



THE VOICE OF EUROPEAN HUNTERS

FACE
Rue Belliard 205
B-1040 Brussels

+ 32 (0)2 732 6900
info@face.eu
www.face.eu

September/October 2020

FACE Proposed amendments: Future of the Common Agricultural Policy (CAP)

FACE is the European Federation for Hunting and Conservation. Established in 1977, FACE represents the interests of Europe's 7 million hunters as an international non-profitmaking nongovernmental organisation. FACE is made up of national hunters' associations from 37 European countries including the EU-27. FACE is supported by 7 associate members and is based in Brussels. FACE upholds the principle of sustainable use and has been a member of the International Union for the Conservation of Nature (IUCN) since 1987.

Context:

Europe has registered a dramatic decline of huntable and non-huntable wildlife populations. Most small game populations have decreased due to changes in agricultural practices (loss of quality habitat and food with poor insect abundance). Given their passion for nature, hunters engage every day right across Europe to conserve biodiversity. However, reversing biodiversity loss requires a more considerable effort and this can only be achieved with changes to the CAP that provide adequate incentives to farmers. The CAP post 2020 should support farmers and farming systems that enhance habitats, sequester carbon, improve water quality and maintain soil health. This kind of farming will be able to deliver landscapes that improve quality food as well as biodiversity and mitigate climate change. In line with the Green Deal, the future CAP must place a greater emphasis on environmental performance and a better targeting of direct payments to support biodiversity.

FACE is asking Members of the European Parliament to support the below amendments to make the next CAP more effective:

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing rules on support for strategic plans to be drawn up by Member States under the Common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1307/2013 of the European Parliament and of the Council.

ART. 4, paragraph 1.b

Definitions to be formulated in the CAP Strategic Plans

EC Proposal	FACE Proposal
'agricultural area' shall be defined in a way that it is composed of arable land, permanent crops and permanent grassland. The terms 'arable land', 'permanent crops' and 'permanent grassland' shall be further specified by Member States within the following framework:	'agricultural area' shall be defined in a way that it is composed of arable land, permanent crops and permanent grassland. Landscape features such as trees, hedgerows, riparian woody vegetation, stone walls (terraces), ditches, ponds shall be included as eligible components of the agricultural area. The terms 'arable land',

	'permanent crops' and 'permanent grassland' shall be further specified by Member States within the following framework:
<p>Justification:</p> <ul style="list-style-type: none"> - We are calling on MEPs to ensure that farming is not solely restricted to 'production' but can also support biodiversity conservation where specific objectives outlined in EU laws are satisfied. - This amendment is in line with the push towards simplification and will not restrict farmers or encourage them to remove important habitats (such as shrub and wooded pastures) that are beneficial for agriculture (e.g. shelter, soil stability, forage) and for biodiversity. - The definition of land eligibility has been very problematic in several Member States resulting in the clearance of wide areas of important habitat for livestock and wildlife. Many farmers, particularly those on marginal agricultural land, which is typically High Nature Value (HNV) farmland, made decisions to unnecessarily clear important habitats due to fears of penalties from land eligibility inspections based on unclear rules. 	

ART. 4 paragraph 1, point B, point iii

EC Proposal	FACE Proposal
<p>permanent grassland and permanent pasture' (together referred to as 'permanent grassland') shall be land not included in the crop rotation of the holding for five years or more, used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown). It may include other species such as shrubs and/or trees which can be grazed or produce animal feed.</p>	<p>'permanent grassland' and permanent pasture' (together referred to as 'permanent grassland') shall be land, used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or more, as well as that has not been ploughed up for five years or more. The definition shall include other species such as shrubs and/or trees which can be grazed and other species such as shrubs and/or trees which produce animal feed, provided that the grasses and other herbaceous forage remain predominant being also free from the use of any phytosanitary products, insecticide and herbicide;</p> <p>(iia) 'temporary grassland' shall be defined as grass or herbaceous species grown on arable land for less than five consecutive years, or beyond five years where ploughing and reseeded occur. It shall not count towards carbon sinking or climate goals.</p> <p>Member States may also decide to consider as permanent grassland:</p> <p>(a) land which can be grazed and which forms part of established local practices where grasses and other herbaceous forage are traditionally not predominant in grazing areas; and/or</p> <p>(b) land which can be grazed where grasses and other herbaceous forage are not predominant or are absent in grazing areas;</p>

<p>Justification:</p> <ul style="list-style-type: none"> - Permanent grassland/pasture with shrubs and/or trees are of outstanding importance for small game species (and biodiversity conservation in general) in various regions of Europe. - This amendment is necessary to maintain the essential elements of that definition in order to avoid discriminatory treatment, particularly for extensive farmers. - This supports the agreement reached in relation to the negotiation of the ‘Omnibus’ Regulation, which considered the special characteristics of pastures and meadows in Member States. - The rules concerning permanent grassland are problematic in some Member States and lead to vague land eligibility criteria that encourages whole-scale habitat clearance/burning. A one-size-fits-all principle is not effective as it can negatively impact on climate and environment goals in Member States. - The survival of indigenous species and natural landscapes that benefit biodiversity conservation is encouraged.
--

Art. 86 Minimum and maximum financial allocations

EC proposal	FACE proposal
<p>1. At least 5 % of the total EAFRD contribution to the CAP Strategic Plan as set out in Annex IX shall be reserved for LEADER, referred to as community-led local development in Article 25 of Regulation (EU) [CPR].</p> <p>2. At least 30% of the total EAFRD contribution to the CAP Strategic Plan as set out in Annex IX shall be reserved for interventions addressing the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1) of this Regulation, excluding interventions based on Article 66.</p>	<p>1. At least 5 % of the total EAFRD contribution to the CAP Strategic Plan as set out in Annex IX shall be reserved for LEADER, referred to as community-led local development in Article 25 of Regulation (EU) [CPR].</p> <p>2. At least 50% of the total EAFRD contribution to the CAP Strategic Plan as set out in Annex IX shall be reserved for interventions addressing the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1) of this Regulation, excluding interventions based on Article 66. At least 30% of the total EAGF contribution to the CAP Strategic Plan as set out in Annex IV shall be reserved for schemes for the climate and the environment set out in Article 28.</p> <p>Every Member State shall set a minimum amount reserved for contributing to the specific objective named in point (f) of Article 6(1). It shall be calculated based on the SWOT analysis and the identification of needs relating to priority species and natural habitats as part of the prioritised action framework as set out in Directive 92/43/EEC and Directive 2009/147/EC. This amount shall be used for the measures described in Articles 65 and 67 and point (a) of Article 68(4) of this Regulation and to utilise support for Strategic Nature Projects as defined under the [LIFE Regulation] in accordance with paragraph 7 of this Article.</p>
<p>Justification:</p>	

- To effectively fight biodiversity loss and halt climate change, an adequate percentage of the EAFRD and EAGF should be devoted to these specific objectives.

Art. 90 Flexibility between direct payments allocations and EAFRD allocations

EC Proposal	FACE Proposal
1.As part of their CAP Strategic Plan proposal referred to in Article 106(1), Member States may decide to transfer:	1.As part of their CAP Strategic Plan proposal referred to in Article 106(1), Member States may decide to transfer:
(a) up to 15% of the Member State's allocation for direct payments set out in Annex IV after deduction of the allocations for cotton set in Annex VI for calendar years 2021 to 2026 to the Member State's allocation for EAFRD in financial years 2022 – 2027; <i>or</i>	(a) up to 15% of the Member State's allocation for direct payments set out in Annex IV after deduction of the allocations for cotton set in Annex VI for calendar years 2021 to 2026 to the Member State's allocation for EAFRD in financial years 2022 – 2027;
<i>(b) up to 15% of the Member State's allocation for EAFRD in financial years 2022 – 2027 to the Member State's allocation for direct payments set out in Annex IV for calendar years 2021 to 2026.</i>	
The percentage of transfer from Member State's allocation for direct payments to its allocation for EAFRD referred to in the first subparagraph may be increased by:	The percentage of transfer from Member State's allocation for direct payments to its allocation for EAFRD referred to in the first subparagraph may additionally be increased by:
(a) up to 15 percentage points provided that Member States use the corresponding increase for EAFRD financed interventions addressing the specific environmental- and climate-related objectives referred to in points (d), (e) and (f) of Article 6(1);	(a) up to 15 percentage points provided that Member States use the corresponding increase for EAFRD financed interventions addressing the specific environmental- and climate-related objectives referred to in points (d), (e) and (f) of Article 6(1);
(b) up to 2 percentage points provided that the Member States use the corresponding increase in accordance with point (b) of Article 86(5).	(b) up to 2 percentage points provided that the Member States use the corresponding increase in accordance with point (b) of Article 86(4).
2. The decisions referred to in the paragraph 1 shall set out the percentage referred to in paragraph 1, which may vary by calendar year.	2. The decisions referred to in the paragraph 1 shall set out the percentage referred to in paragraph 1, which may vary by calendar year.
3. Member States may, in 2023, review their decisions referred to in paragraph 1 as part of a request for amendment of their CAP Strategic Plans, referred to in Article 107.	3. Member States may, in 2023, review their decisions referred to in paragraph 1 as part of a request for amendment of their CAP Strategic Plans, referred to in Article 107.
Justification:	
<ul style="list-style-type: none"> - The EAFRD is key to finance projects which can benefit biodiversity. Therefore, the transfer of any percentage of the EAFRD to MSS' allocation for direct payments should not be allowed. 	

Art.92 Increased ambition with regard to environmental- and climate-related objectives

EC proposal	FACE proposal
<p>1. Member States shall aim to make, through their CAP Strategic Plans and in particular through the elements of the intervention strategy referred to in point (a) of Article 97(2), a greater overall contribution to the achievement of the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1) in comparison to the overall contribution made to the achievement of the objective laid down in point (b) of the first subparagraph of Article 110(2) of Regulation (EU) No 1306/2013 through support under the EAGF and the EAFRD in the period 2014 to 2020.</p>	<p>1. Member States shall aim to make, through their CAP Strategic Plans and in particular through the elements of the intervention strategy referred to in point (a) of Article 97(2), a greater overall contribution to the achievement of the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1) in comparison to the overall contribution made to the achievement of the objective laid down in point (b) of the first subparagraph of Article 110(2) of Regulation (EU) No 1306/2013 through support under the EAGF and the EAFRD in the period 2014 to 2020.</p>
<p>2. Member States shall explain in their CAP Strategic Plans, on the basis of available information, how they intend to achieve the greater overall contribution set out to in paragraph 1. That explanation shall be based on relevant information such as the elements referred to in points (a) to (f) of Article 95(1) and in point (b) of Article 95(2).</p>	<p>2. Member States shall explain in their CAP Strategic Plans, on the basis of the most recent and reliable information, the impact on the environment and the climate they aim to achieve in the period 2021-2027, and how they intend to achieve the greater overall contribution set out to in paragraph 1, including how they intend to ensure that the objectives set out on the basis of the impact indicators set out in Annex I will constitute an improvement to the current situation. That explanation shall be based on relevant information such as the elements referred to in points (a) to (f) of Article 95(1) and in points (a) and (b) of Article 95(2).</p>
<p>Justification:</p> <ul style="list-style-type: none"> - To make National Strategic Plans effective, it is important for MSs to share precise information regarding their climate change and environmental commitments and how they intend to achieve a greater overall contribution referred to in paragraph 1. 	

ANNEX 3 GAEC NO.9

EC Proposal

<p>BIODIVERSITY AND LANDSCAPE</p>	<p>GAEC no. 9</p>	<p>Minimum share of agricultural area devoted to non-productive features or areas.</p> <p>Retention of landscape features.</p> <p>Ban on cutting hedges and trees during the bird breeding and rearing season.</p> <p>As an option, measures for avoiding invasive plant species</p>	<p>Maintenance of nonproductive features and area to improve on-farm biodiversity</p>
-----------------------------------	-------------------	--	---

FACE Proposal

<p>BIODIVERSITY AND LANDSCAPE</p>	<p>GAEC no. 9</p>	<p>Minimum share of 7% of agricultural area devoted to semi-natural vegetation features or areas where no synthetic pesticides, phytosanitary products, insecticides and herbicides are used.</p> <p>Maintenance of semi-natural vegetation features and areas to improve on-farm biodiversity including:</p> <ul style="list-style-type: none"> - functional biodiversity and beneficial species - retention of landscape features - ban on cutting hedges and trees during the bird breeding and rearing season - as an option, measures for avoiding invasive plant species. 	<p>Maintenance of nonproductive features and area to improve on-farm biodiversity including functional biodiversity and beneficial species.</p>
-----------------------------------	-------------------	---	--

Justification:

- Biodiversity is doing badly on much of Europe’s farmland, hence GAEC no.9 is essential. FACE believes that the reference to **“non-productive landscape features”** in GAEC no.9 is misleading for stakeholders. Hence, it is important to replace **“non-productive features”** with **“semi-natural vegetation”**. Note that the term semi-natural vegetation is already defined at the EU level by the EUNIS habitat classification system. Semi-natural vegetation plays a major role in the supply of ecosystem services such as pollination, pest control, water quality control and erosion prevention. These areas should be seen as **production support** areas that provide a wide range of economically beneficial provisioning, regulatory and cultural ecosystems services.
- Semi natural vegetation can, in certain cases, include sustainable grazing.
- FACE stresses that a fixed percentage must be agreed to make GAEC no.9 meaningful at EU level. **Despite the fact that scientific studies refer to a percentage equal to 10% to effectively reverse biodiversity loss, FACE would be satisfied with 7%.** There are several ways for farmers to reach the remaining 3% and many farmers already have certain percentages reached.
- Outside of a fixed percentage under conditionality, remaining percentages can be supported under eco-schemes or agri-environmental schemes at the national level.