



President Barroso
European Commission
B-1049 Brussels
Belgium

Brussels, 6 March 2014

Ref: 14/025

Subject: Letter to the attention of President Barroso in view of the college debate on the Common Agricultural Policy delegated acts

Cc: Head of cabinet Mr. Laitenberger, cabinet member Ms. Vannini

Dear President Barroso,

We are writing to you about the ongoing discussions within the European Commission on delegated acts for the reformed Common Agricultural Policy (CAP). We wish to highlight our concerns on some elements that you will discuss amongst Commissioners on 11 March.

The co-legislators clearly agreed on final legislative texts that contain many loaded with references to **environmental commitments**, notably the greening of direct payments. Among other things, it is stated clearly that "One of the objectives of the new CAP is the enhancement of environmental performance through a mandatory Pillar 1 "greening" component of direct payments". Specific reference is also made to "compulsory practices to be followed by farmers addressing, as a priority, both climate and environment policy goals." It is hence of paramount importance that the delegated acts follow this spirit and help enhance the environmental benefits of the greening measures.

We are worried that as it stands, some of the delegated acts might deviate from that very first objective of the reform and hence from the spirit of the basic act.

The delegated acts on Ecological Focus Areas (EFAs) are of most concern. EFAs are meant to preserve and enhance biodiversity as a very first objective by ensuring the preservation and creation of some semi-natural areas within the landscape. These areas are crucial for the delivery of ecosystem services, in particular functional biodiversity (pollinators, pest predators, etc.) which is necessary for maintaining productive and resilient farming systems capable of ensuring long term food security. Therefore it should not be allowed to use any chemical inputs on these areas, be it either from pesticides or fertilisers. This is especially relevant for nitrogen fixing crops. The justification by many Member States and MEPs to include nitrogen-fixing crops under EFAs was due to the fact they are grown without any form of fertilizers and that they have more environmental value than other crops.

Agrochemical use and biodiversity management are not compatible and should not be permitted when growing nitrogen-fixing crops on EFAs. Therefore **the Commission must ensure that there are strict criteria in the delegated acts which clearly ban the use of synthetic fertilisers and pesticides on EFAs.**

Secondly, greening should go beyond cross compliance otherwise it makes no sense. It should be clear that cross compliance (mainly including existing pieces of legislation and some other basic good agriculture and environmental conditions such as minimum soil cover) should be the minimum baseline for any other payments. Hence the greening payment which is supposed to deliver extra public goods should require measures that go beyond the cross compliance obligations. Only by requiring greening to go beyond the minimum standards, will one see the necessary changes on the ground. **Therefore we call upon the Commission to ensure that greening goes beyond the basic cross compliance measures.**

Regarding eligibility, we believe that a width limit of landscape elements set at 2 metres fails to take into account the realities of traditional High Nature Value mosaic farmland, since the traditional width of hedges and other landscape elements can be much wider. The pro-rata system for landscape features containing permanent grassland and trees explicitly discriminates against several habitats of community interest found among rough grazing systems or grazed agroforestry. The foreseen reduction coefficients applied to pastures where herbaceous forage is not predominant also act against the objective of conserving biodiversity, and discriminate against real grazing by active farmers. **References to the size of landscape elements, number of trees or canopy coverage should be revised in order to match the reality of the different forms of active farming in Europe.** The most important criterion for the eligibility of the farmland is whether it is grazed and/or mown.

We trust that you will be able to take these points of concern into account when finalizing the drafting of the delegated acts and we remain at your disposal for any further questions you might have.

Yours sincerely,

Angelo Caserta regional director of BirdLife Europe



On behalf of:

Samuel Féret, Coordinator of ARC 2020

Francesco Panella, President of Bee Life European Beekeeping Coordination

Carol Ritchie, Director of Europarc

Jeremy Wates, Secretary General of the European Environmental Bureau

Marco Schlüter, Director of IFOAM EU

Magda Stoczkiewicz, Director Friends of the Earth Europe

François Villerette, President of PAN Europe

Paolo Di Croce, Secretary General of Slow Food

Tony Long, Director of WWF European Policy Office