



Council of the European Union
General Secretariat

Brussels, 12 June 2025

**Interinstitutional files:
2025/0236 (COD)**

WK 7847/2025 INIT

LIMITE

**SIMPL
ANTICI
AGRI
AGRIFIN
AGRIORG**

**AGRISTR
AGRILEG
FIN
COH
CODEC**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Special Committee on Agriculture (SCA) Antici Group (Simplification)

N° Cion doc.:	IM 4859 2025 INIT
----------------------	-------------------

Subject:	Common Agricultural Policy (CAP) simplification package (block 1 - green architecture) - Compilation of written comments
-----------------	--

Delegations will find enclosed questions and comments as received, by 12 June, from BE, CZ, DE, EE, IT, LV, LT, LU, HU, AT, PL, PT, RO, SI, SK, FI and SE on the Common Agricultural Policy (CAP) simplification package (block 1 - green architecture).

WK 7847/2025 INIT

LIMITE

EN

MS comments on
Omnibus III – CAP (Block 1 – Green Architecture)

Contents

BELGIUM	2
CZECHIA	5
GERMANY	6
ESTONIA.....	24
IRELAND	26
ITALY	27
LATVIA.....	35
LITHUANIA.....	38
LUXEMBOURG	41
HUNGARY	42
AUSTRIA	43
POLAND	44
PORTUGAL	45
ROMANIA.....	46
SLOVENIA.....	49
SLOVAKIA	51
FINLAND	52
SWEDEN.....	53

BELGIUM

Bloc 1 - Green architecture (Conditionality and payments)

Proposal	Proposal paragraph	Target paragraph	Description	
2021/2115				
Article 1	(1)	Article 4(3)c	permanent grassland and permanent pasture	/
Article 1	(5) subpara 1	Article 13(1)	GAEC for organics	<p>How can we ensure that exempting 100% organic farms from GAEC 1, 3, 5 and 6 effectively supports the development of the sector without creating distortions between (organic, partially organic and non-organic) farmers?</p> <p>How to understand ‘shall be deemed to comply’? Are we correct that they automatically comply? This would be the most consistent way to apply.</p> <p>How should we understand this new obligation regarding the calculation of the</p>

				<p>yearly ratio of GAEC 1? Are we correct that the reference ratio needs to be corrected as well? How can compliance with the ratio of permanent grasslands be guaranteed by these proposed exemptions for organic producers? Same question for GAEC 5 (erosion).</p> <p>Can an exemption be given per organic certified parcel to reach more equality between farmers?</p>
Article 1	(10) (a)	Article 31(5)(i)	ecoschemes national law unlimited	What are the implications of this change (beyond the removal of the maximum 24-month delay)? Can examples be given?
Article 1	(15)(c)	Article 70(8)	agri-env-clima livestock units	What does "units" mean (animals only) ? Can the COM clarify why the proposed exemption in the form of a payment for the livestock unit is limited to organic farming?
Article 1	(16)	Article 72(5)	agri-env-clima cost forgone GAEC2	/
Article 1	(17)	Article 73(5)	investments 36 months	Can the COM clarify from when a rule is considered "new" for the application of the 36-month deadline granted to young farmers? How can we articulate what is currently being done in relation to what is planned?
Article 1	(36)	Annex III	GAEC I and GAEC 4	Can the COM confirm that member states may set a lower maximum decrease for GAEC 1 than 10%? This would avoid a race to the bottom among Member States?

				<p>We believe there should be a minimum threshold for all MS and regions. Delegated Regulation (EU) 2022/126 was amended last year following the farmers protest. Will these possibilities remain?</p> <p>How does the COM intend to ensure fair competition conditions for farmers between MS for the GAEC 4?</p>
--	--	--	--	--

CZECHIA

<p><i>Art. 1 (5) [Art. 13(1) of the Regulation] GAECs for organics</i></p>	<ol style="list-style-type: none"> 1. For what reason are businesses with organic farming certification that do not cover the whole farm not considered for the exemptions? 2. For what reason are only some GAECs excluded from the exemptions? 3. Given that the exemption is directly applicable, how will the CAP Strategic plan modification proceed? Will the exemption have to be justified?
<p><i>Art. 1 (10) (a) [Art. 31(5)(i) of the Regulation] Ecoschemes national law unlimited</i> + <i>Art. 1 (10) (b) [Art. 31(5)(ii) of the Regulation] Ecoschemes GAEC 2</i></p>	<ol style="list-style-type: none"> 1. What will be the procedure in case of concurrent penalties in the case of the adoption of the conditions of the GAEC 2 standard into the ecopayment - i.e. exclusion of the GAEC 2 standard from the baseline with or without a link to the adoption of the conditions from the national scheme? 2. What would be the approach in the event of overlaps between the exclusion of the GAEC 2 standard from the baseline and the application of the mandatory national scheme for the protection of carbon-rich soils (national scheme, GAEC 2 standard and ecoscheme)? 3. Which requirements can be classified as mandatory minimum requirements of European law as mentioned in paragraph 5(i)? 4. Do we understand correctly that the measures within the framework of future plans for restoring peatlands within agricultural ecosystems are, in the context mentioned in the proposal, an example of measures going beyond the mandatory minimum requirements of European law?
<p><i>Art. 1(16) [Art. 72(5) of the Regulation] – agri-env-clima cost forgone GAEC 2</i></p>	<p>As regards the modification of Article 72, we would like to confirm that in addition to Natura 2000 sites and 'stepping stones', restrictions resulting from GAEC 2 can also be financed on agricultural land included in river basin management plans under Directive 2000/60/EC Water Framework Directive.</p>

GERMANY

Questions DEU (Amendments blocks for COM(2025)236)

11.06.2025

"The CAP has meanwhile reached a level of regulation that is perceived by many stakeholders as no longer acceptable and exceeds a comprehensible and justifiable level. It is therefore imperative to critically question regulations and reduce unnecessary bureaucracy. In doing so, the goals and the level of ambition, e.g. in environmental and climate protection, must be kept in mind.

Therefore, the Commission's simplification initiative and the proposals presented are generally welcomed as a step in the right direction. The possibilities for simplification and red tape reduction must be exploited in order to ensure the acceptance of the CAP and thus the implementation of the CAP objectives. A simpler CAP is a prerequisite for allowing room for manoeuvre to maintain and promote competitiveness and innovation and to make this policy area, which is so important for Europe, fit for the future."

Green architecture (Conditionality and payments)

2021/2115

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 1	(1)	Article 4(3)c	permanent grassland and permanent pasture	<p>The question of when an area is granted permanent grassland status is very relevant, inter alia in view of the related conditionality rules (in particular GAECs 1 and 9). Against this background, how can it be technically justified that Member States should be able to set different lengths of time for the entry of permanent grassland status in the future?</p> <p>What technical criteria should be used when a Member State decides whether to set a period of seven years instead of five years for the creation of permanent grassland in the future?</p> <p>When does the count begin? Does the extension have an effect on current years? Can the newly created DGL in 2026 be covered by the new regulation?</p>
Article 1	(5) subpara 1	Article 13(1)	GAEC for organics	How should certified organic farms be treated where individual areas or parts of farms are not certified?

				<p>If, in addition to the de facto exemption of holdings with up to 10 ha of agricultural area from the conditionality requirements introduced by the 2024 CAP reform, there are now further exemptions for small farmers (Article 28) and organic farms: In particular, how is it to be prevented that conditionality provisions for the protection of certain areas, landscape features or areas (e.g. GAEC 1, 2, 4, 5, 8, 9) are effectively vacant by replacing corresponding areas so that they lie with holdings to which corresponding provisions do not apply or, in any event, infringements may not be sanctioned?</p>
Article 1	(5) subpara 2	Article 13(1)	national law	<p>When does the Commission consider that the respective technical regulations of the Member States 'comply with' the requirements for the respective GAEC standards set out in Annex III?</p> <p>Point 5 of Article 13(1) and Annex III: With GAEC 4, can we deviate from the minimum distance of 3m to 1m if this is provided for in the national thinfilm standard when using precision spreaders?</p>

Article 1	(10) (a)	Article 31(5)(i)	ecoschemes national law unlimited	With the amendment in the second subparagraph of Article 31(5) and Article 70(3) of Regulation 2021/2115, can payments for compliance with such provisions of national fertiliser, phytosanitary, animal welfare and other specialist law, which are not identical in EU law, be made in general and indefinitely in future via eco-schemes or
-----------	----------	------------------	-----------------------------------	--

				agri-env-climat payments ? Or how to determine whether national provisions 'go beyond the corresponding mandatory minimum requirements laid down in Union law'?
Article 1	(10) (b)	Article 31(5)(ii)	ecoscheme GAEC 2	Can this GAEC 2 scheme also be extended to environmentally sensitive permanent grassland under GAEC 9? [see also Article 70(3)(ii)] Is the regulation to be understood as meaning that exclusion of the baseline is only possible if an ecoscheme for rewetting / moors is offered.
Article 1	(10) (c)	Article 31(7)(i)	ecoschemes organic livestock units	
Article 1	(10) (c)	Article 31(7)(ii)	ecoschemes beehives	

Article 1	(15)(b)	Article 70(3)(i)	agri-env-climat payments national law	With the amendment in the second subparagraph of Article 31(5) and Article 70(3) of Regulation 2021/2115, can payments for compliance with such provisions of national fertiliser, phytosanitary, animal welfare and other specialist law, which are not identical in EU law, be made in general and indefinitely in future via eco-schemes or agri-env-climat payments ? Or how to determine whether national provisions ‘go beyond the corresponding mandatory minimum requirements laid down in Union law’?
Article 1	(15)(b)	Article 70(3)(ii)	agri-env-climat GAEC 2	Can this GAEC 2 scheme also be extended to environmentally sensitive permanent grassland under GAEC 9? [see also Article 31(5)(ii)]
Article 1	(15)(c)	Article 70(8)	agri-env-clima livestock units	
Article 1	(16)	Article 72(5)	agri-env-clima cost forgone GAEC2	
Article 1	(17)	Article 73(5)	investments 36 months	Are there any details as to whether all requirements under Union law are meant here in general or only certain ones?

Article 1	(36)	Annex III	GAEC I and GAEC 4	<p>In future, will GAEC 1 allow twice as much loss of permanent grassland (10 instead of 5%) and how does this relate to the objective of climate neutrality?</p> <p>Against this background, how should the achievement of the specific objectives under Article 6(1)(d)-(f) of Regulation (EU) 2021/2115 be ensured?</p> <p>What are the criteria for assessing whether a definition of ‘watercourse’ in national law is in line with the main objective of GAEC 4 (new third paragraph in the footnote to GAEC 4 in Annex III to Regulation 2021/2115)?</p> <p>In view of the climate change objectives, would it be possible to create more flexible requirements and opportunities for rewetting and cultivation of paludicultures and wet grassland on organic soils, e.g. clear exceptions for permanent grassland upheaval and allowable succession of certain plants (Juncus and Carex)?</p>
-----------	------	-----------	-------------------	---

Crisis and risk architecture

2021/2115

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 1	(2)	Article 10	WTO, 41a, 78a	

Article 1	(4) (a)	Article 12 (1)	conditionality art. 12, 41a	Why are the new crisis payments not linked to compliance with conditionality requirements? Doesn't that contradict the precautionary requirement?
Article 1	(6)	Article 14 (1)	social conditionality art. 14, 41a	
Article 1	(7) (a)(b)	Article 16	crisis payments direct support	
Article 1	(8)	Article 19	risk management tools uptake	How is the proposed wording “apply it to all farmers for whom a risk management tool exists in a given year” to be interpreted? Which risk management tools are meant here? Are they only risk management tools within the meaning of Article 76 of the CAP SP Regulation? Or other instruments available under the CAP (e.g. in the 1. pillar)? And what exactly does ‘farmers for whom a risk management tool exists’ refer to? All holdings potentially benefiting from a subsidised instrument? Or only companies that use a subsidised instrument? Does the amendment then imply that the number of holdings of which 3% of

				direct payments are withheld is smaller than in the previous scheme?
Article 1	(11)	Article 41a	Complementary Crisis Payments	<p>How and according to which criteria are crisis payments triggered (MS/COM)? Who decides when there is a crisis (MS/COM)?</p> <p>What crises can be addressed with the instrument?</p> <p>How are crisis payments checked and settled?</p> <p>Is it necessary to amend the CAP Strategic Plan to include funds in the new crisis instrument?</p>

				<p>Should unused appropriations be transferable to future financial years? If planned crisis funds are not needed, can they then flow back to the intervention from which they originate and be used in the same year? [for all questions see also Article 78a]</p> <p>'Other risk management tools' are not clearly defined here (are they only meant instruments within the meaning of Article 76 or any type of risk management tool (e.g. futures contracts, diversification)?).</p> <p>Does the requirement in the second sentence of paragraph 4 for Member States to increase compensation for companies using insurance or other risk management tools also leave room for other approaches that maintain incentives to use risk management tools? For example, it would be conceivable to limit the subsidy rate to a low percentage of the damage, so that the benefits of additional risk protection (e.g. insurance) are retained.</p>
Article 1	(14)(b)	Article 69 (i)	title new intervention 78a	

Article 1	(19)	Article 76(5)	loss calculation risk management	How is the proposed wording “apply it to all farmers for whom a risk management tool exists in a given year” to be interpreted? Which risk management tools are meant here? Are they only risk management tools within the meaning of Article 76 of the CAP SP Regulation? Or other instruments available under the CAP (e.g. in the 1. pillar)?
				What exactly does ‘farmers for whom a risk management tool exists’ refer to? All holdings potentially benefiting from a subsidised instrument? Or only companies that use a subsidised instrument?
Article 1	(20)	Article 78a	crisis payments rural development	See questions on Article 41a
Article 1	(25)	Article 86(2)	payments eligibility date EAGF 41a	
Article 1	(25)	Article 86(3)	payments eligibility date EAFRD	
Article 1	(26)	Article 96a	max amount 3%-4%	
Article 1	(27)	Article 111	result indicators 41a 78a	
Article 1	(28)	Article 115(5)	additional financing 41a Annex V	
Article 1	(34)	Article 146	additional financing 41a Annex V art. 42 TFUE	
Article 1	(36)	Annex I and II	WTO, 41a, 78a Annex II	
Article 1	(37)	Annex XV	max amount crisis payments MS	

2021/2116

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 2	(5)	Article 16(1)	agricultural reserve	

Competitiveness/digitalization

2021/2115

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 1	(4) (b)	Article 12 (1a)	small farmers	If, in addition to the de facto exemption of holdings with up to 10 ha of agricultural area from the conditionality requirements introduced by the 2024 CAP reform, there are now further exemptions for small farmers (Article 28) and organic farms: In particular, how is it to be prevented that conditionality provisions for the protection of certain areas, landscape features or areas (e.g. GAEC 1, 2, 4, 5, 8, 9) are effectively vacant by replacing corresponding areas so that they lie with holdings to which corresponding provisions do not apply or, in any event, infringements may not be sanctioned?

Article 1	(9)	Article 28	payments small farmers	<p>How to calculate the lump sum per farmer by adding up all the direct payments he could get for his hectares?</p> <p>Does the farmer get the lump sum regardless of his number of hectares (i.e. someone with 2 hectares exactly as much as someone with 10 hectares?).</p> <p>How to calculate the lump sum per hectare? How should small farmers be defined? Can the farmer declare himself a small farmer (regardless of his actual number of hectares in the application)?</p> <p>If the planned budget is not spent, are the funds reusable for the direct payments from which the funds originate?</p>
Article 1	(13)	Article 52(2)	Increased Limits Producer Organization	
Article 1	(14)(a)	Article 69(e)	new title startup small farms	
Article 1	(18)	Article 75	startup small farms 50k	<p>How often can the flat-rate payment for the development of small businesses be made: annually?</p> <p>How and according to what criteria should small businesses be demarcated?</p> <p>Why not extend this simplification to non-agricultural rural development (LEADER, investive</p>

				nonproductive nature conservation and parts of forest support)?
Article 1	(21)	Article 79(1)	selection criteria small farm interventions	
Article 1	(22)(a)	Article 80(2)	audit trail	
Article 1	(22)(b)	Article 80(3)	max large ceiling 300k	
Article 1	(22)(c)	Article 80(5)	VAT	
Article 1	(23)(a)(b)(c)(d)	Article 81	Transfers InvestEU EAFRD	
Article 1	(24)	Article 83(2)	calculation methods simplified costs	

2021/2116

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 2	(4)	Article 13a	Interoperability	What specific data is involved here? Is this also data for future measures such as the Water Resilience Strategy? Is it about data that is available at the paying agencies or should data also be queried that must first be obtained? How up-to-date should the data be and how often should it be made available? Who ensures the quality of the data?

				<p>Between which systems should they be exchanged”?</p> <p>Is compliance with EU data protection rules ensured?</p>
--	--	--	--	---

Administration

2021/2115

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 1	(3)	Article 11	oilseeds, USA	
Article 1	(12)	Article 48	Operational plans delete APC	
Article 1	(29)	Article 119	amendments to strategic plans	<p>Are changes to the national strategic plan concerning conditionality provisions in future always only ‘other amendments’ within the meaning of Article 119(9) of Regulation (EU) 2021/2115 and therefore only subject to notification but not authorisation?</p> <p>Under Article 119(9), how is the second paragraph to be applied? UA (new) does the Member State provide concrete evidence that there are no risks</p>

				to the achievement of environmental and climate objectives?
				<p>Also with regard to the new second subparagraph of Article 119(9) of Regulation 2021/2115: Why are only GAEC standards 1 and 4 specifically referred to here? Why should it not be necessary, in the event of changes to the rules on other GAEC standards, to give specific reasons for not jeopardising the environmental and climate objectives associated with the relevant standards?</p> <p>What changes would not be strategic from the Commission's point of view?</p> <p>Are changes to the requirements for eco-schemes not strategic?</p>
Article 1	(30)	Article 120 deleted	Annex XIII envi law	
Article 1	(31)	Article 122	Time limits for art. 119	
Article 1	(32)	Article 124(4)	monitoring committee opinion art. 119(8)	
Article 1	(33)	Article 134	annual performance reporting - deletion APC	Does the Commission envisage further simplifications in the secondary legislation on the performance report?
Article 1	(35)	Article 159	Annex XIII review deleted	
Article 1	(36)	Annex I	output indicators APC deletion	

2021/2116

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 2	(1)(2)(3)	Article 9(3), 10(1), 12(2)	technical deletion art. 54	Why has only the performance report and not the entire performance report been deleted, since without it a performance review takes place every two years?

Article 2	(6)	Article 21(1)	monthly payments art. 54 deletion	
Article 2	(7)	Article 21(2)	monthly payments approval art. 119(10)	
Article 2	(8)	Article 32	interim payments art. 54 deletion	
Article 2	(9)	Article 40	payments suspension art. 54 deletion	
Article 2	(10)	Article 45(1)	revenue assignment art. 54 deletion	
Article 2	(11)	Article 53(1)	annual financial clearance art. 54 deletion	
Article 2	(12)	Article 54	deletion	
Article 2	(13)	Article 57	corrections and corrections	

Article 2	(14)	Article 60(1)	One control per year	<p>Does this rule apply only to physical visits to the control authorities on the spot or does this also include the request for geotagged photos or the control by satellite images?</p> <p>What happens to obligations that cannot be checked at the time of an on-the-spot check?</p> <p>Does a follow-up on-site inspection still have to be carried out at high risk?</p> <p>Is the wording to be understood as meaning that a beneficiary selected for a conditionality check can no longer be checked for compliance with the conditions of the eco-schemes or is this independent of each other?</p>
Article 2	(15)	Article 67(1)	data keeping and sharing art. 54 deletion	
Article 2	(16), (17), (18), (19)	Article 68(3), 69(6), 70(2), 70a	Article 70a quality assessment LIPS, GSA, AMS	
Article 2	(20)	Article 72	control flexibility	
Article 2	(21)	Article 74	Implementation new art. 70a quality assessm.	
Article 2	(22)	Article 75	implementing powers art. 68-70a	

Article 2	(23)	Article 83	exemptions controls 41a, small farmers, beneficiaries who declared less than 10 hectares in the geospatial application	For the exemption of holdings up to 10 ha of agricultural area: Does the 10 ha relate to the area declared in the application or the area determined after the checks have been carried out? How should cases be handled where an applicant declares 11 ha in the application but only 9 ha are detected towards the end of the year after the controls have been completed? What should be done in the reverse case?
Article 2	(24)	Article 84	exemptions penalties small farmers and beneficiaries who declared less than 10 hectares in the geospatial application	
Article 2	(25) (26)	Article 102, Article 103	technical deletion concerning art. 54	

Final commissions

Proposal	Proposal paragraph	Target paragraph	Description	Question
Article 3	Transitional commissions	Article 3	Transitional commissions	
Article 4	Entry into force and application	Article 4	Entry into force and application	

ESTONIA

Estonia's comments and questions regarding first block of the CAP's omnibus proposal:

- Do we understand correctly that if the GAEC 2 requirement is a basic requirement for support set for applicants for an eco-scheme (Art. 31) or an environmental and climate measure (Art. 70), the GAEC 2 requirement could be removed from the conditionality? Or the GAEC 2 requirement must still be met in parallel?
- If a Member State has already implemented a Pillar II environmental and climate measure (Art. 70) for the protection of peatlands, with GAEC 2 as the baseline requirement, can GAEC 2 be abandoned as a baseline requirement when the amendment enters into force? No additional intervention is planned to compensate for GAEC 2.
- Is the amendment allowing compensation for national requirements that go beyond the EU minimum requirements only intended to compensate for GAEC 2, or does this possibility also extend to other areas and national legislation?
- Question on the GAEC 4 requirement. Do we understand correctly that the statement in the footer that the minimum width of buffer strips must be 3 metres is also removed from the GAEC 4 requirement in Annex III to Regulation (EU) 2021/2115 of the European Parliament and of the Council? In Estonia, according to the Water Act, the widths of buffer strips are 1 metre or 10 metres according to the size of the catchment area. In addition to the national Water Act, we have also introduced an additional criterion under GAEC that the minimum buffer strip width in sloping areas is 3 metres.
- Are organic producers also exempted from GAEC 9 requirement?
- In the “Explanatory memorandum” on pages 1 and 2 is a description about *force majeure* and different situations such as sabotage and hybrid threats. Estonia is located on the eastern border of the EU and due to the activities of our eastern neighbour, we have problems with the GPS signal which causes several problems such as GPS measurement on-the-spot control, taking of geotagged photos, updating of orthophotos etc. Most problematical is Northeast Estonia and also how to meet EC rules for a 3-year updating cycle. More clarification and specific cases are needed. How it works in practice? Could the described case be considered force majeure?
- „One control per year for one applicant“ except, when the circumstances require a second control to ensure effective protection of the financial interests of the Union. More explanation about implementation is needed.
- What should happen if the beneficiary has been selected for the conditionality controls sample and also for the QA (Quality Assessment) sample? E.g conditionality control samples are made earlier, even before applications are received, the QA sample (parcels

received from the EC) is made after the applications are received. May the beneficiary be skipped from the QA sample?

- **What is meant in Regulation 2021/2116 art 60 (1) by „an aid application“? In Estonia we have set two applications which means that in March one application for EAGF animal payments. The second application in May for area payments and EAFRD animal payments. Does this mean that when the same beneficiary is already controlled under EAGF animal payments, then there can't be any control concerning area payments?**
- **All requirements can't be checked at the same time due to the climate (vegetation period), is it possible to have multiple inspections (e.g winter vegetation)?**

IRELAND

Ireland considers the tools introduced relating to GAEC 2 to be insufficient and complex, requiring new interventions or reopening of CAP Strategic Plans to implement. With only two years left in the current programme, this is unlikely to be taken up by most Member States, due to the burden of reprogramming.

Ireland had asked for more subsidiarity to be recognised in the setting of standards, and this was partially included with the recognition of the interlink between national rules and requirements in GAEC standards. This is welcome.

For other changes, including the changes to GAEC 1 and 4, and the exemption of organic farmers from certain elements of Conditionality, Ireland considers these to be simplifications and support the proposals.

Ireland does not implement a Small farmers intervention, so has no particular opinion on the exemption of participants from the application of the system of conditionality.

Ireland welcomes the flexibility provided in the definition of Permanent Grassland (PG), moving from 5 to 7 years.

Ireland welcomes the recognition of the “one control per year” approach, which has been a principle in the design of controls in Ireland for some years, now. Ireland also welcomes the confirmation that OTSC are not required where AMS is able to monitor the conditions, and the simplification of the IACS QA. Ireland would encourage the Commission to adopt the changes to the IACS QA as quickly as possible and no later than Q3 2025 (the roadmap lists a target of Q4).

On the extension of the grace period for interventions and investments after the introduction of a new mandatory requirement in union law, this is very welcome, and was a key ask in the Irish submission. The extended time is to give farmers more certainty and stability in their business and financial planning, avoiding further significant changes in medium term that add to burden on farmers and administrators and to protect farmer contract agreements.

14th May 2025 EC CAP simplification proposal COM(2025)236

- Regs. Ue 2115 and 2116 amendment proposals

ITALY

Following the debate during the SCA on June 6th on the CAP simplification proposal, please find below questions and amendments proposals **on the block “Green architecture (Conditionality and payments)”** and related articles, as listed in WK 7343/2025 INIT.

The comments to the above mentioned first block are preceded by general comments on the CAP simplification proposal, with a special focus on the **missing elements** Italy requests to be taken into consideration.

a) Missing elements in CAP Simplification proposal

1. Reg. (EU) 2115/2021 Article 32 paragraph 2

Coupled income support – General rules

Proposal

Coupled income support was designed in Regulation (EU) 2021/2115 to support certain sectors and productions in addressing specific difficulties, encouraging their competitiveness, quality and sustainability.

This aid in the form of direct payments is part of the strategic statement of the CAP National Strategic Plan and absorbs 15% of the annual national ceiling for direct payments.

In order to make coupled aid more effective, it is proposed to detach the granting of support from the concept of a sector in “difficulty”, as well as from the objective of improving competitiveness, sustainability or quality.

Reason

Food security has to become a strategic objective in a world where climate crises, wars and pandemics can disrupt supply chains. Therefore, the granting of coupled support must now be freed from the concept of a sector in “difficulty”, as well as from the objective of improving competitiveness, sustainability or quality.

Amendment

Article 32 is amended as follows:

Paragraph 2 is replaced by the following:

Para (2) The Member States' interventions shall help the supported sectors and productions, or specific types of farming therein listed in Article 33 **which are of particular importance for social, economic or environmental reasons.** ~~to address the difficulties encountered by~~

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

~~improving competitiveness, sustainability or quality. Member States shall not be required to demonstrate the difficulties encountered in relation to protein crops.~~

2. Reg. (EU) 2115/2021 – art. 47 paragraph 1 lett. v

Types of intervention in the fruit and vegetables sector, the hops sector, the olive oil and table olives sector and in the other sectors referred to in Article 42, point (f)

Request

In article 47 para. 1 lett. v), Italy proposes to delete the sentence “*only in the field of research and experimental production*”.

Reason

The amendment is considered necessary in order to pursue and achieve in an adequate time and more effectively the objectives of reducing CO2 emissions and reducing plastic, in accordance with the objectives set by the PPWR regulation. In fact, it is considered strategic and appropriate to allow investments in ecological packaging, which in the current formulation are limited only to the field of research and experimental production.

Amendment

Article 47 is amended as follows:

paragraph 1 lett. v) is replaced by the following

v) ecological packaging, ~~only in the field of research and experimental production;~~

3. Reg. (EU) 2115/2021 Article 49

Objectives in the fruit and vegetables sector

Request

Italy proposes to insert, within Article 49, a reference to letters d), e) and f) of Article 46.

Reason

The current wording of Article 49 (with references only to letters g), h), i) and k) of Article 46) constitutes a limitation for processed products, as it precludes POs that market such products from

carrying out interventions and investments for agro-climatic environmental measures and research. In this context, the possibility of making investments aimed at energy saving or reducing carbon

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

dioxide consumption, as well as carrying out innovative research and development activities, is precluded.

Amendment

Article 49 is amended as follows:

Paragraph 1 – first subparagraph is replaced by the following:

Member States shall pursue one or more of the objectives set out in Article 46 in the fruit and vegetables sector referred to in Article 42, point (a). The objectives set out in Article 46, points *d*), *e*), *f*), (g), (h), (i) and (k), shall cover the products whether in a fresh or processed form, while the objectives set out in the other points of that Article shall cover only products in fresh form.

4. **Reg. (EU) 2115/2021 art. 50 paragraph 2** Operational programmes

Proposal

It is proposed to amend Article 50, paragraph 2, reducing the minimum duration of operational programmes from three to two years.

Reason

Article 67, paragraph 7, relating to interventions in other sectors, expressly refers, among other provisions, to Article 50, paragraph 2, concerning the fruit and vegetable sector. The latter establishes a minimum duration of three years for operational programmes.

In this context, it should be noted that for the potato sector - included among the "other sectors" in the National Strategic Plan - the aggregation into Producer Organisations has been encouraged, which has led to an increase in their number, especially in the last period. However, since the minimum duration of operational programmes is three years, it would not be possible for these latter Producer Organisations (POs) in the potato sector to start a new operational programme.

Amendment

Article 50 paragraph 2 is amended as follows:

After the first subparagraph the following subparagraph is added:

2a. By way of derogation from the provisions of paragraph 2, the operational programmes referred to in Article 67 shall have a minimum duration of two years.

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

5. Reg. (EU) 2115/2021 art. 50 paragraph 7 subparagraph 1

Operational programmes

Proposal

It is proposed to amend Article 50(7), so as to make the conditions indicated therein alternative, and no longer cumulative (in other words, each operational programme should guarantee the achievement of 15% of the expenditure, or a minimum of three actions for the objectives referred to in Article 46, letters e) and f). This objective, according to the suggested amendment, would be achieved by eliminating letter b) and providing for the same content, identified as alternative, in the same letter a).

Reason

The operational programs linked to the new Strategic Plan require compliance with very ambitious environmental objectives. Article 50 of Regulation (EU) 2021/2115, in fact, requires compliance with two cumulative conditions: on the one hand, each operational program must allocate expenditure equal to at least 15% of the total to environmental objectives; on the other, the same program must include at least three actions connected to the same objectives. These conditions make it difficult for operators to achieve the objectives of the operational programs.

Amendment

Article 50 is amended as follows: paragraph 7 is amended as follows:

the first subparagraph is replaced by the following:

7. Member States shall ensure that, for each operational programme:

(a) at least 15 % of expenditure covers the interventions linked to the objectives referred to in Article 46, points (e) and (f) or the operational programme includes three or more actions linked to the objectives referred to in Article 46, points (e) and (f);

~~(b) the operational programme includes three or more actions linked to the objectives referred to in Article 46, points (e) and (f);~~

(eb) at least 2 % of expenditure covers the interventions linked to the objective referred to in Article 46, point (d);

and

(cd) the expenditure for interventions within the types of intervention referred to in Article 47(2), points (f), (g) and (h), does not exceed one third of the total expenditure.

6. Reg. (EU) 2115/2021 art. 51 paragraph 1

Operational funds

Proposal

This request provides for the introduction of the possibility of feeding the Associations' operational fund (currently financed only with contributions from APO members) also through the contributions of the APO itself, as already provided for POs.

Reason

The amendment aligns the rules for APO to the current provisions of the POs

Amendment

Article 51 is amended as follows; paragraph 1, point a), ii) is replaced by the following Point a), ii): the association of producer organisations, through the members of that association, **or with the own funds of the association, or both**;

7. Reg. (EU) 2115/2021 art. 52 paragraph 4

Union financial assistance to the fruit and vegetables sector

Proposal

It is proposed to eliminate from the text the condition of reaching the coverage of “5% of the expenses within the operational programme”.

Reason

Considering that there are many other types of funding for research and experimentation (Union, national, regional), which provide for a better co-financing rate, it is necessary to increase the financial assistance of the Operational Programmes from 50% to 80 without further conditions. In this way, the proposed amendment intends to privilege the development of research activities within the operational programmes, in order to reach the spending limits set out in Article 50, paragraph 7, letter c).

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

Amendment

Article 52 is amended as follows; paragraph 4 is replaced by the following:

4. The 50 % limit provided for in paragraph 1 shall be increased to 80 % for expenditure linked to the objective referred to in Article 46, point (d), ~~if that expenditure covers at least 5 % of the expenditure under the operational programme.~~

8. Reg. (EU) 2115/2021 - Art. 95 Paragraph 3

Proposal

In case of under-implementation of the complementary income aid for young farmers, make it possible to provide for a form of flexibility for unspent Annex XII funds

Reason

The amendment would make it possible that the funds reserved for young farmer interventions to be used for other interventions in the form of direct payments, even if the minimum allocation established therein is not spent.

Amendment

For each calendar year, the total expenditure for types of intervention in the form of direct payments other than the complementary income support for young farmers laid down in Article 30 shall not exceed the financial allocation for direct payments for the relevant calendar year as laid down in Annex V, reduced by the part of Annex XII reserved **and actually spent** under the complementary income support for young farmers for the relevant calendar year, as established by Member States in their financial plans in accordance with Article 112(2), point (a), and approved by the Commission in accordance with Article 118 or Article 119. That financial ceiling shall constitute a financial ceiling set by Union law.

9. Reg. (Eu) 2115/2021 – art. 155 on transitional rules

Simplification on transitional rules with a positive impact for beneficiaries of support, Member states

Managing Authorities and DG Agri Regional Units

Request

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

Introduction of sub-measures 8.1 and 8.2 (forestry) and measures 12 (Natura 2000 and WFD Directive) and 13 (Area with Natural Constraints) of Rural Development Programmes within the list of measures under transitional rules according to art. 155 of Reg. (Eu) 2115/2021 in order to:

- 1) allow 2023-2027 Eafrd to pay pending commitments of both parts of sub measures 8.1 and 8.2 (investments + multiannual commitments)
- 2) allow 2023-2027 Eafrd to pay, during 2026 only, final balance of Measures 12 (Natura 2000,

WFD) and 13 (ANC)

Reason

As previous transitional legislations, it is necessary to ensure as much as possible payments continuity between 2014-2022 and 2023-2027 programming periods for measures 8.1, 8.2, 12 and 13 commitments related to 2014-2022 Rural Development Programmes and avoid as much as possible un-necessary red tape on final beneficiaries, Member states Managing authorities and DG Agri Regional Units as well. According to both current legal rules and “Guidelines for RDPs 14-22 closures” content, Member states will have to make use of own “additional national financing” and apply State Aid procedures to pay such pending commitments from 1 January 2026. Please notice that such procedures are still unclear (many Member states clarification requests still pending).

10. Reg. (Eu) 2116/2021 – art. 34, paragraph 4 on Eafrd decommitment rules

Request

Introduction of “n+3” rule in relation to decommitment procedures regarding 2023 Eafrd financial allocation. Such derogation, for 2023 Eafrd financial allocation only, to be set as exception within article 34, paragraph 1 of Reg. (Eu) 2021/2116.

Reason

As Member States pointed out several times at both CSA and Council of Agricultural Ministers level, according to current legislation the 31 December 2025 is simultaneously the spending deadline for both last EAFRD financial year of 2014-2022 RDPs and first EAFRD financial year of CAP Strategic plans 2023-2027. Current and persistent economic situation and international conflicts put at risk such financial absorptions in term of decommitments (negative impact in term of lengthening of investments implementation by the beneficiaries of CAP support).

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

b) Questions and amendments proposals on the block Green

Architecture (Conditionality and payments)

Green architecture (Conditionality and payments)					
Proposal	Proposal paragraph	Target paragraph	Description	Question	Amendments proposal
2021/2115					

Article 1	(5) subpara 1	Article 13(1)	GAEC for organics	Is it possible for organic method compliance with GAEC 1,3,4,5,6 and 7 to be granted per certified area instead of per fully certified farm? It would be more widely applicable and therefore more simplifying	<p><i>“In Article 13(1), the following subparagraphs are added:</i></p> <p><i>‘Parcels which are Farmers</i> <i>whose entire holding is</i> <i>certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council* shall be deemed to comply with GAEC standards 1, 3, 4, 5, 6 and 7 listed in Annex III to this Regulation.</i></p>
--------------	------------------	------------------	-------------------------	--	---

LATVIA

Questions of Latvia for Block I (Green Architecture)

11.06.2025.

Green architecture (Conditionality and payments)				
Proposal	Proposal paragraph	Target paragraph	Description	Questions
2021/2115				
Article 1	(1)	Article 4(3)c	permanent grassland and permanent pasture	Latvia requests clarification on whether the proposal has an impact on the recalculation of the reference ratio of permanent grassland in relation to GAEC 1. If so, Latvia stresses the need to maintain flexibility and ensure no retroactive effects.
Article 1	(5) subpara 1	Article 13(1)	GAEC for organics	<p>1) Will the derogation apply to applications submitted in 2025 or in 2026?</p> <p>2) Latvia seeks clarification on how the reconversion of grassland ploughed by organic farmers is intended to be ensured, in cases where the reconversion of permanent grassland is required under GAEC 1.</p> <p>3) Latvia requests clarification on whether the proposal has an impact on the recalculation of the reference ratio of permanent grassland in relation to GAEC 1. Should changes be required, Latvia emphasizes the importance of introducing the corresponding amendments to Delegated Regulation (EU) 2022/126 without delay.</p>
Article 1	(5) subpara 2	Article 13(1)	national law	1) When and how will MS be able to amend the CAP SP to implement these proposals for 2026 applications?

				<p>2) Does this provision mean that a Member State is allowed to revise the requirements set out in its CAP Strategic Plan, in cases where these requirements are stricter than the mandatory obligations already established under national legislation?</p> <p>For example, under GAEC 6, the national legislation requires at least 50% soil cover in nitrate-vulnerable zones, while the CAP Strategic Plan sets a 65% threshold — would it be possible to amend the CAP Strategic Plan to align it with the 50% requirement in national law?</p>
Article 1	(10) (a)	Article 31(5)(i)	ecoschemes national law unlimited	Latvia seeks clarification on whether eco-scheme support can be granted for requirements exceeding the baseline set by GAEC standards, when such stricter rules arise from national legislation. For example, under GAEC 4, if national legislation requires a 10-meter buffer strip along watercourses while Regulation (EU) 2021/2115 sets a 3-meter minimum, can eco-scheme support be granted for the additional 7 meters?
Article 1	(10) (b)	Article 31(5)(ii)	ecoscheme GAEC 2	
Article 1	(10) (c)	Article 31(7)(i)	ecoschemes organic livestock units	
Article 1	(10) (c)	Article 31(7)(ii)	ecoschemes beehives	
Article 1	(15) (b)	Article 70(3)(i)	agri-env-climat payments national law	
Article 1	(15) (b)	Article 70(3)(ii)	agri-env-climat GAEC 2	

Article 1	(15) (c)	Article 70(8)	agri-env-clima livestock units	<p>If MS already has agri-environmental intervention per hectare for beehives can it simply replace it (delete existing one) with new intervention for beehives? What happens with applicants existing commitments? Please clarify the rules!</p> <p>If MS decides to update or implement new measure for beehives or livestock units from 2026 - when and how will MS be able to amend the CAP SP to implement these proposals for 2026 applications?</p> <p>Can MS change/update milestones and target values of relevant Result indicators?</p>
Article 1	(16)	Article 72(5)	agri-env-clima cost forgone GAEC2	
Article 1	(17)	Article 73(5)	investments 36 months	
Article 1	(36)	Annex III	GAEC I and GAEC 4	<p>Will amendments to GAEC4 allow the possibility to use only the definition of watercourses established in national legislation, thereby exempting from the GAEC 4 requirements, for instance, ditch networks that fall outside national watercourse definition?</p>

LITHUANIA

LITHUANIA'S COMMENTS

on the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/2115 as regards the conditionality system, types of intervention in the form of direct payment, types of intervention in certain sectors and rural development and annual performance reports and Regulation (EU) 2021/2116 as regards data and interoperability governance, suspensions of payments annual performance clearance and controls and penalties
COM(2025) 236 final

Block I: Green architecture (Conditionality and payments)

2021/2115

Proposal Article 1

Proposal paragraph (1)

Target paragraph Article 4(3)c – Permanent grassland and permanent pasture

Technical adjustment:

“Article 1

Amendments to Regulation (EU) 2021/2115

Regulation (EU) 2021/2115 is amended as follows:

(1) Article 4(3) **point (c)**, the first subparagraph is replaced by the following:”

2021/2115

Proposal Article 1

Proposal paragraph (5) subpara 1

Target paragraph Article 13(1) – GAEC for organic

Farmers whose entire holding is certified in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council shall be deemed to comply with GAEC standards 1, 3, 4, 5, 6 and 7 listed in Annex III to this Regulation.”

"Since landscape features or other non-productive elements are not subject to organic certification it is practically impossible for farmers having and/or declaring these elements the entire area of their holding to be certified as organic. We suggest extending the envisaged exemption to farms that **are not fully** certified in line with Regulation (EU) 2018/848 of the European Parliament and of the Council (possibly deleting “whose entire holding is” would help to solve the issue).

Also we suggest that this exemption should also apply to farms converting to organic production, since they comply with the same requirements set out in Regulation (EU) 2018/848.

Block II: crisis and risk architecture

2021/2116

Proposal Article 2

Proposal paragraph (5)

Target paragraph Article 16(1) – Agricultural reserve

The amendments to Article 16(1) concerning the agricultural reserve do not sound like a simplification, but a reform. In our view, these amendments are more relevant to the discussions on the future of the CAP after 2027. The possibilities for using the agricultural reserve are directly linked to the risk management system in a broad sense. A comprehensive assessment is needed. Until then, let's leave all the current possibilities for using the reserve.

Block III: Competitiveness/digitalization

2021/2116

Proposal Article 2

Proposal paragraph (4)

Target paragraph – Article 13a – CAP data and interoperability governance

The creation of a new authority in charge of data governance under the CAP does not sound like simplification, but rather a reform. Lithuania is making efforts to ensure the interoperability of public agricultural information systems even without this additional regulation. We are sufficiently advanced in implementing the “collect once, use multiple times” principle. Therefore, in our case, we do not see the added value of these provisions, but only additional administrative burden and costs.

Block IV: Administration

2021/2116

Proposal Article 2

Proposal paragraph (14)

Target paragraph Article 60(1) – One control per year

We would like to receive confirmation as to whether we correctly understand the proposed amendment regarding the addition of a new paragraph to Article 60(1) of Regulation (EU) No 2021/2116:

"Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim or on conditionality pursuant to Article 83, Member States shall, to the extent possible and taking account of the associated risks, not select that beneficiary for a subsequent check and control sample for that year, except when the circumstances require a second control in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks."

First of all, does this amendment apply to investment measures?

Secondly, during the 2014–2020 programming period, the legislation applicable to IACS measures allowed the application of the so-called cascade principle. It also permitted the selection of farms for cross-compliance checks from the pool of farms selected for eligibility checks, thereby reducing the administrative burden on control authorities. The legislation for the 2023–2027 programming period allows AMS QA checks, selected by combining various support measures in accordance with the Commission's EU-level quality control guidelines, to be counted as part of the random sampling checks, also reducing the burden on control authorities.

From the proposed amendment, we understand that the administrative burden on control authorities would increase significantly, as the amendment essentially eliminates the so-called cascade principle,

possibility to combine eligibility and conditionality checks and the possibility to use AMS QA checks as part of the random sample, since AMS QA checks combine various support measures, which naturally requires multiple visits to the farm. Preliminary assessments indicate that implementing the “one control per year” principle would increase the number of IACS support measures checks by at least 85%, for instance, instead of 3,000 farms being checked in 2024, as originally planned, 5,000 farms would need to be checked.

Problems we identify:

First of all, there would be a significant increase in the administrative burden for control authorities: not only because of the increased number of farms that would need to be checked, but also due to the challenges in managing resulting debts. If this provision also applies to investment measures, it becomes clear that in most cases payments would be made before checks are carried out, since the timing of checks for area-based and investment support measures differs significantly and cannot be combined into a single inspection. For example, a payment claim for an investment measure submitted in January would not be checked until September, together with area-based measures.

Secondly, we presume a sharp rise in costs related to human resources and fuel, which clearly does not contribute to the implementation of the EU’s green policy.

We also see a major risk of harm to the EU funds, as farmers, knowing they can only be checked for one aspect, might start massively disregarding requirements, assuming they won’t be inspected anyway.

We suggest leaving the choice to the Member States by replacing “shall” with “may”:

"Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim or on conditionality pursuant to Article 83, Member States ~~shall~~ may, to the extent possible and taking account of the associated risks, not select that beneficiary for a subsequent check and control sample for that year, except when the circumstances require a second control in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks."

LUXEMBOURG

Omnibus III CAP

Comments from the Luxembourg delegation on bloc1 regarding *Green architecture*

In general terms, we would have preferred a more far-reaching simplification in relation to conditionality.

Art. 4 §3 c :

Luxembourg welcomes the proposal to modify GAEC 1 as to extend the duration of nonpermanent grassland from five to seven years or more. Would this be applied retroactively?

Art 13 §1:

Exemption of GAEC's for organic holdings. We would prefer that organic farmers in conversion could also be exempted from GAEC 1,3,4,5,6,7 as well as partially converted organic holdings.

Social conditionality - Art. 14:

Luxembourg has been one of six member states that implemented social conditionality at first which gives us already some experiences as regards its implementation. While we proposed to abolish social conditionality, we see this is not reflected in the proposal. However, what is proposed is to exempt new measures from social conditionality. Following this logic, one could exempt all measures from social conditionality.

In practice, the findings made by the competent labour authorities must be reviewed according to an assessment system specific to cross-compliance (seriousness, extent and persistence) as well as by economic sector (employees involved in the farm's agricultural activity). This leads to a double sanction, which in this context is even more difficult to accept by farmers.

Art. 70 §8:

Luxembourg welcomes the possibility to pay agri-environment and climate commitments per animal. Luxembourg requested this modification as it does not anymore require a complicated conversion to hectares.

HUNGARY

Comments from Hungary on the CAP simplification proposal (block 1 – green architecture)

As a general comment Hungary still of the opinion that the proposal should be discussed at the Special Committee on Agriculture (SCA) and decision on it should be made by the ministers of agriculture at the Agriculture and Fisheries Council.

Article 13(1):

The amendment applies only to farms that are certified organic across their entire area. We propose that not only fully certified organic farms be exempted from compliance with the GAEC 1,3,4,5,6 and 7 rules, but also that consideration be given to that farms with partial organic certification and farms in transition for their respected organic areas should also be exempted.

Article 31(5)(ii):

Is it correct to interpret that if GAEC 2 areas are included in the eco-scheme and the farmer complies with all GAEC 2 rules in the conditionality, this counts as automatic compliance in the eco-scheme, making it easier for the farmers concerned to meet the eco-scheme conditions?

Furthermore, the concept of **intentionality** should be deleted from the assessment of non-compliances. Instead of judging whether it was intentional or not, it would be appropriate to judge the non-compliance based on its severity and impact on the environment, nature, and public plant and animal health. In practice, it is very difficult to prove a case of intentionality. Intentionality can basically never be proved and defended before courts anyhow.

AUSTRIA

Omnibus III on CAP (block 1 - green architecture)

Art 1(5) conditionality:

Regarding the exemptions for organic farmers in accordance with regulation (EU) 2018/848 for GAEC 1, 3, 4, 5 and 6 [Art. 13 of Regulation (EU) 2021/2115] in addition to the existing exemption for GAEC 7, the previous wording (Annex III, GAEC 7, footnote 2) only referred to certified farmers in accordance with Regulation (EU) 2018/848 and not to 'entire holding'. AT emphasises that this existing wording must be maintained.

POLAND

Issues to be clarified regarding the CAP simplification package (COM(2025)236)

Thematical block 1 – Green architecture (Conditionality and ecoscheme and agri-envi-climat payments)

1. Payments for small farmers in the context of eco-schemes and conditionality exemptions

Article 1(4)(b) (amended Regulation 2021/2115) indicates that, by way of derogation, the conditionality system should not apply to beneficiaries of payments for small farms. At the same time, according to the second paragraph of Article 1(9) of this regulation, these farmers may benefit from payments under eco-schemes. Consequently, Article 2(23)(b) (2021/2116) indicates that “small farms” by way of derogation are not subject to conditionality inspections and according to Article 2(24)(a) to conditionality penalties as well.

It should be clarified whether the above derogations from conditionality also apply when a farmer applying for a small farm payment at the same time applies for eco-schemes? Or, when applying for eco-schemes, should such a small farmer be subject to conditionality, inspections and penalties for non-compliance?

2. Permanent grassland reference year 2018

According to Article 1(4)(b) (amended Regulation 2021/2115), beneficiaries of payments for small farms are exempted from conditionality. In addition, Article 1(5) first paragraph indicates that entirely organic farms shall be deemed to comply with some of the GAEC standards, including GAEC 1.

Clarification is required whether the Member State should recalculate the 2018 reference ratio of permanent grassland, without including permanent grassland located in farms covered by the payments for small farmers and in entirely organic farms.

3. The new crisis payment and conditionality

Article 1(4)(a) (amendment of 2021/2115) indicates that conditionality does not apply to the new crisis payment. The new crisis payment is also excluded from conditionality control in Article 2(23)(a) (amendment of 2021/2116). However, clarification is required whether the exclusion of the crisis payment from conditionality should also be included in Article 2(24) (concerning the 2021/2116 amendment) concerning penalties for conditionality.

PORTUGAL

PT comments on the CAP simplification proposal

11.06.2025

Bloc 1 – Green architecture (conditionality and payments)

Permanent grassland and permanent pasture [Article 4 (3) c]

Regarding permanent grassland [Article 1(1)], namely the possibility for the Member State to extend from five to seven years, or more, the deadline before the definition of permanent grassland applies to an area of temporary grassland [Article 4(3)(c)] and in GAEC 1, the increase from 5 % to 10% the possible decrease of permanent grassland not triggering reconversion to permanent grasslands from [Annex III] - the assessment of these proposals requires clarifications regarding the Member State's obligations arising from this modifications, namely:

- Does this change require the Member State to revise the information contained in the parcel identification system?
- What rules will apply to permanent grassland that is no longer permanent after 7 years?
- How will this change be managed in view of multi-annual commitments in ongoing agri-environmental and climate interventions?

GAEC for organic farming [Article 13 (1)]

Regarding the cross-compliance for organic farming, namely that farmers certified in accordance with Regulation (EU) 2018/848 are deemed to comply with GAEC standards 1, 3, 4, 5, 6 and 7, Portugal considers that this provision discriminates against farmers with partial certification in organic farming on their holding. Portugal would therefore like this possibility to be extended to farmers with partial certification.

ROMANIA

Omnibus III – CAP Simplification Proposal - Comments from the Romanian delegation

General comments:

We generally appreciate the CAP simplification package put forward by the Commission. We believe these adjustments are timely in the context of the political, economic and climatic events that have created a number of problems in the market.

We welcome the Commission's decision to take into account the suggestions previously put forward by Member States.

The overall aim is to develop a resilient agricultural sector that is able to face the challenges and easily overcome the bottlenecks that farmers face.

The proposed amendments are still being analyzed by the technical structures in our Capital and we would need some further clarifications from the Commission services before presenting the final RO position.

However, we have a number of preliminary elements that we would like to point out, as well as some questions to ask.

One of the issues that we have expressed concern about and where we have asked the Commission to simplify is the Strategic Plan amendment process, so that the current proposal to amend Art. 119 *Amendment of Strategic Plans*, would provide more flexibility on this process.

At the same time, we would like to reiterate the necessity and usefulness of the proposals put forward by RO on the need to introduce the eligibility of the purchase of breeding animals. Thus, we continue to support the amendment of Article 73 to this end, which is extremely necessary for revitalizing the livestock farming sector and strengthening the Union's agri-food resilience, while reinforcing the objectives of sustainability and competitiveness in the long term.

The need to simplify the provisions on risk management instruments, which have a major impact on farms in the current context, is another important aspect for us.

We thank the COM for the initiative to introduce new possibilities to support affected farmers, as well as for the relaxation of the existing provisions in Regulation (EU) 2115/2021.

However, while the current form of the proposal brings a number of simplifications, we believe that further improvements are needed to make these instruments truly applicable at the level of the Strategic Plans.

In this respect, in addition to the proposal presented by the Commission, RO proposes to delete the provision on social conditionality, as its implementation has proven to be practically difficult and entails a significant administrative burden for paying agencies.

The effective application of social conditionality is directly dependent on the work of the public authorities responsible for the implementation of labor and occupational health and safety legislation - competences which are not within the remit of the Paying Agencies. Major differences in the approach to controls and the level of availability of information were identified in the preparation process for the application of this conditionality. These discrepancies create an uneven and unpredictable framework for implementation. There are significant mismatches between the data available at the level of the competent labor authorities and the concrete information needs of the paying agencies, necessary for the coherent and correct application of social conditionality.

In the absence of a clear and functioning framework for collaboration and data exchange between institutions, the application of this measure risks undermining the efficiency of the mechanism and negatively affecting farmers. Therefore, given the complexity of the implementation, the lack of a harmonized operational framework and the disproportionate administrative impact, we believe it is appropriate to remove the social conditionality from the regulatory framework of the CAP Strategic Plans.

We believe it is necessary to further amend Article 76 (5) of Regulation (EU) 2021/2115, so that in the case of instruments aimed at granting support based on production losses, the loss is quantified by reference to the relevant area (e.g. per crop type) in the case of agricultural crops/number of animals in the case of livestock production.

With regard to the newly introduced Articles 41a and 78a on crisis support for farmers through dedicated interventions financed from EAGF and/or EAFRD funds, we welcome these provisions as we believe they are important and useful in supporting farmers affected by climate phenomena.

In addition, given the current state of implementation of the strategic plans and the resources that are still available, we believe that it is appropriate, in the interests of flexibility, for the use of these instruments to be financed by applying Article 19 of the Regulation, so that the 3% withheld from direct payments can be taken into account when shaping the budget for these interventions.

Comments on Block 1 - Green architecture (Conditionality and payments)			
Proposal	Proposal paragraph	Target paragraph	RO observations
Article 1	(17)	Article 73(5)	<p>We support the proposal to amend Article 73(5) to extend the period during which farmers can benefit from support for investments necessary to comply with standards from a maximum of 24 months from the date on which they became mandatory for the holding to a maximum of 36 months. This is a welcome change and provides farmers with flexibility in meeting the legislative requirements.</p> <p>We appreciate the proposal to grant support in the form of a lump sum for small farms (Article 75) - introducing the possibility to use simplified cost options established under Regulation (EU) 2021/1060 without the need for additional justification.</p> <p>Regarding the amendment of CAP strategic plans - simplifying and improving the efficiency of amendment procedures.</p> <p>Reducing the burden and pressure of control on farmers (only 1 control per year).</p> <p>Creating and developing new economic activities in the agricultural sector by young farmers. To further facilitate their first-time installation, the eligibility period for investments complying with the new Union standards should be extended to 36 months for young farmers.</p>

SLOVENIA

11 June 2025

Slovenia – questions regarding Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/2115 as regards the conditionality system, types of intervention in the form of direct payment, types of intervention in certain sectors and rural development and annual performance reports and Regulation (EU) 2021/2116 as regards data and interoperability governance, suspensions of payments annual performance clearance and controls and penalties
GREEN ARCHITECTURE

- Article 1, 10 point of proposal – concerning the amendment of Art. 31 of Reg. 2021/2115 (eco-schemes):

- subpoint (c)(i):

- If a MS decides to implement an ecoscheme with the payment per beehive (under Art.31) under direct payments in Pillar I, do we understand correctly that beekeepers, who will submit claim for this new intervention, will not be obliged to submit aid claims other direct payments interventions e.g. the basic income support for sustainability. However, he will have to fulfil minimum requirements under Art. 18 of Reg. 2021/2115 and other basic conditions for direct payments (e.g. active farmer)? We think that Art. 18(2) should be amended as to cover also »beehive-related« interventions (unless it is considered to be cover already by 'animal-related' payments).

- If a MS decides to implement an ecoscheme with the payment per beehive (under Art.31) under direct payments in Pillar I, can the MS transfer funds from its "apiculture ceiling" in Annex X of Reg. 2021/2115 to direct payments (or Pillar II ceiling if such intervention is applied according to 70 of Reg. 2021/2115)? If it is not possible, what are the reasons?

- Given that the legal proposal provides the possibility to implement payment per beehive for commitments/practices above baseline either under direct payments and/or as a measure according to Art. 70, we wonder if such measure with the payment per beehive is possible to be implemented as an intervention for apiculture financed by funds for this sector from Annex X on the basis of Art. 55 of Reg.

2021/2115, which is not being amended by the legal proposal. If it is not possible, what are the reasons?

- point (c)(i): Please explain what precisely means exclusion of GAEC 2 (new b paragraph 5 paragraph of Art.31). Does it mean that the payment for ecoschemes can cover also costs incurred/income foregone arising from GAEC 2 requirements or it allows a MS to introduce a new specific ecoscheme for covering GAEC 2?

SLOVAKIA

Comments on the Slovak Republic on the Commission Proposal of the OMNIBUS on Agriculture Block I – Green Architecture

Green architecture (Conditionality and payments)				
Propo sal	Propo sal paragraph	Target paragraph	Description	<u>SK position</u>
2021/2115				
Article 1	(1)	Article 4(3)c	permanent grassland and permanent pasture	SK welcomes this proposal.
Article 1	(5) subpara 1	Article 13(1)	GAEC for organics	SK welcomes this proposal.
Article 1	(5) subpara 2	Article 13(1)	national law	
Article 1	(10) (a)	Article 31(5)(i)	ecoschemes national law unlimited	
Article 1	(10) (b)	Article 31(5)(ii)	ecoscheme GAEC 2	
Article 1	(10) (c)	Article 31(7)(i)	ecoschemes organic livestock units	SK welcomes this proposal. In connection with the enabling of payments for livestock unit, we would like to add the text to the introductory provisions regarding the need to update the calculations of payment of the commitments - "At the same time, it is appropriate to update the calculations of payment of agri-environmental and climate commitments in order to prevent insufficient compensation and financial losses for farmers due to significant changes in the ratio of cost and income items."
Article 1	(10) (c)	Article 31(7)(ii)	ecoschemes beehives	
Article 1	(15)(b)	Article 70(3)(i)	agri-env-climat payments national law	
Article 1	(15)(b)	Article 70(3)(ii)	agri-env-climat GAEC 2	SK welcomes this proposal.
Article 1	(15)(c)	Article 70(8)	agri-env-clima livestock units	SK welcomes this proposal.
Article 1	(16)	Article 72(5)	agri-env-clima cost forgone GAEC2	
Article 1	(17)	Article 73(5)	investments 36 months	
Article 1	(36)	Annex III	GAEC I and GAEC 4	SK welcomes this proposal.

FINLAND

BLOCK 1: Green architecture (Conditionality and payments)

Permanent grassland

How is the extended period for permanent grassland calculated? Can the longer (7-year) calculation period be applied retroactively, if a Member State decides to adopt it?

Organic farms and conditionality

According the Regulation (EU) 2018/848 of the European Parliament and of the Council, it is possible that only a part of a farm (for example field area) is certified for organic production even if the entire production of the farm is not. Thus the exception to GAEC rules should be granted also to the part of the farm, which is certified as organic.

SWEDEN

Comments on Omnibus on CAP (block 1 – green architecture)

Sweden welcomes the simplification package on CAP and prefers urgent adoption. Prior to the proposal Sweden has suggested several simplification proposals. Some of these suggestions are included in the package, but significant proposals are missing. Sweden therefore looks forward to further simplification steps being taken in connection with the upcoming reform of the CAP.

Sweden supports the proposed possibility of payments for organic production and the climate interventions based on livestock units.

Sweden believes that the possibility of using livestock units as a basis for compensation should also be permitted for interventions that meets other needs for the environment, such as animal-based payment for maintenance of pastures with high nature values.