified for environmental reasons.</p>
<p>2. Payments under this Article may be granted to farmers, forest holders and their<u>forest holders</u> associations.</p>	<p>AT (Drafting suggestions): 2. Payments under this Article may be granted to farmers, forest holders and their their<u>forest holders</u> associations as well as other land managers.</p> <p>AT (Comments): We see this change critical. Furthermore, we demand that the wording remains the same as in the current CAP period. It must be ensured that other land managers are also included</p> <p>FI (Drafting suggestions): 2. Payments under this Article may be granted to farmers, forest holders, and <u>farmers' associations and</u> forest holders' associations.</p> <p>FI (Comments): Farmers' associations are important beneficiaries and those should not be ignored.</p>
<p>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.-</p>	

CY PCY suggestions	Drafting suggestions and Comments
<p>Article 10 Agri-environmental and climate actions</p>	<p>BE- (Drafting suggestions):</p> <p>Article 10 Agri-environmental and climate actions <u>interventions</u></p> <p>BE- (Comments):</p> <p>BE proposes replacing the wording ‘actions’ with the wording ‘intervention’ to avoid confusion with the term ‘actions’ under the definition of ‘operation’ in the Performance Framework Regulation.</p> <p>CZ (Drafting suggestions):</p> <p>Article 10 Agri- Environmental and climate actions</p> <p>CZ (Comments):</p> <p>The title does not indicate the forestry interventions covered in this article</p> <p>FR (Drafting suggestions):</p> <p>Article 10 Agri-environmental and climate <u>commitments</u> actions</p> <p>MT (Comments):</p> <p>Malta is seriously concerned regarding the applicability of livestock extensification and density-limiting measures, which do not reflect the specific territorial, agronomic and structural realities of the Maltese Islands, nor the substantial and long-standing compliance pathway adopted to meet the objectives of the Nitrates Directive (91/676/EEC). Malta is unique in that its entire territory is designated as a Nitrate Vulnerable Zone, meaning that the Nitrates Action Programme applies uniformly nationwide and all livestock holdings are already subject to stringent nutrient management requirements, including stocking density limits, manure handling obligations, closed periods and fertilisation restrictions, without any spatial exemptions or flexibility. To prevent nitrate leaching in a context of shallow soils and highly vulnerable aquifers, Malta has over many</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>years promoted and enforced a structural shift towards indoor livestock housing, particularly in the bovine, swine and poultry sectors, enabling controlled manure collection, storage and treatment, and requiring significant investment by micro-farmers in purpose-built facilities and compliance systems. Extensification, which is typically premised on increased land availability and outdoor grazing, is fundamentally incompatible with Malta’s severe land scarcity, fragmented holdings and climatic constraints on pasture productivity, and would contradict Malta’s tailored nitrates compliance model based on precision nutrient management and controlled systems. Moreover, imposing extensification risks increasing environmental pressures, including nitrate leaching and ammonia emissions, thereby undermining the very objectives it seeks to advance. Malta supports the EU’s environmental ambitions, but any such measures must recognise functional equivalence and allow Member States with demonstrable, effective compliance frameworks to pursue nitrates objectives through practical, locally adapted solutions. A forced shift to extensification would disregard sunk investments and could trigger severe economic and social consequences, including jeopardising the viability of the milk sector, associated processing capacity and employment. In light of the above, this position is a red line for MT.</p>
<p>1. Member States shall provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p>	<p>AT (Drafting suggestions): Member States shall provide payments for interventions 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:</p> <p>AT (Comments): Member States should be free to decide whether to implement compensation payments or incentive payments. Therefore, this should be formulated in general terms.</p> <p>BE- (Drafting suggestions): 1. Member States shall provide incentives, that can go beyond additional costs and income foregone, for at least one of the following actions interventions beneficial for the climate, biodiversity, environment, animal health and welfare and or sustainable forestry, contributing to the environment and climate priority areas referred to in Article 4:</p> <p>BE- (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(BE) BE asks to clarify in the regulation that incentives may go beyond costs and income forgone.</p> <p>BE proposes replacing the wording ‘actions’ with the wording ‘intervention’ to avoid confusion with the term ‘actions’ under the definition of ‘operation’ in the Performance Framework Regulation.</p> <p>Taking into account the principle of subsidiarity, it is up to the Member States to determine which type of action is the most suitable and to decide to implement actions within or outside the CAP, depending on their needs and requirements. Therefore, we ask to add “<i>for at least one of the following interventions</i>” and to replace ‘and’ by ‘or’.</p> <p>BE asks to remove the reference to article 4. Member States should be able to determine for themselves which type of measure, as referred to in Article 4(2), they will apply in order to comply with Article 4(1). It cannot be the intention to oblige Member States to apply article 10 to all the areas referred to in Article 4(1). Article 4 (2) already mentions that the member states can fulfill art. 4 (1) by implementing for example article 10.</p> <p>DE (Drafting suggestions):</p> <p>1. Member States shall provide incentives for at least one of the following actions beneficial for the climate, the environment, biodiversity, animal health and welfare and sustainable forestry ...</p> <p>DE (Comments):</p> <p>Member States should be free to choose the procedural route they take to support the Union's objectives. Therefore, for example, the conversion to organic farming must be permitted to be granted both as an area payment and as a conversion lump sum. Member States must have the right to choose how to structure this.</p> <p>We ask PRES for clarification on the proposed addition to the wording. What is the added value?</p> <p>DK (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>The added sentence does not seem to be necessary, as it is already mentioned in Article 4 that it should be provided through art. 9,10 or 13.</p> <p>EE (Comments): What is the aim of this addition?</p> <p>FI (Drafting suggestions): Member States shall provide incentives for one or more of the following actions beneficial for the climate, environment, animal health and welfare and may provide incentives for sustainable forestry, contributing to the environment and climate priority areas referred to in Article 4:</p> <p>FI (Comments): It must be made clear that all actions listed in Article 10(1) are not compulsory. The Member States should be able to choose the actions they wish to provide incentives for based on their own needs, e.g. when it comes to supporting sustainable forestry and other beneficiaries than farmers.</p> <p>FR (Drafting suggestions): 1. Member States shall provide incentives for commitments which are the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry, including organic farming, contributing to the environment and climate priority areas referred to in Article 4:</p> <p>FR (Comments): La proposition rédactionnelle vise à revenir aux dispositions du règlement (UE) 2021/2115, dans lequel les interventions environnementales sont décrites comme des engagements agro-environnementaux et climatiques. Nous demandons donc de supprimer la distinction entre les engagements en matière de gestion et les actions de transition. Cette distinction est inefficace et n'apparaît pas justifiée, car de nombreuses pratiques agronomiques</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>bénéfiques pour l'environnement peuvent relever soit des engagements de gestion, soit des actions de transition.</p> <p>La suppression du renvoi vers l'article 4 a pour objectif d'éviter que les mesures doivent contribuer à deux ensembles d'objectifs distincts, susceptibles de différer entre, i) d'une part, le paragraphe 3 de l'article 10, relatif aux enjeux visés par les mesures de cet article, et, ii) d'autre part, l'article 4, relatif aux domaines prioritaires en matière d'environnement et de climat au titre de la PAC.</p> <p>Le soutien à l'agriculture biologique est réintégré dans ce paragraphe en cohérence avec la proposition de suppression du paragraphe 2 du compromis.</p> <p>EN : The proposed amendment aims to revert to the provisions of Regulation (EU) 2021/2115, in which environmental measures are described as agri-environmental and climate commitments. We therefore request that the distinction between management commitments and transition actions be removed. This distinction is ineffective and does not appear justified, as many agronomic practices beneficial to the environment can fall under either management commitments or transition actions.</p> <p>The removal of the reference to Article 4 is intended to prevent measures from having to contribute to two distinct sets of objectives, which may differ between, i) on the one hand, paragraph 3 of Article 10, concerning the issues addressed by the measures in that article, and, (ii) on the other hand, Article 4, concerning the priority areas for the environment and climate under the CAP.</p> <p>Support for organic farming is reintroduced in this paragraph in line with the proposal to delete paragraph 2 of the compromise.</p> <p>HR (Drafting suggestions):</p> <p>1. Member States shall provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p> <p>HR (Comments):</p> <p>We propose deleting the added text, as it is already covered by Article 10(3).</p> <p>HU (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Member States shall provide incentives or compensation for one or both of the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry: <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p> <p>HU (Comments):</p> <p>In our view, Member States need greater flexibility and to be able to continue with the current agri-environmental measures. The legal text should explicitly provide for this important objective to avoid any ambiguity.</p> <p>IE (Drafting suggestions):</p> <p>1. Member States shall provide incentives support for the following voluntary actions beneficial for one or more of the following areas: the climate, environment, animal health and welfare and sustainable forestry: <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p> <p>LV (Drafting suggestions):</p> <p>1. Member States shall provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry <u>contributing to the environment and climate priority areas referred to in Article 4</u> based on their specific situation. These actions may include, in particular:</p> <p>LV (Comments):</p> <p>Latvia considers that sufficient flexibility is needed for Member States in selecting the specific actions to be supported. The list of actions should not be interpreted as cumulatively mandatory. The obligation should relate to the intervention as such, while the choice of specific actions must remain adaptable to national circumstances.</p> <p>LU (Drafting suggestions):</p> <p>Member States may provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>MT (Drafting suggestions):</p> <p>1. Member States shall provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and, where applicable, sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4</u>:</p> <p>MT (Comments):</p> <p>This paragraph states that Member States shall provide incentives in a number of areas including sustainable forestry. Malta does not have a well-developed forestry sector, so in the interests of accounting for national characteristics, incentives covering sustainable forestry should be optional.</p> <p>SK (Drafting suggestions):</p> <p>1. Member States shall provide incentives for <u>voluntary management commitments taken up by farmers and other beneficiaries, including commitments to maintain organic farming and extensification of livestock production, established and implemented in accordance with paragraph the following actions beneficial These actions shall be beneficial</u> for the climate, environment, animal health and welfare and sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4</u>:</p> <p>SK (Comments):</p> <p>We believe that element mentioned in 1 b) (voluntary transition towards resilient production) is not suitable of AECA. It is more suitable for project interventions/investments (like EC admitted in previous WP HAQ). Another risk is the high administration on the part of farmers. Compliance with new standards and requirements means increased time demand and requires knowledge of the IT system skills. Therefore, we would prefer to delete this part from the draft of this regulation.</p> <p>PL (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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 in the form of:</p> <p>PL (Comments):</p> <p>In Poland's opinion, Member States should have more flexibility to decide how to implement the CAP, taking into account their national or regional needs and challenges.</p> <p>Taking into account the principle of subsidiarity, more actions covered by Article 10 should be voluntary for Member States.</p> <p>Poland proposes to split paragraph 1 from the EC proposal into two paragraphs: 1 and 1a.</p> <p>We propose to merge in paragraph 1 first sub-paragraph and the letter a) (management commitments) from the EC proposal. Management commitments should be mandatory for Member States to implement.</p> <p>Letter b) from the EC proposal should become paragraph 1a (voluntary transition) – transition towards resilient production systems should be voluntary for Member States.</p> <p>PT (Drafting suggestions):</p> <p>1. Member States shall provide incentives for at least one of the following actions beneficial for the climate, environment, animal health and welfare and sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p> <p>PT (Comments):</p> <p>Member States should have the flexibility to decide which actions are more appropriate to support the environment and climate priority areas. One or both of the two types of actions.</p> <p>SE (Drafting suggestions):</p> <p>1. Member States shall provide incentives according to 1. (a) and may provide incentives according to 1. (b), for the following actions beneficial for the climate, environment, animal health and welfare and, if applicable, sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4:</u></p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>SE (Comments):</p> <p>SE also would like the transition support under paragraph 1. (b) to be voluntary.</p> <p>Sweden would also prefer support to other beneficiaries than farmers to be voluntary.</p> <p>SI (Drafting suggestions):</p> <p>1. Member States shall provide incentives for the following actions beneficial for the climate, environment, animal health and welfare and, <i>if a MS considers appropriate</i>, sustainable forestry, <u>contributing to the environment and climate priority areas referred to in Article 4</u>:</p> <p>SI (Comments):</p> <p>Sustainable forestry is not one of the priority areas in Article 4. The decision about covering forestry under Article 10 should be left to a MS.</p>
<p>(a) voluntary management commitments taken upon by farmers and other beneficiaries, including commitments to maintain organic farming and extensification of <u>or extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p>	<p>AT (Drafting suggestions):</p> <p>(a) <u>Member States shall include among the CAP interventions of their NRP Plan</u> voluntary management commitments <u>or other types of commitments</u> taken upon by farmers and other beneficiaries, including commitments to maintain <u>or to convert to</u> organic farming and extensification of <u>or extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p> <p>AT (Comments):</p> <p>AT support the mandatory implementation of these interventions.</p> <p>However, AT calls for greater flexibility in the design of interventions with management commitments (e.g. result based interventions). Therefore, we propose adding “or other types of commitments.”</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>For AT, it is of particular importance to continue the successful promotion of organic farming in the future and to continue corresponding, well-established programs. The proposed distinction between “maintenance” and “conversion” results in even less flexibility in implementation. Therefore, it is asked that both maintaining existing practices and converting to/entering organic farming can be supported under “management commitments.”</p> <p>BE- (Drafting suggestions):</p> <p>(a) voluntary management commitments taken on by farmers and other beneficiaries, including such as commitments to maintain or convert to organic farming or extensive livestock production;</p> <p>BE- (Comments):</p> <p>(BE) The choice of measures to be taken to address environmental and climate issues should be left to Member States. It is up to Member States to determine which measures are most appropriate for these areas. It is not only up to Member States to choose which measures to take, but also to determine which issues the CAP/NRPP budget should focus on and which are addressed outside the CAP. Therefore, paragraph 1 should be an open list for the Member State. BE asks to replace the word ‘including’ by ‘such as’ in point (a) and point (b) of paragraph 1. However, the obligation to cover organic products under at least one form of action referred to in (Art. 10) should be clearly mentioned in a separate paragraph. Member states should have the choice to provide management commitments for conversion to organic production.</p> <p>CZ (Comments):</p> <p>CZ supports proposal</p> <p>DE (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(a) voluntary management commitments taken on by farmers and other beneficiaries, including commitments to convert to and maintain organic farming or extensive livestock production,</p> <p>ES (Drafting suggestions):</p> <p>(a) voluntary management commitments taken upon by farmers and other beneficiaries, including such as commitments to maintain organic farming and extensification of for extensive livestock production; established and implemented in accordance with paragraph 3;</p> <p>ES (Comments):</p> <p>We support the substitution of extensification for extensive. Additionally we think that organic farming or extensive livestock production are examples of the commitments but they shouldn't be mandatory for the Member States.</p> <p>FI (Drafting suggestions):</p> <p>(a) voluntary management commitments taken on by farmers and, if applicable other beneficiaries, including such as commitments to maintain organic farming or extensive livestock production.</p> <p>FI (Comments):</p> <p>The Member States should be able to choose the actions they wish to provide incentives for based on their own needs, e.g. when it comes to supporting sustainable forestry and other beneficiaries than farmers. Term "such as" clarifies that the list is illustrative/gives examples.</p> <p>FR (Drafting suggestions):</p> <p>(a) — voluntary management commitments taken upon by farmers and other beneficiaries, including commitments to maintain organic farming and extensification of or extensive livestock production</p> <p>HR (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>In Article 10(1a), it is not clear how the level of support to be granted under this Article will be calculated, given that, in the current programming period, Article 82 of Regulation (EU) 2021/2115 stipulates that the adequacy and accuracy of payment calculations must be carried out by bodies functionally independent from those responsible for implementing the CAP Strategic Plan.</p> <p>Can Member States/Managing Authorities independently decide on the method and methodology for calculating the amount of support, and is it necessary, for the purpose of calculating the level of support, to have calculations prepared by a body independent from the Managing Authority, as was required in previous programming periods?</p> <p>HU (Drafting suggestions):</p> <p>(a) voluntary management commitments taken on by farmers and other beneficiaries, such as including commitments to maintain organic farming or extensive livestock production;</p> <p>HU (Comments):</p> <p>The phrase “<i>such as</i>” better conveys that this is merely an illustrative list.</p> <p>IE (Drafting suggestions):</p> <p>(a) voluntary management commitments taken upon by farmers and other beneficiaries, including commitments such as to support or develop maintain organic farming and extensification of <u>for extensive</u> livestock production, established and implemented in accordance with paragraph 3; Management commitments shall be established and implemented in accordance with paragraph 3.</p> <p>LU (Drafting suggestions):</p> <p>(a) voluntary management commitments taken upon by farmers, including commitments to conversion and to maintain organic farming and extensification of <u>for extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>LU (Comments): LU would like to include also the conversion to organic farming as a measure that can be financed in voluntary management commitments. We would like to have the choice if we support it under transition actions or VMC.</p> <p>MT (Drafting suggestions): (a) voluntary management commitments taken upon by farmers and other beneficiaries, including commitments to maintain organic farming and extensification of <u>or extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p> <p>SK (Drafting suggestions): (a) voluntary management commitments taken upon by farmers and other beneficiaries, including commitments to maintain organic farming and extensification of <u>or extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p> <p>SK (Comments): See comment to par. 1 of this article.</p> <p>PL (Drafting suggestions): a) voluntary management commitments taken on by farmers and other beneficiaries, including commitments to maintain organic farming <u>and commitments to convert to organic farming</u> or extensive livestock production. <u>This commitments may include extensive livestock production systems.</u></p> <p>PL (Comments): We also propose to support under voluntary management commitments units of the holdings in conversion to organic production.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Such a solution will enable the implementation of support similar to the one currently used, consisting in granting payments for the area of crops covered by the EU organic farming system. Without that kind of change supporting the transition to organic production methods will only be possible within the framework of the incentives mentioned in point b and will require the transition action plans drawn up by a farmers.</p> <p>Article 10 Agri-environmental and climate actions is mandatory for Member States to implement, nevertheless in our opinion extensification of livestock production systems, should be voluntary for Member States.</p> <p>PT (Drafting suggestions):</p> <p>(a) voluntary management commitments taken upon <u>upon</u> by farmers and other beneficiaries, including commitments to convert to or maintain organic farming and extensification of <u>for extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p> <p>PT (Comments):</p> <p>Member States should have the flexibility to decide how to support conversion to or the maintenance of organic farming commitments. The amendment therefore aims to allow Member States to grant support under this point for commitments relating to maintenance or conversion to organic farming, or both.</p> <p>SE (Drafting suggestions):</p> <p>(a) voluntary management commitments taken upon <u>upon</u> by farmers and, if applicable, other beneficiaries, including commitments to <u>maintain</u> organic farming and extensification of <u>for extensive</u> livestock production or other actions that contribute to mitigating the causes of pollution or restore the water bodies, established and implemented in accordance with paragraph 3;</p> <p>SE (Comments):</p> <p>Sweden would prefer support to other beneficiaries than farmers to be voluntary.</p> <p>Furthermore, we would like to be able to support both conversion to, and maintenance of, organic farming under paragraph 1. (a).</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>We also propose to widen the scope for management commitments for extensive farming in accordance with the proposed adjustment of Article 4.</p> <p>SI (Drafting suggestions):</p> <p>(a) voluntary management commitments taken upon by farmers, <u>group of farmers</u> and/or other beneficiaries, including commitments to maintain organic farming and extensification of <u>extensive</u> livestock production, established and implemented in accordance with paragraph 3;</p> <p>SI (Comments):</p> <p>An amendment aims at avoiding a misunderstanding that a MS has to consider as beneficiaries also other beneficiaries. The decision should be left to a MS. As well, an option to have a group of farmers as beneficiary is needed as to enable collective approaches.</p>
<p>(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.</p>	<p>AT (Drafting suggestions):</p> <p>(b) <u>Member States may include among the CAP interventions of their NRP Plan</u> voluntary transition towards resilient production systems carried out by farmers <u>or other beneficiaries</u> 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.</p> <p>AT (Comments):</p> <p>AT demands for a voluntary implementation of transition actions. We have a long experience in implementing AECM in AT and need more flexibility. We need to choose the appropriate instrument ourselves to address our needs and do not want to be forced to implement new, unclear and potentially complex funding measures. AECM are already very complex to implement and we need more simplification, instead of additional obligations.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>BE- (Drafting suggestions):</p> <p>(b) voluntary transition towards resilient production systems carried out by farmers at the level of the holding or for part of a holding, including such as conversion to organic farming or extensification of livestock production systems.</p> <p><u>2a. Each Member State shall provide support to organic farming certified in accordance with Regulation (EU) 2018/848 of the European Parliament under at least one form of action referred to in (Art. 10) 1.</u></p> <p>BE- (Comments):</p> <p>(BE) The choice of measures to be taken to address environmental and climate issues should be left to Member States. It is up to Member States to determine which measures are most appropriate for these areas. It is not only up to Member States to choose which measures to take, but also to determine which issues the CAP/NRPP budget should focus on and which are addressed outside the CAP. Therefore, paragraph 1 should be an open list for the Member State. BE asks to replace the word ‘including’ by ‘such as’ in point (a) and point (b) of paragraph 1.</p> <p>However, the obligation to cover organic products under at least one form of action referred to in (Art. 10) should be clearly mentioned in a separate paragraph 2a.</p> <p>CZ (Comments):</p> <p>CZ supports proposal</p> <p>EE (Drafting suggestions):</p> <p>b) Member State may provide incentives for the 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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>EE (Comments): As regards Article 10(1) point b, Estonia do not support mandatory implementation of transition. Instead of “Member State shall provide” we propose to replace “Member State may”.</p> <p>ES (Drafting suggestions): (b) voluntary transition towards resilient production systems carried out by farmers at the level of the holding or for part of a holding, including such as conversion to organic farming <i>and/or</i> extensification of livestock production systems, <i>established and implemented in accordance with paragraph 4.</i></p> <p>ES (Comments): As in Article 10.1.a) we think that organic farming or extensification of livestock production are examples of the commitments but they shouldn't be mandatory for the Member States.</p> <p>FR (Drafting suggestions): (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 or extensification of livestock production systems</p> <p>HU (Drafting suggestions): (b) voluntary transition towards resilient production systems carried out by farmers at the level of the holding or for part of a holding, including such as conversion to organic farming or extensification of livestock production systems.</p> <p><u>Depending on the decision of the Member State, aid may be granted</u> - <u>as a compensation for part or all of the additional costs or income foregone, or</u></p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>- <u>in the form of an additional payment to the basic payment on all eligible hectares covered by the commitments.</u></p> <p>HU (Comments): In our view, Member States need greater flexibility and to be able to continue with the current agri-environmental measures. The legal text should explicitly provide for this important objective to avoid any ambiguity.</p> <p>IE (Drafting suggestions): (b) Support for voluntary transition towards more resilient production systems carried out by farmers at the level of the holding or for part of a holding, including such as support for the conversion to organic farming and/or and/or extensification of livestock production systems, established and implemented in accordance with paragraph 4.</p> <p>LT (Drafting suggestions): 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.</p> <p>LT (Comments): We see no value added, implementation difficulties and increased administrative burden for this action. At least it should be voluntary for Member States.</p> <p>MT (Drafting suggestions): (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 and/or extensification of livestock production systems, established and implemented in accordance with paragraph 4.</p> <p>SK (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(b) 2. Member states may also provide incentives for 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.</p> <p>SK (Comments): See comment to par. 1 of this article.</p> <p>PL (Drafting suggestions): <u>1a. Member States may provide incentives for the actions beneficial for the climate, environment, animal health and welfare and sustainable forestry in the form of</u> 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 (...)</p> <p>PL (Comments): Article 10 Agri-environmental and climate actions is mandatory for Member States to implement, nevertheless in our opinion transition towards resilient production systems, should be voluntary for Member States.</p> <p>PT (Drafting suggestions): (b) voluntary transition towards resilient production systems carried out by farmers at the level of the holding or for part of a holding, <u>including such as</u> conversion to organic farming and/or extensification of livestock production systems, established and implemented in accordance with paragraph 4.</p> <p>PT (Comments): We cannot support the obligation to provide, in the form of a transition plan, support for conversion to organic farming or for the extensification of livestock production.</p> <p>SE (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(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, <u>established and implemented in accordance with paragraph 4 or other transition actions that contribute to mitigating the causes of pollution or restore the water bodies.</u></p> <p>SE (Comments): We propose to widen the scope for management commitments for extensive farming in accordance with the proposed adjustment of Article 4.</p> <p>SI (Drafting suggestions): (b) <i>if a MS considers necessary,</i> 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, <u>established and implemented in accordance with paragraph 4.</u></p> <p>SI (Comments): The intervention for the transition towards resilient production systems should be optional for a MS.</p>
<p>2. Each Member State shall States may decide to provide support for organic farming eertified protective practices defined by Member States in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council¹ and extensive livestock production systems under both forms of action referred to in paragraph 1 Article 3(4).</p> <p>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, ELL: http://data.europa.eu/eli/reg/2018/848/oj).</p>	<p>BE- (Drafting suggestions): 2. Member States may decide to provide support referred to in paragraph 1(a) for protective practices defined by Member States in accordance with Article 3(4).</p> <p>BE- (Comments): (BE) Supporting protective practices can only be possible with voluntary management commitments as referred to in article 10.1(a).</p> <p>CZ (Comments): CZ have a reservation. The organic farming should be mentioned in the article 10 par.2.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>DE (Comments): We're asking Pres for the reasoning to delete the original text of para 2.</p> <p>It is still to clarify, how this new text corresponds in a simple way with the possibility for MS to recognise and support equivalent protective practices pursuant to Article 3 (9) and will not distort competition.</p> <p>FR (Drafting suggestions): 2. — Member States may decide to provide support for protective practices defined by Member States in accordance Article 3(4).</p> <p>FR (Comments): Les autorités françaises notent que le paragraphe 2 a intégralement changé d'objet et s'opposent à la possibilité rendue explicite de rémunérer les pratiques de protection de la conditionnalité. Cela revient sur un fondement historique de la PAC de non-financement de la « ligne de base » qui doit constituer un socle de base d'exigences obligatoires communes à respecter par l'ensemble des agriculteurs européens et qui est garant du « level-playing field » entre les États membres.</p> <p>EN : The French authorities note that the purpose of paragraph 2 has changed entirely and object to the explicit provision allowing for the remuneration of practices that comply with conditionality requirements. This undermines a historical pillar of the CAP: the non-funding of the "baseline," which is intended to serve as a foundation of mandatory requirements common to all European farmers and which ensures a level playing field among Member States.</p> <p>HR (Drafting suggestions): Each Member State shall <u>States may decide to</u> provide support for organic farming certified <u>protective practices defined by Member States</u> in accordance with Regulation (EU) 2018/848 of the European</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Parliament and of the Council[†] and extensive livestock production systems under both forms of action referred to in paragraph 1 Article 3(4) with Annex I, Part C.</p> <p>HR (Comments):</p> <p>Technical amendment: The added text is consistent with the proposed amendment in Article 3(4).</p> <p>IE (Drafting suggestions):</p> <p>2. — Each Member State shall <u>States may decide to</u> provide support for organic farming certified <u>protective practices defined by Member States</u> in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council[†] and extensive livestock production systems under both forms of action referred to in paragraph 1 Article 3(4).</p> <p><i>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, 11.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).</i></p> <p>IE (Comments):</p> <p>This paragraph appears duplicative of paragraph 5 – may be unnecessary</p> <p>IT (Comments):</p> <p>IT seeks confirmation that this provision applies both to the management commitments referred to in paragraph 1, subparagraph (a), and to the transition measures referred to in paragraph 1, subparagraph (b). However, it should be noted that this provision creates ambiguity when read in conjunction with Article 3(9), where the principle of compliance of management commitments with the relevant protection practices appears to apply only to the management commitments referred to in subparagraph (a).</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>In this regard, IT considers that both the possibility of remuneration and the concept of equivalence or compliance with the relevant protection practices should also apply to the transition support payment under subparagraph (b). This is justified in view of the onerous nature of implementing farm stewardship requirements and the limited lump-sum amount provided at farm level to support the transition measure.</p> <p>LV (Comments):</p> <p>What is the difference between 3(9)? It seems to also state that this support can be paid for protective practices. Why is there a duplication? What is the purpose?</p>
<p>3. The <i>management commitments</i> support referred to in paragraph 1, point (a), may be <i>provided in particular for</i> annual or multiannual <i>and may have in particular the following objectives</i> <i>management commitments related to</i>:</p>	<p>AT (Drafting suggestions):</p> <p>3. The <i>management commitments</i> support referred to in paragraph 1, point (a), may be <i>provided in particular for</i> annual or multiannual <i>and may have in particular the following objectives</i> <u>management commitments and include area- and animal-based interventions as well as other types of support related to:</u></p> <p><u>Animal based support shall take the form of an annual payment per eligible animal or per animal equivalent, defined in accordance with Annex II.</u></p> <p>AT (Comments):</p> <p>It is very important that the conversion coefficients in Annex II should also apply to animal-based interventions of Art. 10, pursuant to Article 11. Therefore, the existing coefficients should be prolonged, as they guarantee a comparability between MS.</p> <p>Article 10 should be amended to clarify that area- and animal-based interventions are implemented under paragraph 1, point (a).</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>The addition of "other types of support" allows for greater flexibility in the design of the intervention (e.g. result based interventions).</p> <p>FR (Drafting suggestions):</p> <p>3. The support referred to in paragraph 1, point (a), taken up by farmers and other beneficiaries on a voluntary basis, may be provided in particular for annual or multiannual management commitments related to:</p> <p>FR (Comments):</p> <p>FR : Il est rappelé ici que les engagements sont volontaires.</p> <p>EN : It should be pointed out that these commitments are voluntary.</p> <p>HR (Drafting suggestions):</p> <p>The management commitments <u>support</u> referred to in paragraph 1, point (a), may be <u>provided in particular for</u> annual (eko sheme) or multiannual and may have in particular the following objectives <u>management commitments related to:</u></p> <p>HR (Comments):</p> <p>We propose wording from the current programming period for annual management commitments (eco-schemes). Beneficiaries have already become familiar with both the implementation rules and the terminology. We consider continuity in implementation to be the best form of simplification.</p> <p>IE (Drafting suggestions):</p> <p>32. The management commitments <u>support</u> referred to in paragraph 1, point (a), may be <u>provided in particular for</u> annual or multiannual <u>and may include the following objectives:</u> and may have in particular the following objectives <u>management commitments related to:</u></p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>SK (Drafting suggestions):</p> <p>3. 4. The <i>management commitments</i> support referred to in paragraph 1, point (a), may be <i>provided in particular for</i> annual or multiannual and may have in particular the following objectives <i>management commitments related to:</i></p> <p>PL (Drafting suggestions):</p> <p>3. The support referred to in paragraph 1, point (a), may be provided in particular for annual or multiannual management commitments related to:</p> <p>PL (Comments):</p> <p>Technical adjustment to amendments introduced in paragraph 1 – change of reference.</p>
<p>(a) <i>actions on</i> 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;</p>	<p>AT (Drafting suggestions):</p> <p>(a) — <i>actions on</i> 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;</p> <p>AT (Comments):</p> <p>AT demands greater consistency regarding the environmental and climate priority areas/objectives. AT demands greater consistency regarding the environmental and climate priority areas/objectives. Due to the new suggestion in Art. 10 (1), there is a link to the priority areas of Art. 4. Thus, there is no need for separate targets under Art. 10.</p> <p>BE- (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>(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;</p> <p>BE- (Comments):</p> <p>BE) In the Performance Framework Regulation, the wordings ‘action’ and ‘payments to farmers under area- and animal-based income support interventions’ (such as payments for management commitments) are part of the definition ‘operation’. Since the first sentence of this paragraph already explicitly refers to commitments, the term ‘actions on’ should not be repeated in points (a) to (c).</p> <p>FI (Drafting suggestions):</p> <p>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 <u>negative effects from the</u> use of pesticides;</p> <p>FI (Comments):</p> <p>The proposed amendment would allow Member States to work more efficiently to reduce risks connected to the use of pesticides. Such measures could have a wider scope than just reducing the use, e.g. promoting the use of less harmful substances and increasing knowledge regarding application close to sensitive areas or in proper time etc.</p> <p>FR (Drafting suggestions):</p> <p>(a) <u>actions on</u> protection of water quality and reduction of pressure on water resources, protection of soil, <u>protection of air quality</u>, nutrient management, biodiversity conservation <u>and restoration</u>, including landscape features and reduction of the use of pesticides;</p> <p>FR (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Ajout des enjeux liés à la qualité de l'air dans la liste des enjeux environnementaux auxquels les mesures de l'article 10 peuvent répondre et mention de la restauration de la biodiversité.</p> <p>EN : Addition of air quality issues to the list of environmental issues that can be addressed by the measures under Article 10, and inclusion of biodiversity restoration.</p> <p>SE (Drafting suggestions):</p> <p>(a) <u>actions on</u> protection of water quality and reduction of pressure on water resources, protection of soil, nutrient management, biodiversity conservation, including landscape features and reduction of negative effects from the use of pesticides;</p> <p>SE (Comments):</p> <p>The proposed amendment (identical to our proposal in Article 4.1(d)) would allow Member States to work more efficiently to reduce risks connected to the use of pesticides. Such measures could have a wider scope than just reducing the use, e.g. promoting the use of less harmful substances and increasing knowledge regarding application close to sensitive areas or in proper time etc.</p>
<p>(b) <u>actions on</u> climate change mitigation, including reduction of greenhouse gas emissions and carbon sequestration, climate change adaptation, including animal and plant diversity for resilient ecosystems;</p>	<p>AT (Drafting suggestions):</p> <p>(b) <u>actions on</u> climate change mitigation, including reduction of greenhouse gas emissions and carbon sequestration, climate change adaptation, including animal and plant diversity for resilient ecosystems;</p> <p>BE- (Drafting suggestions):</p> <p>(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;</p> <p>BE- (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>BE request to delete the wording 'actions on': see comment on paragraph 3 point (a).</p> <p>DE (Drafting suggestions):</p> <p>(b) actions on climate change mitigation, including reduction of greenhouse gas emissions and funding of carbon sequestration, climate change adaptation, including animal and plant diversity for resilient ecosystems;</p> <p>DE (Comments):</p> <p>to clarify the intended meaning</p>
<p>(c) <u>actions on</u> animal health and welfare, including combating of antimicrobial resistance;</p>	<p>AT (Drafting suggestions):</p> <p>e) — <u>actions on</u> animal health and welfare, including combating <u>of</u> antimicrobial resistance</p> <p>BE- (Drafting suggestions):</p> <p>(c) actions on animal health and welfare, including combating antimicrobial resistance;</p> <p>BE- (Comments):</p> <p>BE request to delete the wording 'actions on': see comment on paragraph 3 point (a).</p>
<p>(d) sustainable use and development of genetic resources; or</p>	<p>AT (Drafting suggestions):</p> <p>d) — sustainable use and development of genetic resources; or</p> <p>FI (Drafting suggestions):</p> <p>(d) conservation, sustainable use and development of genetic resources; or</p> <p>FI (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>(e) forest environmental services and forest conservation.</p>	<p>Clarification is needed that the conservation of genetic resources can continue to be supported by the CAP.</p> <p>AT (Drafting suggestions): (e) — forest environmental services and forest conservation.</p> <p>AT (Comments): AT rejects the mandatory implementation of Article 10 measures in forestry. Previous measures in the forestry sector have not been taken up in Austria.</p> <p>BE- (Drafting suggestions): (e) forest environmental services and forest conservation.</p> <p><u>3a. In case of multiannual management commitments, Member States shall ensure that a revision clause is provided in order to ensure their adjustment in consequence of amendments to the relevant statutory management requirements referred to in paragraph 5 beyond which management commitments have to go. If such adjustment is not accepted by the beneficiary, the management commitment shall expire and no reimbursement of payments under this Article shall be required in respect of the period during which the management commitment was effective. Member States shall also ensure that a revision clause is provided for commitments which extend beyond the current programming period in order to allow for their adjustment to the legal framework applicable in the following period.</u></p> <p>BE- (Comments): (BE) BE asks to incorporate the elements of Article 70(7) of Regulation (EU) 2021/2115 concerning the revision clause for multiannual commitments.</p>
<p>4. Support for the transition actions referred to in paragraph 1, point (b), shall <i>be</i> granted on the basis of a transition action plan</p>	<p>AT (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>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.</p>	<p>4. Support for the transition actions referred to in paragraph 1, point (b), shall <u>be</u> granted on the basis of a transition action plan drawn up by a farmer or other beneficiaries 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</p> <p>AT (Comments): There should not be a difference between the beneficiaries for point (a) and (b), as it hinders a joint implementation.</p> <p>BE- (Drafting suggestions): 4. Support for the transition actions referred to in paragraph 1, point (b), shall be granted on the basis of a transition action plan or a list of transition actions drawn up implemented by a farmer and approved by the Member State. <u>The Member States provide objective criteria to assess and approve the support applications.</u> 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.</p> <p>BE- (Comments): (BE) BE proposes to create additional flexibility in art. 10(4) in order to be able to develop interventions by using a bottom up approach that results in transition. An example of a possible intervention is a measure in which a farmer can select an amount of actions of a predetermined list.</p> <p>DK (Drafting suggestions): 4. Support for the transition actions referred to in paragraph 1, point (b), may shall <u>be</u> 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. Support for the</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>transition actions, may be provided in form of annual or multiannual payments per hectare or other relevant unit without prior submission of a transition action plan.</p> <p>DK (Comments):</p> <p>DK: It should be voluntary for the Member States to decide which forms of grants to use to support transition actions, in order to allow Member States to build on existing, well-established schemes to the benefits of both applicants and administration. A transition action plan should not be made mandatory, as there may be circumstances in Member States that make it more appropriate to support the desired transition in other ways, e.g., via established transition checks, advisory services, investment support and taxes. It is important that area-based conversion payments for organic farming can be provided as this is a relatively simple and well-established way to support the associated additional costs and income loss during the conversion period, when production from the areas cannot be sold at a premium price. This is also important so that existing organic farms can expand their area.</p> <p>ES (Drafting suggestions):</p> <p>4. Support for the transition actions referred to in paragraph 1, point (b), shall be voluntary for Member States. Where applicable 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</p> <p>ES (Comments):</p> <p>We consider that transition action plans are not a possibility in all the territory of the EU. Some Member States, as our, face the possibility of receiving more than 500,000 applications for plan approval, which is completely unmanageable for our Administration. Given the smooth operation of the measures offered so far, we do not believe it is necessary to increase the administrative burden for either the Administration or the beneficiaries. Therefore, we consider that the implementation of these transition plans must also be voluntary for the Member States.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>FR (Drafting suggestions):</p> <p>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</p> <p>FR (Comments):</p> <p>Le plan de transition sera un dispositif coûteux, tant pour les bénéficiaires que pour l'administration, et sera complexe à gérer dans son élaboration et son contrôle pour les autorités de gestion. Au contraire, il convient de s'efforcer de simplifier le système afin d'encourager le plus grand nombre possible de personnes à s'engager dans la transition agroécologique.</p> <p>De plus, l'introduction de l'obligation d'élaborer un plan d'action individuel de transition compromet la poursuite des MAEC-Bio de la programmation 2023-2027. En effet, aucun plan d'action n'est actuellement requis pour les exploitants engagés en dans les mesures de conversion à l'agriculture biologique. De plus, concernant les MAEC, les diagnostics actuels ne correspondent pas aux exigences réglementaires pour la prochaine programmation.</p> <p>EN : The transition plan will be a costly undertaking, both for beneficiaries and for the administration, and will be complex for managing authorities to develop and monitor. Instead, efforts should be made to simplify the system in order to encourage as many people as possible to engage in the agroecological transition.</p> <p>Furthermore, the introduction of a requirement to develop an individual transition action plan jeopardizes the continuation of the agrienvironmental and climatic measures and organic farming interventions for the 2023–2027 programming period. In fact, no action plan is currently required for farmers engaged in conversion to organic farming. Furthermore, regarding the AECM, the current assessments do not meet the regulatory requirements for the next programming period.</p> <p>HR (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Support for the transition actions referred to in paragraph 1, point (b), shall <u>may be</u> 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.</p> <p>HR (Comments):</p> <p>We consider that transitional action plans should not be mandatory for Member States. Granting support based on such plans would create an unnecessary administrative burden for both farmers and administrations. It is not clear how a relevant level of support would be calculated, and a new system for monitoring the implementation of these action plans would also have to be established, further increasing the burden on both the system and the farmers themselves.</p> <p>HU (Drafting suggestions):</p> <p>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.</p> <p>HU (Comments):</p> <p>In our view, Member States need greater flexibility in this new form of support. Based on the current text of the draft, implementation would place a very heavy administrative burden on Member States. Member States should be given the power to determine the framework for this form of support, the milestones to be achieved by farmers in order to qualify for support, and the requirements to be met.</p> <p>IE (Drafting suggestions):</p> <p>43. Support for the transition actions referred to in paragraph 1, point (b), shall <u>be</u> granted on the basis of a transition actions including non-productive investment elements, which support more resilient production systems. Support may be provided on the basis of multi-phase transition plans or one-off actions. drawn</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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 <u>or transition actions</u> that they deem beneficial for the climate, and environment <u>or production system resilience</u>.</p> <p>IE (Comments): Ireland has concerns that the nature of the proposed transition action plans could lead to an increased administrative burden, therefore greater flexibility is proposed.</p> <p>LT (Drafting suggestions): Support for the transition actions referred to in paragraph 1, point (b), shall <u>be</u> 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.</p> <p>LT (Comments): We see no value added, implementation difficulties and increased administrative burden for this action. At least it should be voluntary for Member States.</p> <p>LV (Drafting suggestions): 4. Support for the transition actions referred to in paragraph 1, point (b), <u>may shall be</u> 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.</p> <p>LV (Comments): The proposal in Article 10(1)(b) and 10(4) to link transitional support to a transition action plan drawn up by the farmer and approved by the Member State is not in line with the simplification efforts and will create an additional administrative burden.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>SK (Drafting suggestions):</p> <p>4. 5. Support for the transition actions referred to in paragraph 2 1, point (b), shall <u>be</u> 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.</p> <p>SK (Comments):</p> <p>We demand to remove obligation of "description of production systems that they deem beneficial for the climate and environment in NRP Plan". This is a vast issue, with different soil conditions in the SR, different production methods, different types of animals and different breeding methods. It's inappropriate to include a description of such a broad issue in this kind of strategic document, which will already be of large scale.</p> <p>NL (Drafting suggestions):</p> <p>4. Support for the transition actions referred to in paragraph 1, point (b), shall <i>be</i> 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.</p> <p>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.</p> <p>Member states shall take into account ineligible investments and categories of expenditure, in line with article 13 (4).</p> <p>NL (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>The ineligible investments and expenditures according to art. 13 investment support should also apply to art. 10 (b) transition funding.]</p> <p>PL (Drafting suggestions):</p> <p>Support for the transition actions referred to in paragraph 1 a 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 a point (b), Member States shall describe in the NRP Plan the production systems that they deem beneficial for the climate and environment.</p> <p>PL (Comments):</p> <p>Transition actions should be voluntary for Member States. Technical adjustment to amendments introduced in paragraph 1 – change of reference.</p> <p>SE (Drafting suggestions):</p> <p>4. Support for the transition actions referred to in paragraph 1, point (b), shall <u>be</u> 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 <u>applicable for this intervention</u> that they deem beneficial for the climate and environment.</p> <p>SE (Comments):</p> <p>Member States shall describe in the NRP Plan the production systems that they deem beneficial for the climate and environment. This is only relevant in connection with specific relevant interventions designed for such purposes. To include descriptions of such system in a broader context should not be the scope of the NRP plan. It is a task for science.</p> <p>SI (Drafting suggestions):</p> <p>4. Support for the transition actions referred to in paragraph 1, point (b), may shall <u>be</u> granted on the basis of a transition action plan, <u>covering at least investment and training, which is</u> drawn up by a farmer and approved by the Member State. To implement the support for transition actions referred to in paragraph 1,</p>

CY PCY suggestions	Drafting suggestions and Comments
<p><u>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)].</u></p>	<p>point (b), Member States shall describe in the NRP Plan the resilient production systems that they deem beneficial for the climate and environment.</p> <p>BE- (Drafting suggestions):</p> <p>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)].</p> <p>BE- (Comments):</p> <p>BE requests to give the member state the flexibility to determine the methodology to determine the amount of support.</p> <p>CZ (Drafting suggestions):</p> <p><u>Member States shall determine the amount of support for transition actions referred to in paragraph 1, point (b) based on production system defined by member states in NRP Plan and 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)].</u></p> <p>CZ (Comments):</p> <p>We propose rewording of the paragraph which allows better flexibility for MS . We support discussion for higher amount of the support.</p> <p>DK (Comments):</p> <p>Full-time farms are generally large, and it requires larger amounts of support to make a transition for these farms. An amount of 200,000 euro will not be sufficient for a transition of such farms for instance to convert to organic production.</p> <p>FR (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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.</p> <p>FR (Comments):</p> <p>Suite à la suppression de la distinction entre les formes d'aide au paragraphe 1, les exigences spécifiques liées à l'action de transition ne sont plus pertinentes. La mise en place d'un plafond à 200 000 €/programmation pour l'ensemble de la programmation du PPNR rendrait en outre inéligibles de nombreux bénéficiaires (notamment des entités collectives) dont les engagements sont aujourd'hui valorisés à un montant supérieur à ce plafond. Cette mesure serait dissuasive pour les agriculteurs.</p> <p>EN : Following the elimination of the distinction between forms of assistance in paragraph 1, the specific requirements related to the transition measure are no longer relevant. Furthermore, setting a cap of €200,000 per programming period for the entire PPNR programming period would render many beneficiaries (particularly collective entities) ineligible, as their current commitments exceed this cap. This measure would act as a deterrent for farmers.</p> <p>LT (Drafting suggestions):</p> <p><u>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)].</u></p> <p>LT (Comments):</p> <p>We see no value added, implementation difficulties and increased administrative burden for this action. At least it should be voluntary for Member States.</p> <p>PT (Comments):</p> <p>Determining the level of support based on estimates of costs to be incurred in the context of transition plans entails a disproportionate administrative burden for the potential beneficiary and also for the administration.</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>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. <i>Member States shall ensure that the payments are recovered if the farmer fails to implement the transition action plan.</i></p>	<p>AT (Drafting suggestions):</p> <p>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 or partial payments are recovered if the farmer fails to implement parts or the entire transition action plan</p> <p>AT (Comments):</p> <p>The complete removal of the provision regarding repayment in the event that transition action plans are not implemented is viewed critically. The EU's financial interests have to be protected appropriately. We therefore suggest that partial payments for partial services in the transition action plan should be permitted. Therefore, the final partial payment should not be contingent on the fulfilment of the overall plan.</p> <p>This would allow that neither the full payment nor no payment at all would be withheld, which seems appropriate.</p> <p>BE- (Drafting suggestions):</p> <p><u>Member State may pay the support on the basis of eligible costs incurred by the beneficiary, unit costs, lump sum or other simplified cost option that may be differentiated in accordance with objective and non-discriminatory criteria.</u> Member States shall may pay the support to farmers in instalments over the period of implementation of the transition action plan <u>or the list of transition actions.</u> The payment of the last instalment shall be conditional upon completion of the implementation of the transition action plan <u>or the list of transition actions.</u></p> <p>BE- (Comments):</p> <p>BE is calling for Member States to be given the flexibility to decide what form of support they provide: eligible costs incurred by the beneficiary, unit costs on the basis of lump sum or other</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>simplified cost option that may be differentiated in accordance with objective and non-discriminatory criteria.</p> <p>BE asks more flexibility to determine the methodology of payments (f.e. yearly payments to allow a step by step transition).</p> <p>In line with the BE amendment on the first alinea of this paragraph 4, BE requests that the words ‘or a list of transitional measures’ be added to the last sentence of this alinea. This should make it possible to finance a set of transition actions chosen by the farmer and approved by the Member State from a list drawn up in advance by the Member State.</p> <p>DK (Drafting suggestions):</p> <p>Member States may 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. <i>Member States shall ensure that the payments are recovered if the farmer fails to implement the transition action plan.</i></p> <p>DK (Comments):</p> <p>Consequential change.</p> <p>FR (Drafting suggestions):</p> <p>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.</p> <p>FR (Comments):</p> <p>Suite à la suppression de la distinction entre les formes d'aide au paragraphe 1, les exigences spécifiques liées à l'action de transition ne sont plus pertinentes. En outre, la subordination du paiement de la dernière annuité à la réalisation du plan ne pourrait être mise en œuvre en raison de la très grande lourdeur que représenterait le contrôle généralisé de cette réalisation en fin d'engagement. Cela nécessiterait des moyens de contrôle</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>renforcés et serait dissuasif pour les agriculteurs.</p> <p>EN : Following the elimination of the distinction between forms of assistance in paragraph 1, the specific requirements related to the transition measure are no longer relevant. Furthermore, making the payment of the final installment contingent on the implementation of the plan could not be implemented due to the immense administrative burden that would result from the widespread monitoring of such implementation at the end of the commitment period. This would require enhanced monitoring resources and would act as a deterrent to farmers.</p> <p>HR (Drafting suggestions):</p> <p>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.</p> <p>HR (Comments):</p> <p>We consider that Member States opting to implement transitional action plans should have the possibility to make partial payments for successfully completed individual components of the action plan.</p> <p>We propose deleting or rewording the sentence.</p> <p>IE (Drafting suggestions):</p> <p>Member States shall shall may pay the support to farmers in one-off payments or instalments over the period of implementation in the case of the transition action plans. The payment of the last instalments shall be conditional upon completion of the relevant phase of 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.</p> <p>LT (Drafting suggestions):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>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.</p> <p>LT (Comments): We see no value added, implementation difficulties and increased administrative burden for this action. At least it should be voluntary for Member States.</p> <p>LV (Drafting suggestions): Member States may 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.</p> <p>SE (Drafting suggestions): 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. In justified cases the payment can be a one-off payment. Member States shall ensure that the payments are recovered if the farmer fails to implement the transition action plan.</p> <p>SE (Comments): We propose increased flexibility for the transition support, by allowing Member States, in justified cases, a one-off payment, e.g. when the payment is small or where costly investments are necessary in the beginning of the transition period.</p>
<p>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</p>	<p>AT (Drafting suggestions): 5. Member States shall only grant support for management commitments or other types of commitments referred to in paragraph 1, point (a), which go beyond the relevant statutory</p>

CY PCY suggestions	Drafting suggestions and Comments
<p>minimum requirements for the use of fertiliser and plant protection products, animal welfare and other relevant mandatory requirements established by national and Union law.</p>	<p>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.</p> <p>BE- (Drafting suggestions):</p> <p>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, <u>except when a relevant statutory management requirement referred to in Annex I, Part A corresponds with or is part of the protective practice.</u></p> <p>BE- (Comments):</p> <p>(BE) Member State X may have a certain obligation under the statutory management requirements in Part A. This obligation is also present as protective practice in the CAP. Member State Y does not have this obligation under Part A but only as protective practice under Part C. Member State Y may then give compensation under Article 10, while farmers in Member State X are disadvantaged and cannot receive compensation because this practice already applies as obligation under Part A. In order to ensure a level playing field between the two Member States, an exception is therefore desirable so that all farmers in the Union can be compensated for the protective practice. Otherwise, some Member States will have competitive disadvantage.</p> <p>Today, the Omnibus III regulation allows to compensate through eco-schemes and agri-environment-climate commitments for the application of the GAEC 2 and GAEC 9 standards. If the rules under GAEC 2 and 9 are also part of SMR 3 and 4, a Member State may not give support for the application of the GAEC 2 and GAEC 9 standards. This implies for the farmers, where the rules apply also under SMR 3 and 4, that there is no support.</p> <p>This means that they have a stricter regulatory framework while in other Member States with a less strict regulatory framework, farmers are even paid for the same protective practice. This must be avoided to guarantee the level playing field in the Union.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>CZ (Drafting suggestions):</p> <p>Member States shall determine the payments according to par 1(a) to be made on the basis of the additional costs and income foregone resulting from the multi-annual commitments made and may also cover transaction costs.</p> <p>CZ (Comments):</p> <p>The draft regulation does not define in any way what form the payments under paragraph 1(a) may take. We expressly request that this information be added.</p> <p>DK (Drafting suggestions):</p> <p>New subparagraph. Member States may determine the payments to be made under this article taking into account the targets set and in duly justified cases, Member States may grant support as a one-off payment per unit.</p> <p>DK (Comments):</p> <p>There is a need for certainty that support may also be provided in the form of a one-off payment. As well it should be stated that there is the possibility to take into account the target set for the area objectives of the intervention, when setting the support rate.</p> <p>FR (Drafting suggestions):</p> <p>45. 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, <u>the protective practices defined by Member States in the NRP Plan referred to in Annex I, Part C,</u> 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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>FR (Comments):</p> <p>La formulation actuelle permettrait le financement de mesures relevant des « pratiques de protection ». Cela va à l'encontre d'un principe historique de la PAC, qui consiste à ne pas financer la ligne de base garantissant des conditions de concurrence équitables entre les agriculteurs européens et le level playing field entre États membres. L'amendement vise à maintenir ces conditions de concurrence équitables entre les agriculteurs, quel que soit l'Etat membre dans lequel ils conduisent leur activité.</p> <p>EN : The current wording would allow for the funding of measures falling under “protective practices.” This runs counter to a long-standing principle of the CAP, which is not to fund the baseline that ensures a level playing field among European farmers and between Member States. The amendment aims to maintain these fair competitive conditions among farmers, regardless of the Member State in which they operate.</p> <p>IE (Drafting suggestions):</p> <p>54. Member States shall only grant support for management commitments referred to in paragraph 1, point (a), which go beyond the relevant statutory management requirements and protective practices, referred to in Annex I, Parts A and C, 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.</p> <p>SK (Drafting suggestions):</p> <p>5-6. 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.</p> <p>PL (Drafting suggestions):</p> <p>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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>PL (Comments): Technical adjustment to amendments introduced in paragraph 1 – change of reference.</p>
<p>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.</p>	<p>DK (Drafting suggestions): 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) or transition actions referred to in paragraph 1, point (b), contributing to compliance with those requirements.</p> <p>DK (Comments): DK: If transition support is provided as an area-based payment, the baseline for calculating the support should correspond to what applies to management commitments.</p> <p>FI (Drafting suggestions): Article 10(6): add new point 6 <u>In case of multiannual management commitments, Member States shall ensure that a revision clause is provided in order to ensure their adjustment in consequence of amendments to the relevant statutory management requirements referred to in paragraph 5 beyond which management commitments have to go. If such adjustment is not accepted by the beneficiary, the management commitment shall expire and no reimbursement of payments under this Article shall be required in respect of the period during which the management commitment was effective. Member States shall also ensure that a revision clause is provided for commitments which extend beyond the current programming period in order to allow for their adjustment to the legal framework applicable in the following period.</u></p> <p>FI (Comments):</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>There is need to incorporate the elements of Article 70(7) of Regulation (EU) 2021/2115 concerning the revision clause for multiannual commitments.</p> <p>FR (Drafting suggestions):</p> <p>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.</p> <p><u>5. Member States shall ensure that a revision clause is provided for commitments referred to in paragraph 1 in order to ensure their adjustment in consequence of amendments to the requirements or practices referred to in paragraph 4 beyond which the commitments have to go. If such adjustment is not accepted by the beneficiary, the commitment shall expire and no reimbursement of payments under this Article shall be required in respect of the period during which the commitment was effective.</u></p> <p><u>Member States shall also ensure that a revision clause is provided for commitments referred to in paragraph 1 which extend beyond the NRP Plan period in order to allow for their adjustment to the legal framework applicable in the following period.</u></p> <p><u>6. For commitments referred to in paragraph 1, payments shall be granted annually. In duly justified cases, Member States may grant support as a one-off payment per unit.</u></p> <p><u>For commitments referred to in paragraph 1, Member States shall establish a payment per hectare, or in units other than hectares. In duly justified cases, Member States may grant support under this Article as a lump sum. When payments are area- or animal-based, the corresponding interventions are subject to the integrated administration and control system referred to in article 70 of Regulation (EU) [...] [NRP].</u></p> <p><u>7. Member States shall determine the payments in accordance with article 40 of Regulation (EU) [...] [NRP]. These payments may cover transaction costs and may be based on the additional costs incurred and income foregone resulting from the commitments made, or may provide income support to farmers and other beneficiaries implementing practices that are beneficial for the climate, environment, animal health and welfare and sustainable forestry.</u></p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>FR (Comments):</p> <p>L'absence de soutien à la ligne de base réintroduite ici implique qu'une clause de révision doit s'appliquer en cas de modification des exigences au-delà desquelles les engagements doivent aller. Un ajout est à ce titre proposé au paragraphe 5.</p> <p>Un point est ajouté au paragraphe 6 afin de permettre aux États membres de verser l'aide au titre de cette intervention sur une base annuelle ou sous la forme d'un paiement unique, et sur la base d'hectares ou d'autres unités ou d'un montant forfaitaire.</p> <p>Il est proposé de préciser que les mesures prévues à l'article 10 relèvent du SIGC.</p> <p>L'ajout d'un paragraphe 7 permet de clarifier la méthode de calcul du paiement, conformément aux réponses fournies par la Commission aux questions des États membres, permettant de ne pas se limiter au principe de compensation des surcoûts et des manques à gagner, notamment pour permettre la mise en œuvre d'un dispositif dans la continuité des écorégimes actuels qui permettent de rémunérer les services environnementaux rendus par les agriculteurs. En effet, il est nécessaire au sein de l'article 10 de prévoir explicitement les méthodes de calcul de la rémunération prévues pour les dispositifs relevant de cet article. Il est en outre rappelé que ces paiements doivent être conformes aux règles de l'OMC. Il apparaît enfin nécessaire de préciser le champ des mesures de l'article 10 entrant dans le cadre du SIGC (mesures basées sur la surface ou sur les animaux).</p> <p>EN : The absence of support for the baseline reintroduced here implies that a review clause must apply in the event of changes to the requirements that commitments must exceed. An addition to this effect is proposed in paragraph 5.</p> <p>A point is added to paragraph 6 to allow Member States to disburse aid under this measure on an annual basis or as a single payment, and on the basis of hectares or other units or as a lump sum.</p> <p>It is proposed to clarify that the measures provided for in Article 10 fall under the IACS.</p> <p>The addition of a paragraph 7 clarifies the method for calculating the payment, in accordance with the Commission's responses to questions from Member States, thereby avoiding a strict limitation to the principle of compensating for additional costs and lost income, particularly to enable the implementation of a scheme consistent with current eco-schemes that provide remuneration for environmental services rendered by farmers.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>Indeed, it is necessary to explicitly set out in Article 10 the methods for calculating the remuneration provided for schemes falling under this Article. It is further recalled that these payments must comply with WTO rules. Finally, it appears necessary to specify the scope of the measures under Article 10 falling within the framework of the IACS (measures based on area or on livestock).</p> <p>IE (Drafting suggestions):</p> <p><u>5. Support under this Article may be provided for all or part of the costs incurred, income forgone and transaction costs.</u></p> <p>IE (Comments):</p> <p>Suggestion to add new point 5</p> <p>IT (Drafting suggestions):</p> <p>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. <u>Member States shall determine the payments for management commitments referred to in paragraph 1, point (a) to be made based on the additional cost incurred and loss of revenues resulting from the commitment made. Those payments shall be granted annually and may also cover transaction costs.</u></p> <p>IT (Comments):</p> <p>In our opinion such proposed amendment is needed for the sake of consistency with both Article 8, paragraph 3 and Article 9, paragraph 3 of this regulation. Please note that IT proposal is largely based on article 70(4) of Reg. (Eu) 2021/2115 as point of legal reference.</p> <p>SK (Drafting suggestions):</p> <p>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.</p>

CY PCY suggestions	Drafting suggestions and Comments
	<p>NL (Comments): But what happens when the statutory management requirements change at EU-level? Will this have an impact on management commitments already concluded? Or only for new commitments? NB: commitments can be multiannual and there is no limit as to how long they may be!</p> <p>PL (Drafting suggestions): 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.</p> <p>PL (Comments): Technical adjustment to amendments introduced in paragraph 1 – change of reference.</p>