



2018/0216(COD)

10.1.2019

AMENDMENTS

11 - 100

Draft opinion

Joachim Zeller

(PE631.922v01-00)

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)

Proposal for a regulation

(COM(2018)0392 – C8-0248/2018 – 2018/0216(COD))

Amendment 11

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Since the CAP needs to sharpen its responses to the challenges and opportunities as they manifest themselves at Union, international, national, regional, local and farm levels, it is necessary to streamline the governance of the CAP and improve its delivery on the Union objectives and to significantly decrease the administrative burden. In the CAP based on delivery of performance (*'delivery model'*), the Union should set the basic policy parameters, such as objectives of the CAP and basic requirements, while Member States should bear greater responsibility as to how they meet the objectives and achieve targets. Enhanced subsidiarity makes it possible to better take into account local conditions and needs, tailoring the support to maximise the contribution to Union objectives.

Amendment

(2) Since the CAP needs to sharpen its responses to the challenges and opportunities as they manifest themselves at Union, international, national, regional, local and farm levels, it is necessary to streamline the governance of the CAP and improve its delivery on the Union objectives and to significantly decrease the administrative burden, ***in particular to the final beneficiaries***. In the CAP based on delivery of performance (*'delivery model'*), the Union should set the basic policy parameters, such as objectives of the CAP and basic requirements, while Member States should bear greater responsibility as to how they meet the objectives and achieve targets. Enhanced subsidiarity, ***while ensuring the commonality of the CAP is not undermined***, makes it possible to better take into account local conditions and needs, tailoring the support to maximise the contribution to Union objectives.

Or. en

Amendment 12

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) In order to retain the essential Union-wide elements to ensure comparability between Member State decisions, without however limiting

Amendment

(5) In order to retain the essential Union-wide elements to ensure comparability between Member State decisions, without however limiting

Member States in reaching Union objectives, a framework definition for ‘agricultural area’ should be set out. The related framework definitions for ‘arable land’, ‘permanent crops’ and ‘permanent grassland’ should be set out in a broad way to allow Member States to further specify definitions according to their local conditions. The framework definition for ‘arable land’ should be laid down in a way that allows Member States to cover different production forms, including system such as agroforestry and arable areas with shrubs and trees and that requires the inclusion of fallow land areas in order to ensure the decoupled nature of the interventions. The framework definition of ‘permanent crops’ should include both areas actually used for production and not, as well as nurseries and short rotation coppice to be defined by Member States. The framework definition of ‘permanent grassland’ should be set in a way that allows Member States to specify further criteria and allows them to include species other than grasses or other herbaceous forage that can be grazed or that may produce animal feed, whether used for actual production or not.

Member States in reaching Union objectives, a framework definition for ‘agricultural area’ should be set out. The related framework definitions for ‘arable land’, ‘permanent crops’ and ‘permanent grassland’ should be set out in a broad way to allow Member States to further specify definitions according to their local conditions. The framework definition for ‘arable land’ should be laid down in a way that allows Member States to cover different production forms, including system such as agroforestry and arable areas with shrubs and trees and that requires the inclusion of fallow land areas in order to ensure the decoupled nature of the interventions. The framework definition of ‘permanent crops’ should include both areas actually used for production and not, as well as nurseries and short rotation coppice to be defined by Member States. The framework definition of ‘permanent grassland’ should be set in a way that allows Member States to specify further criteria and allows them to include species other than grasses or other herbaceous forage that can be grazed, ***provide forage area for pollinators***, or that may produce animal feed, whether used for actual production or not.

Or. en

Amendment 13

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) As regards the areas used for the production of hemp, in order to preserve public health and to ensure the coherence with other bodies of legislation, the use of hemp seeds varieties with tetrahydrocannabinol content below **0.2%** should be part of the definition of eligible

PE632.816v01-00

Amendment

(8) As regards the areas used for the production of hemp, in order to preserve public health and to ensure the coherence with other bodies of legislation, the use of hemp seeds varieties with tetrahydrocannabinol content below **0.5%** should be part of the definition of eligible

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hectare.

hectare.

Or. en

Justification

A lower tetrahydrocannabinol limits the value in Europe restricts the choice of varieties for European farmers. Due to the limitation of 0.2 % on the field, the hemp food industry in Europe has a significant competitive disadvantage to producers in North America and Asia (0,3%-1%). In the European Union the internationally accepted value of 0.3% had been used until 1999.

Amendment 14

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In view of further improving the performance of the CAP, income support should be targeted to ***genuine*** farmers. In order to ensure a common approach at Union level for such a targeting of support, a framework definition for ***'genuine farmer'*** displaying the essential elements should be set out. On the basis of this framework, Member States should define in their CAP Strategic Plans which farmers are ***not considered genuine farmers based on conditions such as income tests, labour inputs on the farm, company object and inclusion in registers.*** It should ***also*** not result in precluding support to pluri-active farmers, who are actively farming but who are also engaged in non-agricultural activities outside their farm, as their multiple activities often strengthen the socio-economic fabric of rural areas.

Amendment

(9) In view of further improving the performance of the CAP, income support should be targeted to farmers ***who carry out an agricultural activity on the agricultural areas of their holding*** . In order to ensure a common approach at Union level for such a targeting of support, a framework definition for ***a "farmer"*** displaying the essential elements ***and a clear definition of a "farmer" for the purposes of establishing eligibility for support*** should be set out. On the basis of this framework, Member States should define in their CAP Strategic Plans which farmers are ***eligible for support; as the policy direction in Rural Development has encouraged farmers to diversity their activities beyond the farm gate this*** should not result in precluding support to pluri-active farmers, who are actively farming but who are also engaged in non-agricultural activities outside their farm, as their multiple activities often strengthen the socio-economic fabric of rural areas.

Or. en

Justification

The definition of a farmer should be set out at EU level for the purposes of establishing eligibility for payments in order to ensure a level playing field. The use of the term "farmer" should not be qualified with terms that calls into question their legitimacy. the deletion of the term "genuine" will apply through the text.

Amendment 15

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In order to ensure consistency between *the* direct *payments* types of interventions and rural development types of interventions when addressing the objective of generational renewal, a framework definition for ‘young farmer’ with the essential elements should be set out at Union level.

Amendment

(10) In order to ensure consistency between direct *payment* types of interventions and rural development types of interventions when addressing the objective of generational renewal *which is of critical importance*, a framework definition for ‘young farmer’ with the essential *broad* elements should be set out at Union level, *which must not be restrictive in order to facilitate new entrants into agriculture and reflect the realities on the ground in the Member States*.

Or. en

Justification

Previous support schemes on this topic were too restrictive and resulted in excluding young farmers from support.

Amendment 16

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) A smarter, modernised and more sustainable CAP needs to embrace research
PE632.816v01-00

Amendment

(12) A smarter, modernised and more sustainable CAP needs to embrace research
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and innovation, in order to serve the multi-functionality of Union agriculture, forestry and food systems, investing in technological development and digitalisation, as well as improving the access to impartial, sound, relevant and new knowledge.

and innovation, in order to serve the multi-functionality of Union agriculture, **agroforestry**, forestry and food systems, investing in technological development and digitalisation, as well as improving the access to impartial, sound, relevant and new knowledge.

Or. en

Amendment 17

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) In order to foster a smart and resilient agricultural sector, direct payments keep **on** constituting an essential part to guarantee **a fair** income support to farmers. Likewise, investments into farm restructuring, modernisation, innovation, diversification and uptake of new technologies are necessary to improve farmers' market reward.

Amendment

(14) In order to foster a smart and resilient agricultural sector, direct payments **that are credible, equitable, and fair** keep constituting an essential part to guarantee income support to farmers. Likewise, investments into farm restructuring, **strengthening the farmers position in the food chain**, modernisation, innovation, diversification and uptake of new technologies are necessary to improve farmers' market reward.

Or. en

Justification

CAP payments must be equitable and fair in order to ensure continued public support.

Amendment 18

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) The framework of standards of

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Amendment

(22) The framework of standards of

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GAECs aims to contribute to the mitigation and adaptation to climate change, the tackling of water challenges, the protection and quality of soil and the protection and quality of biodiversity. The framework needs to be enhanced to take into account in particular the practices set until 2020 under the greening of direct payments, the mitigation of climate change and the need to improve farms sustainability, and in particular the nutrients management. It is acknowledged that each GAEC contributes to multiple objectives. In order to implement the framework, Member States should define a national standard for each of the standards set at Union level taking into account the specific characteristics of the area concerned, including soil and climatic conditions, existing farming conditions, land use, crop rotation, farming practices and farm structures. ***Member States may also define in addition other national standards related to the main objectives laid down in Annex III in order to improve the environmental and climate delivery of the GAEC framework.*** As part of GAEC framework, in order to support both the agronomic and the environmental performance of farms, nutrient management plans will be established with the help of a dedicated electronic Farm Sustainability Tool made available by the Member States to individual farmers. The tool should provide on-farm decision support starting from minimum nutrient management functionalities. A wide interoperability and modularity should also ensure the possibility to add other electronic on-farm and e-governance applications. In order to ensure a level playing field between farmers and across the Union, the Commission may provide support to the Member States in the design of the Tool as well as with the data storage and processing services required.

GAECs aims to contribute to the mitigation and adaptation to climate change, the tackling of water challenges, the protection and quality of soil and the protection and quality of biodiversity. The framework needs to be enhanced to take into account in particular the practices set until 2020 under the greening of direct payments, the mitigation of climate change and the need to improve farms sustainability, and in particular the nutrients management. It is acknowledged that each GAEC contributes to multiple objectives. In order to implement the framework, Member States should define a national standard for each of the standards set at Union level taking into account the specific characteristics of the area concerned, including soil and climatic conditions, existing farming conditions, land use, crop rotation, farming practices and farm structures. ***These GAEC's should then become the benchmark and the predefined standard for designing and implementing the "eco schemes" to ensure that quantifiable climate change and adaption measures are embedded in conventional agriculture.*** As part of GAEC framework, in order to support both the agronomic and the environmental performance of farms, nutrient management plans will be established with the help of a dedicated electronic Farm Sustainability Tool made available by the Member States to individual farmers. The tool should provide on-farm decision support starting from minimum nutrient management functionalities. A wide interoperability and modularity should also ensure the possibility to add other electronic on-farm and e-governance applications. In order to ensure a level playing field between farmers and across the Union, the Commission may provide support to the Member States in the design of the Tool as well as with the data storage and processing services required.

Or. en

Amendment 19

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) In order to ensure a fairer distribution of income support, the amounts of direct payments above a certain ceiling should be reduced and the product should *either* be used for decoupled direct payments *and in priority* for the complementary redistributive income support for sustainability, *or be transferred to the EAFRD. In order to avoid negative effects on employment, labour should be taken into account when applying the mechanism.*

Amendment

(25) In order to ensure a fairer distribution of income support, the amounts of direct payments above a certain ceiling should be reduced and the product should be used for decoupled direct payments for the complementary redistributive income support for sustainability.

Or. en

Justification

The product of capping from Pillar I payments should remain as redistributive payments in Pillar I.

Amendment 20

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) Union legislation should provide that Member States should set requirements in terms of minimum area for receiving decoupled payments in their CAP Strategic Plan. Such requirements should relate to the need to avoid the excessive administrative burden caused by managing numerous payments of small amounts and to that of ensuring an effective contribution

Amendment

(26) Union legislation should provide that Member States should set requirements in terms of minimum area for receiving decoupled payments in their CAP Strategic Plan. Such requirements should relate to the need to avoid the excessive administrative burden caused by managing numerous payments of small amounts and to that of ensuring an effective contribution

of the support to the objectives of the CAP to which the decoupled direct payments contribute. In order to guarantee a minimum level of agricultural income support for all genuine farmers, as well as to comply with the Treaty objective in ensuring a fair standard of living for the agricultural community, an annual area-based decoupled payment should be established as the type of intervention 'basic income support for sustainability'. In order to enhance better targeting of this support, the payment amounts can be differentiated, by groups of territories, based on socio-economic and/or agronomic conditions. In view of avoiding disruptive effects for farmers' income, Member States may choose to implement the basic income support for sustainability based on payment entitlements. In this case, the value of payment entitlements before any further convergence should be proportional to their value as established under the basic payment schemes pursuant to Regulation (EU) No 1307/2013, taking also into account the payments for agricultural practices beneficial for the climate and the environment. Member States should also achieve further convergence in order to *continue to* move progressively *away from historical values*.

of the support to the objectives of the CAP to which the decoupled direct payments contribute. In order to guarantee a minimum level of agricultural income support for all genuine farmers, as well as to comply with the Treaty objective in ensuring a fair standard of living for the agricultural community, an annual area-based decoupled payment should be established as the type of intervention 'basic income support for sustainability'. In order to enhance better targeting of this support, the payment amounts can be differentiated, by groups of territories, based on socio-economic and/or agronomic conditions. In view of avoiding disruptive effects for farmers' income, Member States may choose to implement the basic income support for sustainability based on payment entitlements. In this case, the value of payment entitlements before any further convergence should be proportional to their value as established under the basic payment schemes pursuant to Regulation (EU) No 1307/2013, taking also into account the payments for agricultural practices beneficial for the climate and the environment. Member States should also achieve further convergence in order to move progressively *to full convergence by 2026*.

Or. en

Justification

In order to ensure equal treatment of farmers under the European Charter of Fundamental human rights it is no longer justified to pay farmers on agricultural activity based on the reference years 2000 - 2002.

Amendment 21

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 31

Text proposed by the Commission

Amendment

(31) The CAP should ensure that Member States increase the environmental delivery by respecting local needs and farmers' actual circumstances. Member States should under direct payments in the CAP Strategic Plan set up Eco-schemes **voluntary** for farmers, which should be fully coordinated with the other relevant interventions. They should be defined by the Member States as a payment granted either for incentivising and remunerating the provision of public goods by agricultural practices beneficial to the environment and climate or as a compensation for the introduction of these practices. In both cases they should aim at enhancing the environmental and climate performance of the CAP and should consequently be **conceived to go beyond the mandatory requirements** already prescribed by the system of conditionality. Member States may decide to set up eco-schemes for agricultural practices such as the enhanced management of permanent pastures and landscape features, and organic farming. These schemes **may also include** 'entry-level schemes' which **may** be a condition for taking up more ambitious rural development commitments.

(31) The CAP should ensure that Member States increase the environmental delivery by respecting local needs and farmers' actual circumstances. Member States should under direct payments in the CAP Strategic Plan set up Eco-schemes **that are mandatory** for farmers, which should be fully coordinated with the other relevant interventions. They should be defined by the Member States as a payment granted either for incentivising and remunerating the provision of public goods by agricultural practices beneficial to the environment and climate or as a compensation for the introduction of these practices. In both cases they should aim at enhancing the environmental and climate performance of the CAP and should consequently be **aligned with mandatory environment objectives** already prescribed by the system of conditionality. Member States may decide to set up eco-schemes for agricultural practices such as the enhanced management of permanent pastures and landscape features, and organic farming. These schemes **should be regarded as** 'entry-level schemes' which **should** be a condition for taking up more ambitious rural development commitments.

Or. en

Justification

The "Eco Schemes" must have measurable outcomes that can be measured against predefined standards.

Amendment 22

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 42

Text proposed by the Commission

(42) In the light of the need to fill the investment gap in the Union agricultural sector and improve access to financial

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Amendment

(42) In the light of the need to fill the investment gap in the Union agricultural sector and improve access to financial

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instruments for priority groups, notably young farmers and new entrants with higher risk profiles, use of the *InvestEU* guarantee and combination of grants and financial instruments should be *encouraged*. Since the use of financial instruments across Member States varies considerably as a result of differences in terms of access to finance, banking sector development, presence of risk capital, familiarity of public administrations and potential range of beneficiaries, Member States should establish in the CAP Strategic Plan appropriate targets, beneficiaries and preferential conditions, and other possible eligibility rules.

instruments for priority groups, notably young farmers and new entrants with higher risk profiles, use of the *Invest EU* guarantee and combination of grants and financial instruments should be *made available, while respecting the norms of prudent lending and discouraging unsustainable borrowing*. Since the use of financial instruments across Member States varies considerably as a result of differences in terms of access to finance, banking sector development, presence of risk capital, familiarity of public administrations and potential range of beneficiaries, Member States should establish in the CAP Strategic Plan appropriate targets, beneficiaries and preferential conditions, and other possible eligibility rules.

Or. en

Amendment 23

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 1 – paragraph 1 – point d

Text proposed by the Commission

(d) coordination and governance as well as monitoring, reporting and evaluation.

Amendment

(d) coordination and governance as well as monitoring, reporting and evaluation *and an appeals procedure*.

Or. en

Amendment 24

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) 'agricultural activity' shall be

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Amendment

(a) 'agricultural activity' shall be

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defined in a way that it includes both the production of agricultural **products** listed in Annex I to the TFEU, including cotton and short rotation coppice, and maintenance of the agricultural area in a state which makes it suitable for grazing or cultivation, without preparatory action going beyond usual agricultural methods and machineries;

defined in a way that it includes both the production of agricultural **goods** listed in Annex I to the TFEU **in addition to the production of public goods and eco system services from the agricultural area**, including cotton and short rotation coppice, and maintenance of the agricultural area in a state which makes it suitable for grazing or cultivation, without preparatory action going beyond usual agricultural methods and machineries;

Or. en

Justification

Agricultural output is much broader than the production of commodities.

Amendment 25

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 4 – paragraph 1 – point b – introductory part

Text proposed by the Commission

(b) '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:

Amendment

(b) 'agricultural area' shall be defined in a way that it is composed of arable land, permanent crops, permanent grassland **and agro forestry systems**. The terms 'arable land', 'permanent crops' 'permanent grassland' **and "agroforestry systems"** shall be further specified by Member States within the following framework:

Or. en

Justification

Agroforestry should be mainstreamed into agricultural policy and put on the same footing as other land uses.

Amendment 26

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 4 – paragraph 1 – point b – point ii

Text proposed by the Commission

(ii) 'permanent crops' shall be non-rotational crops other than permanent grassland and permanent pasture that occupy the land for five years or more, which yield repeated harvests, including nurseries and short rotation coppice;

Amendment

(ii) 'permanent crops' shall be non-rotational crops other than permanent grassland and permanent pasture that occupy the land for five years or more, which yield repeated harvests, including ***agroforestry systems***, nurseries and short rotation coppice;

Or. en

Amendment 27

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 4 – paragraph 1 – point b – point iii

Text proposed by the Commission

(iii) '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;***

Amendment

(iii) '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*). ***The framework definition of 'permanent grassland' should be set in away that allows Member States to specify further criteria and allows them to include species other than grasses or other herbaceous forage that can be grazed or that may produce animal feed, forage area for pollinators whether used for actual production or not;***

Or. en

Justification

The definition of permanent pasture must be suitable broad to cater for differing situation and different uses of forage area in Member States.

Amendment 28
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 4 – paragraph 1 – point b – point iii a (new)

Text proposed by the Commission

Amendment

(iii a) Agroforestry systems; land use systems in which trees are grown in combination with agriculture on the same land;

Or. en

Justification

Agroforestry should be mainstreamed into agricultural policy and put on the same footing as other land uses

Amendment 29
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 4 – paragraph 1 – point c – point ii – paragraph 2

Text proposed by the Commission

Amendment

Areas used for the production of hemp shall only be eligible hectares if the varieties used have a tetrahydrocannabinol content not exceeding **0,2 %**;

Areas used for the production of hemp shall only be eligible hectares if the varieties used have a tetrahydrocannabinol content not exceeding **0,5%**;

Or. en

Justification

A lower tetrahydrocannabinol limit value in Europe restricts the choice of varieties for European farmers. Due to the limitation of 0.2 % on the field, the hemp food industry in Europe has a significant competitive disadvantage to producers in North America and Asia (0,3%-1%). In the European Union the internationally accepted value of 0.3% had been used until 1999.

Amendment 30
Luke Ming Flanagan
on behalf of the GUE/NGL Group
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Proposal for a regulation
Article 4 – paragraph 1 – point d

Text proposed by the Commission

(d) '**genuine** farmers' shall be defined in a way to ensure that no support is granted to those whose agricultural activity forms only an insignificant part of their overall economic activities **or whose principal business activity is not agricultural**, while not precluding **from** support pluri-active farmers. The definition shall allow to determine which farmers are not considered **genuine** farmers, based on conditions **such as income tests, labour inputs on the farm, company object and/or inclusion in registers**.

Amendment

(d) 'farmers' shall be defined in a way to ensure that no support is granted to those whose agricultural activity forms only an insignificant part of their overall economic activities, while not precluding support **from** pluri-active farmers. The definition shall allow to determine which farmers are not considered farmers, based on conditions **set out in the framework definition at EU level**.

Or. en

Amendment 31
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 4 – paragraph 1 – point e – point iii

Text proposed by the Commission

(iii) the appropriate training and/or skills **required**.

Amendment

(iii) the appropriate training and/or skills **and knowledge already acquired, subject to a skills audit**.

Or. en

Justification

Young farmer may have acquired many skills and much knowledge that should be recognized.

Amendment 32
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. When pursuing the specific objectives Member States shall ensure simplification and *performance* of the CAP support.

Amendment

2. When pursuing the specific objectives Member States shall ensure *equality to final beneficiaries*, simplification and *a reduction of the administrative burden in the delivery* of the CAP support.

Or. en

Justification

There must be equality and simplification to final beneficiaries in the new CAP

Amendment 33

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 11 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *In recognition of New Delivery Model Member States shall establish a functionally independent mediation and appeals body comprising the required expertise and stake holder representation.*

Or. en

Justification

An appeals process is vital to ensure equitable treatment of beneficiaries.

Amendment 34

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with AM\1173369EN.docx

4. The Commission is empowered to adopt delegated acts in accordance with 17/51 PE632.816v01-00

Article 138 supplementing this Regulation with rules for good agricultural and environmental condition, including establishing the elements of the system of the ratio of permanent grassland, the year of reference and the rate of conversion under GAEC 1 as referred to in Annex III, the format and additional minimum elements and functionalities of the Farm Sustainability Tool for Nutrients.

Article 138 supplementing this Regulation with rules for good agricultural and environmental condition, including establishing the elements of the system of the ratio of permanent grassland, the year of reference and the rate of conversion under GAEC 1 as referred to in Annex III, ***and also to authorise exemptions to compliance to conditionality, rules shall be established in cases of exceptional circumstances outside of beneficiaries control as well as incidences of "force majeure"***, the format and additional minimum elements and functionalities of the Farm Sustainability Tool for Nutrients ***in member states where this tool is being introduced.***

Or. en

Amendment 35

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 13 – paragraph 4 – point f a (new)

Text proposed by the Commission

Amendment

(f a) the use of best agroforestry practices on both agricultural and forest lands;

Or. en

Justification

Agroforestry practices have many benefits for the environment and increases farm resilience.

Amendment 36

Petri Sarvamaa

Proposal for a regulation

Article 15 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Member States **shall** reduce the amount of **direct payments** to be granted to a farmer pursuant to this Chapter for a given calendar year **exceeding EUR 60 000 as follows**:

1. Member States **may** reduce the amount of **basic income support for sustainability** to be granted to a farmer pursuant to this Chapter for a given calendar year **as further specified in their CAP Strategic Plans**.

Or. en

Justification

Degression/capping of direct payments leads to odd incentives that do not support the structural development of farms. The degression of direct payments above 60 000 EUR would not only affect exceptionally large units, but medium-sized units that have looked to invest and grow as well. If implemented, the proposed ceilings in Article 15 could also create an incentive to divide farms in a way that cannot be considered appropriate. Calculating the salaries and related contributions would cause administrative burden on both the farmer and the Member State. Simplification is needed.

Amendment 37

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 15 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Member States shall **reduce** the amount of direct payments to be granted to a farmer pursuant to this Chapter for a given calendar year **exceeding** EUR 60 000 **as follows**:

1. Member States shall **limit** the amount of direct payments to be granted to a farmer pursuant to this Chapter for a given calendar year **to** EUR 60 000:

Or. en

Justification

This is Necessary to create a fund for the redistributive payment proposed, under the current proposal there will be no product to fund the redistributive payment.

Amendment 38

Petri Sarvamaa

Proposal for a regulation

Article 15 – paragraph 1 – point a

Text proposed by the Commission

Amendment

**(a) by at least 25 % for the tranche
between EUR 60 000 and EUR 75 000;** *deleted*

Or. en

Justification

Degression/capping of direct payments leads to odd incentives that do not support the structural development of farms. The degression of direct payments above 60 000 EUR would not only affect exceptionally large units, but medium-sized units that have looked to invest and grow as well. If implemented, the proposed ceilings in Article 15 could also create an incentive to divide farms in a way that cannot be considered appropriate. Calculating the salaries and related contributions would cause administrative burden on both the farmer and the Member State. Simplification is needed.

Amendment 39

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 15 – paragraph 1 – point a

Text proposed by the Commission

Amendment

**(a) by at least 25 % for the tranche
between EUR 60 000 and EUR 75 000;** *deleted*

Or. en

Amendment 40

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 15 – paragraph 1 – point b

Text proposed by the Commission

Amendment

**(b) by at least 50 % for the tranche
between EUR 75 000 and EUR 90 000;** *deleted*

Or. en

Amendment 41
Petri Sarvamaa

Proposal for a regulation
Article 15 – paragraph 1 – point b

Text proposed by the Commission

Amendment

**(b) by at least 50 % for the tranche
between EUR 75 000 and EUR 90 000;** **deleted**

Or. en

Justification

Degression/capping of direct payments leads to odd incentives that do not support the structural development of farms. The degression of direct payments above 60 000 EUR would not only affect exceptionally large units, but medium-sized units that have looked to invest and grow as well. If implemented, the proposed ceilings in Article 15 could also create an incentive to divide farms in a way that cannot be considered appropriate. Calculating the salaries and related contributions would cause administrative burden on both the farmer and the Member State. Simplification is needed.

Amendment 42
Petri Sarvamaa

Proposal for a regulation
Article 15 – paragraph 1 – point c

Text proposed by the Commission

Amendment

**(c) by at least 75 % for the tranche
between EUR 90 000 and EUR 100 000;** **deleted**

Or. en

Justification

Degression/capping of direct payments leads to odd incentives that do not support the structural development of farms. The degression of direct payments above 60 000 EUR would not only affect exceptionally large units, but medium-sized units that have looked to invest and grow as well. If implemented, the proposed ceilings in Article 15 could also create an incentive to divide farms in a way that cannot be considered appropriate. Calculating the salaries and related contributions would cause administrative burden on both the farmer and the Member State. Simplification is needed.

Amendment 43
Luke Ming Flanagan
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on behalf of the GUE/NGL Group

Proposal for a regulation
Article 15 – paragraph 1 – point c

Text proposed by the Commission

Amendment

**(c) by at least 75 % for the tranche
between EUR 90 000 and EUR 100 000;** **deleted**

Or. en

Amendment 44
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 15 – paragraph 1 – point d

Text proposed by the Commission

Amendment

**(d) by 100 % for the amount
exceeding EUR 100 000.** **deleted**

Or. en

Amendment 45
Petri Sarvamaa

Proposal for a regulation
Article 15 – paragraph 1 – point d

Text proposed by the Commission

Amendment

**(d) by 100 % for the amount
exceeding EUR 100 000.** **deleted**

Or. en

Justification

Degression/capping of direct payments leads to odd incentives that do not support the structural development of farms. The degression of direct payments above 60 000 EUR would not only affect exceptionally large units, but medium-sized units that have looked to invest and grow as well. If implemented, the proposed ceilings in Article 15 could also create an incentive to divide farms in a way that cannot be considered appropriate. Calculating the

salaries and related contributions would cause administrative burden on both the farmer and the Member State. Simplification is needed.

Amendment 46

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 15 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Before applying paragraph 1, Member States shall subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year:

deleted

(a) the salaries linked to an agricultural activity declared by the farmer, including taxes and social contributions related to employment; and

(b) the equivalent cost of regular and unpaid labour linked to an agricultural activity practiced by persons working on the farm concerned who do not receive a salary, or who receive less remuneration than the amount normally paid for the services rendered, but are rewarded through the economic result of the farm business.

Or. en

Justification

Offsetting salaries before capping is not justified as current payments are linked to historical activity that bears no linkage to current agricultural activity.

Amendment 47

Petri Sarvamaa

Proposal for a regulation

Article 15 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Before applying paragraph 1, Member
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Before applying paragraph 1, Member
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States **shall** subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year:

States **may** subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year:

Or. en

Justification

The proposed method should be simplified and it should be voluntary for Member States. The model proposed would be extremely difficult to implement. Some farms use paid labour to carry out the work while some use contracting with external operator. The proposed model takes no account of the costs of such contracting. A better model could be that the administration would calculate the costs directly on the basis of the production sector, number of animals and surface area as well as average use of labour in each sector, instead of asking the farmer to state the costs.

Amendment 48 **Petri Sarvamaa**

Proposal for a regulation **Article 15 – paragraph 2 – subparagraph 1 – point a**

Text proposed by the Commission

(a) the salaries linked to an agricultural activity **declared by the farmer**, including taxes and social contributions related to employment; and

Amendment

(a) the salaries linked to an agricultural activity, including taxes and social contributions related to employment; and

Or. en

Amendment 49 **Petri Sarvamaa**

Proposal for a regulation **Article 15 – paragraph 2 – subparagraph 1 – point b a (new)**

Text proposed by the Commission

Amendment

(b a) the costs of contracting linked to an agricultural activity declared by the farmer;

Or. en

Justification

The proposed method should be simplified and it should be voluntary for Member States. The model proposed would be extremely difficult to implement. Some farms use paid labour to carry out the work while some use contracting with external operator. The proposed model takes no account of the costs of such contracting. A better model could be that the administration would calculate the costs directly on the basis of the production sector, number of animals and surface area as well as average use of labour in each sector, instead of asking the farmer to state the costs.

Amendment 50 **Petri Sarvamaa**

Proposal for a regulation **Article 15 – paragraph 2 – subparagraph 2**

Text proposed by the Commission

Amendment

To calculate the amounts referred to in points a) and b), Member States shall use the average standard salaries linked to an agricultural activity at national or regional level multiplied by the number of annual work units declared by the farmer concerned.

deleted

Or. en

Amendment 51 **Luke Ming Flanagan** on behalf of the GUE/NGL Group

Proposal for a regulation **Article 15 – paragraph 3 – subparagraph 1**

Text proposed by the Commission

Amendment

The estimated product of the reduction of payments shall *primarily* be used to contribute to the financing of the complementary redistributive income support for sustainability *and thereafter of other interventions belonging to decoupled direct payments.*

The estimated product of the reduction of payments shall be used to contribute to the financing of the complementary redistributive income support for sustainability.

Or. en

Justification

The product of capping from Pillar I should remain within Pillar I to be used as a redistributive payment.

Amendment 52

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 15 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Member States may also use all or part of the product to finance types of interventions under the EAFRD as specified in Chapter IV by means of a transfer. Such transfer to the EAFRD shall be part of the CAP Strategic Plan financial tables and may be reviewed in 2023 in accordance with Article 90. It shall not be subject to the maximum limits for the transfers of funds from the EAGF to the EAFRD established under Article 90.

deleted

Or. en

Justification

The product of capping from Pillar I should remain within Pillar I to be used as a redistributive payment.

Amendment 53

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 20 – paragraph 5

Text proposed by the Commission

Amendment

5. For the purposes of paragraph 4, Member States shall ensure that, for claim year 2026 at the latest, all payment entitlements have a value of at least **75%** of the average planned unit amount for the

5. For the purposes of paragraph 4, Member States shall ensure that, for claim year 2026 at the latest, all payment entitlements have a value of at least **100%** of the average planned unit amount for the

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basic income support for claim year 2026 as laid down in the CAP Strategic Plan transmitted in accordance with Article 106 (1) for the Member State or for the territories as defined in accordance with Article 18(2).

basic income support for claim year 2026 as laid down in the CAP Strategic Plan transmitted in accordance with Article 106 (1) for the Member State or for the territories as defined in accordance with Article 18(2).

Or. en

Justification

In order to treat farmers equitably and to have a support scheme that is credible to the public, payments must be converged to be of equal value by 2026

Amendment 54

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 20 – paragraph 7

Text proposed by the Commission

Amendment

7. The reductions referred to in paragraph 6 shall be based on objective and non-discriminatory criteria. Without prejudice to the minimum set in accordance with paragraph 5, such criteria may include the fixing of a maximum decrease that may not be lower than 30%.

deleted

Or. en

Justification

This paragraph could limit the convergence of payments.

Amendment 55

Karin Kadenbach

Proposal for a regulation

Article 27 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States may provide for complementary income support for young
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1. Member States may provide for complementary income support for young
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farmers under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

farmers **and new entrants** under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Or. en

Amendment 56

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 28 – paragraph 1

Text proposed by the Commission

1. Member States shall provide support for **voluntary** schemes for **the** climate and **the environment ('eco-schemes')** under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Amendment

1. Member States shall provide **under direct payments** support for **the mandatory** schemes for climate and **environmental sustainability actions ('eco-scheme')** under the conditions set out in this Article and as further specified in their CAP Strategic Plans, **these schemes shall be entry level schemes which shall be conditional for taking up more ambitious Rural Development commitments which shall be voluntary.**

Or. en

Justification

It is necessary to have meaningful targeted eco schemes funded from Pillar I, that all farmers participate in to achieve desired outcomes.

Amendment 57

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 28 – paragraph 2

Text proposed by the Commission

2. Member States shall support under this type of intervention **genuine** farmers who make commitments to observe, on

Amendment

2. Member States shall support under this type of intervention farmers who make commitments to observe, on eligible

eligible hectares, agricultural practices beneficial for the climate and the environment.

hectares, agricultural practices beneficial for the climate and the environment, **areas designated pursuant to Directives 92/43/EEC and 2009/147/EC shall automatically be regarded as eligible for the scheme.**

Or. en

Justification

Farmers farming designated land must be rewarded for their commitment and effort.

Amendment 58

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 28 – paragraph 3

Text proposed by the Commission

3. Member States shall establish **the** list of agricultural practices **beneficial for the climate and the environment.**

Amendment

3. Member States shall establish **a** list of agricultural practices **that will enhance its climate mitigation and adaption potential and increase its environmental sustainability, Member States shall ensure that these practices are in compliance with WTO agreements on agriculture, annex 2 (5) (6).**

Or. en

Justification

Farming practices must be adapted to maximise mitigation potential.

Amendment 59

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 28 – paragraph 4

Text proposed by the Commission

4. Those practices shall be designed to meet one or more of the specific
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Amendment

4. Those practices shall be designed to meet one or more of the specific
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environmental- and climate-related objectives laid down in points (d), (e) and (f) of Article 6(1).

environmental- and climate-related objectives laid down in points (d), (e) and (f) of Article 6(1), ***in order to ensure qualitative and quantitative outcomes to meet these objectives these practices shall be linked to specific actions designed to achieve, the already established prescribed standards set out in GAEC 1 to GAEC 10 of annex III.***

Or. en

Justification

To ensure measurable quantifiable outcomes and results, actions must be set against pre defined GAEC objectives and standards that are clear to the farmer and to ensure that meaningful climate mitigation and adaption actions are embedded in conventional agriculture.

Amendment 60

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 28 – paragraph 5 – introductory part

Text proposed by the Commission

5. Under this type of interventions, Member States shall only provide payments covering commitments which:

Amendment

5. Under this type of interventions, Member States shall only provide payments covering commitments which ***are consistent with and aligned to the commitments prescribed in point 4 of this Article and go beyond the other the relevant statutory management requirements and standards of good agricultural and environmental condition established under Section 2 of Chapter I of this Title;***

Or. en

Justification

To ensure measurable quantifiable outcomes and results, actions must be set against pre defined objectives and standards that are clear to the farmer

Amendment 61
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 28 – paragraph 5 – point b

Text proposed by the Commission

(b) go beyond the minimum requirements for the use of fertilisers and plant protection products, animal welfare, *as well as other mandatory requirements established by national and Union law*;

Amendment

(b) go beyond the minimum requirements for the use of fertilisers and plant protection products, animal welfare;

Or. en

Justification

This is unnecessary duplication, standards already covered under annex III

Amendment 62
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 28 – paragraph 6 – introductory part

Text proposed by the Commission

6. Support for eco-schemes shall take the form of **an** annual payment per eligible hectare and it shall be granted as **either**:

Amendment

6. Support for **the "eco-schemes"** shall take the form of **25% of direct payments paid as** annual **uniform flat rate** payment per eligible hectare and it shall be granted as:

Or. en

Justification

In order to ensure uptake in the eco schemes a reasonable portion of direct payments must be allocated to this measure. They must be equally supported as there is equal cost in complying with requirements.

Amendment 63
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 28 – paragraph 6 – point a

Text proposed by the Commission

(a) payments additional to the basic income support as set out in Subsection 2 of this Section; **or**

Amendment

(a) payments additional to the basic income support as set out in Subsection 2 of this Section;

Or. en

Amendment 64
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 28 – paragraph 6 – point b

Text proposed by the Commission

(b) payments compensating beneficiaries for all or part of the additional costs incurred and income foregone as a result of the commitments as set pursuant to Article 65.

Amendment

deleted

Or. en

Justification

The eco schemes must remain within Pillar I funded from direct payments.

Amendment 65
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 43 – paragraph 1 – point b

Text proposed by the Commission

(b) research and experimental production, in particular focused on water **saving**, energy saving, ecological packaging, waste reduction, pest resilience, reduction of risks and impacts of pesticides use, preventing damage caused by adverse climatic events and boosting the use of
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Amendment

(b) research and experimental production, in particular focused on water **harvesting**, energy **generation and** saving, ecological packaging, waste reduction, pest resilience, reduction of risks and impacts of pesticides use, **promotion of Integrated Pest Management (IPM)**, preventing

fruit and vegetable varieties adapted to changing climate conditions;

damage caused by adverse climatic events and boosting the use of fruit and vegetable varieties adapted to changing climate conditions;

Or. en

Justification

Integrated Pest Management should be a focus for reducing use of plant protection products.

Amendment 66

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 43 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) integrated production;

(d) ***Agroforestry and***
integrated production ***systems***;

Or. en

Justification

Agroforestry has many benefits in an integrated production system.

Amendment 67

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 43 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) actions to improve pest resilience;

(h) actions to improve pest resilience
***by promoting the concept of Integrated
Pest Management (IPM)***;

Or. en

Justification

Integrated Pest Management should be a focus for reducing use of plant protection products.

Amendment 68

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 43 – paragraph 1 – point k

Text proposed by the Commission

(k) actions to increase sustainability and efficiency of transport and of storage of products of the fruit and vegetables sector;

Amendment

(k) actions to increase sustainability and efficiency of transport **by promoting short supply chains**, and of storage of products of the fruit and vegetables sector;

Or. en

Amendment 69

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 49 – paragraph 1 – point a – point 1 (new)

Text proposed by the Commission

Amendment

1) actions to enhance forage areas for pollinators;

Or. en

Justification

Pollinators are vital for agriculture and are currently under threat.

Amendment 70

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 50 – paragraph 1 – point b

Text proposed by the Commission

(b) a definition of a beehive and methods for calculating the number of

Amendment

(b) a definition of a beehive and methods for calculating the number of beehives **considered to be the equivalent**

beehives;

of a livestock unit;

Or. en

Justification

Actions must be introduced to support and quantify Apiculture.

Amendment 71

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 59 – paragraph 1 – point d

Text proposed by the Commission

(d) promoting, developing and implementing methods of production respectful of the environment, of animal welfare standards, pest resilient and environmentally sound cultivation practices, production techniques and production methods, environmentally sound use and management of by-products and waste, sustainable use of natural resources in particular protection of water, soil and other natural resources; those objectives relate to the specific objectives set out in points (e) and (f) of Article 6(1);

Amendment

(d) promoting, developing and implementing methods of production respectful of the environment, of animal welfare standards, pest resilient and environmentally sound cultivation practices ***including the incorporation of clovers and other nitrogen fixing crops,*** production techniques and production methods, environmentally sound use and management of by-products and waste ***while respecting the "proximity principle"***, sustainable use of natural resources in particular protection of water, soil and other natural resources; those objectives relate to the specific objectives set out in points (e) and (f) of Article 6(1);

Or. en

Justification

Nitrogen fixing crops have many benefits including reducing artificial N use and improving soil structure

Amendment 72

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 59 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) **crisis** prevention **and** risk management, aimed at avoiding and dealing with crises in the markets within one or more sectors referred to in point (f) of Article 39; those objectives relate to the specific objectives set out in points (a), (b) and (c). Article 6(1).

(h) **proactive risk mitigation and prevention strategies coupled with** risk management, aimed at avoiding and dealing with crises in the markets within one or more sectors referred to in point (f) of Article 39; those objectives relate to the specific objectives set out in points (a), (b) and (c). Article 6(1).

Or. en

Justification

Risk mitigation and prevention can cost the farmer less should be on a par with risk management.

Amendment 73

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 60 – paragraph 1 – point a – point i

Text proposed by the Commission

Amendment

(i) soil conservation, including the enhancement of soil carbon;

(i) soil conservation **and rebuilding soil fertility and structure**, including the enhancement of soil carbon **sequestration capabilities**;

Or. en

Justification

Proper soil structure leads to better soil fertility that reduces the need for artificial fertilizers.

Amendment 74

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 64 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) environmental, climate *and* other management commitments;

(a) *encouraging* environmental *sustainability*, climate *mitigation and adaption measures including appropriate protection of wetlands and organic soils together with* other management commitments *beneficial to the environment*;

Or. en

Justification

It is important that environmental protection is encouraged and measures to achieve this are adequately supported

Amendment 75

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 64 – paragraph 1 – point c

Text proposed by the Commission

(c) Area-specific disadvantages resulting from certain mandatory requirements;

Amendment

(c) Area-specific disadvantages resulting from certain mandatory requirements *including the implementation of Directives 92/43/ECC and 2009/147/EC*;

Or. en

Justification

It is important to recognize the onerous commitments in complying the birds & habitats directives.

Amendment 76

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 64 – paragraph 1 – point f

Text proposed by the Commission

(f) risk management tools;

Amendment

(f) *Risk mitigation, prevention and*

risk management tools;

Or. en

Justification

Risk mitigation and prevention can cost the farmer less should be on a par with risk management

Amendment 77

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 65 – paragraph 1

Text proposed by the Commission

1. Member States may grant payments *for environmental*, climate and other management commitments under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Amendment

1. Member States may grant payments *to incentivise environmentally sustainable practices*, climate *mitigation and adaption measures* and other management commitments *beneficial to the environment* under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Or. en

Justification

It is necessary to incentivise practices that have a cost implication for the farmer in implementing them.

Amendment 78

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 65 – paragraph 3

Text proposed by the Commission

3. Member States *may* make support under this type of interventions available throughout their territories, in accordance with their national, regional or local

Amendment

3. Member States *shall* make support under this type of interventions available throughout their territories, in accordance with their national, regional or local

specific needs.

specific needs.

Or. en

Amendment 79

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 65 – paragraph 5 – point d

Text proposed by the Commission

(d) *are different from* commitments in respect of which payments are granted under Article 28.

Amendment

(d) *go beyond but are complementary and build upon* commitments in respect of which payments are granted under Article 28.

Or. en

Amendment 80

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 65 – paragraph 6

Text proposed by the Commission

6. Member States shall compensate beneficiaries for costs incurred and income foregone resulting from the commitments made. Where necessary, they may also cover transaction costs. In duly justified cases, Member States may grant support as a flat-rate or as a one- off payment per unit. Payments shall be granted annually.

Amendment

6. Member States shall compensate beneficiaries for costs incurred and income foregone resulting from the commitments made. Where necessary, they may also cover transaction costs. In duly justified cases, Member States may grant *advance payments to incentivise uptake in innovative measures*, support *may be granted* as a flat-rate or as a one- off payment per unit. Payments shall be granted annually.

Or. en

Amendment 81

Luke Ming Flanagan

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on behalf of the GUE/NGL Group

Proposal for a regulation
Article 65 – paragraph 9

Text proposed by the Commission

9. Where support under this type of interventions is granted to agri-environment-climate commitments, commitments to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and forest environmental and climate services, Member States shall establish a payment per hectare.

Amendment

9. Where support under this type of interventions is granted to agri-environment-climate commitments, commitments to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 **creation and regeneration of agroforestry systems**, and forest environmental and climate services, Member States shall establish a payment per hectare.

Or. en

Justification

JRC and other studies have shown the high environmental and climate mitigation value of agroforestry and its importance is included in Recitals 5, 38, 39, 41. Yet “agroforestry” is not mentioned specifically in any of the Articles. The wording here is taken directly from Recital 39.

Amendment 82
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 66 – paragraph 1

Text proposed by the Commission

1. Member States **may** grant payments for natural or other area-specific constraints under the conditions set out in this Article and as further specified in their CAP Strategic Plans with the view **of** contributing to the achievement of the specific objectives set out in Article 6(1).

Amendment

1. Member States **shall** grant payments for natural or other area-specific constraints under the conditions set out in this Article and as further specified in their CAP Strategic Plans with the view **to supporting farmers in disadvantaged and peripheral areas, ensuring balanced territorial development, and to** contributing to the achievement of the specific objectives set out in Article 6(1).

Or. en

Justification

ANC payments should be targeted primarily at disadvantaged areas to ensure the continuation of farming in these areas.

Amendment 83

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 66 – paragraph 2

Text proposed by the Commission

2. These payments shall be granted to ***genuine*** farmers in respect of areas designated pursuant to Article 32 of Regulation (EU) No 1305/2013.

Amendment

2. These payments shall be granted to farmers in respect of areas designated pursuant to Article 32 of Regulation (EU) No 1305/2013 ***based on the severity of the multiple constraints identified by the biophysical criteria;***

Or. en

Justification

The level of payment should accurately reflect the degree of disadvantage.

Amendment 84

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 66 – paragraph 3

Text proposed by the Commission

3. Member States may only grant payments under this type of interventions in order to compensate beneficiaries for all or part of the additional costs and income foregone related to the natural or other area-specific constraints in the area concerned.

Amendment

3. ***Where member states identify in their CAP Strategic plans varying levels of constraint they may decide to differentiate the amount of support per hectare granted to beneficiaries; the compensation shall be proportional to the severity of the constraints identified.*** Member States may only grant payments under this type of interventions in order to compensate beneficiaries for all or part of the additional costs and income foregone related to the natural or other

area-specific constraints in the area concerned. **Member States shall ensure that the relevant calculations are adequate, accurate and established in advance on the basis of a fair, equitable and verifiable calculation method.**

Or. en

Justification

Varying levels or bands of payment should reflect the degree of disadvantage or constraint identified, the methodology to calculate this should be clear and transparent.

Amendment 85

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 66 – paragraph 4

Text proposed by the Commission

4. Additional costs and income foregone as referred to in paragraph 3 shall be calculated in respect of natural or other area-specific constraints, in comparison to areas which are not affected by natural or other area-specific constraints.

Amendment

4. Additional costs and income foregone as referred to in paragraph 3 shall be calculated in respect of natural or other area-specific constraints, in comparison to areas which are not affected by natural or other area-specific constraints, **the method of calculation used shall transparent adequate and verifiable.**

Or. en

Justification

Calculation on levels of payment should be clear and transparent and verifiable.

Amendment 86

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 67 – paragraph 1

Text proposed by the Commission

1. Member States **may** grant payments
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Amendment

1. Member States **shall** grant
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for area-specific disadvantages imposed by requirements resulting from the implementation of Directives 92/43/EEC and 2009/147/EC or Directive 2000/60/EC under the conditions set out in this Article and as further specified in their CAP Strategic Plans with the view of contributing to the achievement of the specific objectives set out in Article 6(1).

payments for area-specific disadvantages imposed by requirements resulting from the implementation of Directives 92/43/EEC and 2009/147/EC or Directive 2000/60/EC under the conditions set out in this Article and as further specified in their CAP Strategic Plans with the view of contributing to the achievement of the specific objectives set out in Article 6(1).

Or. en

Justification

Payments for these areas where farmers are providing a valuable public good should not be optional.

Amendment 87

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 67 – paragraph 2

Text proposed by the Commission

2. These payments *may* be granted to farmers, forest holders and other land managers in respect of areas with disadvantages referred to in paragraph 1.

Amendment

2. These payments *shall* be granted to farmers, forest holders and other land managers in respect of areas with disadvantages referred to in paragraph 1.

Or. en

Amendment 88

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 67 – paragraph 4

Text proposed by the Commission

4. Member States *may* only grant payments under this type of interventions in order to compensate beneficiaries for *all or part of* the additional costs and income foregone related to the area-specific

Amendment

4. Member States *shall* only grant payments under this type of interventions in order to compensate beneficiaries for the additional costs and income foregone related to the area-specific disadvantages in

disadvantages in the area concerned.

the area concerned.

Or. en

Justification

Farmers should be compensated fully for providing this important public good.

Amendment 89

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 67 – paragraph 5 – point a

Text proposed by the Commission

(a) in respect of constraints arising from Directives 92/43/EEC and 2009/147/EC, in relation to disadvantages resulting from requirements *that go beyond* the relevant standards of good agricultural and environmental condition established under Section 2 of Chapter 1 of this Title of this Regulation as well as the conditions established for the maintenance of the agricultural area in accordance with point (a) of Article 4(1) of this Regulation;

Amendment

(a) in respect of constraints arising from Directives 92/43/EEC and 2009/147/EC, in relation to disadvantages resulting from *complying with* requirements *of* the relevant standards of good agricultural and environmental condition established under Section 2 of Chapter 1 of this Title of this Regulation as well as the conditions established for the maintenance of the agricultural area in accordance with point (a) of Article 4(1) of this Regulation;

Or. en

Justification

Farmers comply with the requirement of the Directive, and should be compensated for this, not go beyond it.

Amendment 90

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 67 – paragraph 5 – point b

Text proposed by the Commission

(b) in respect of constraints arising from Directive 2000/60/EC, in relation to PE632.816v01-00

Amendment

(b) in respect of constraints arising from Directive 2000/60/EC, in relation to

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disadvantages resulting from requirements *that go beyond* the relevant statutory management requirements, *with the exception of SMR 2* as referred to in Annex III, and standards of good agricultural and environmental condition established under Section 2 of Chapter I of this Title as well as the conditions established for the maintenance of the agricultural area in accordance with point (a) of Article 4(1) of this Regulation.

disadvantages resulting from *complying with* requirements *of* the relevant statutory management requirements, as referred to in Annex III, and standards of good agricultural and environmental condition established under Section 2 of Chapter I of this Title as well as the conditions established for the maintenance of the agricultural area in accordance with point (a) of Article 4(1) of this Regulation.

Or. en

Justification

Farmers comply with the requirement of the Directive, and should be compensated for this, not go beyond it.

Amendment 91

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 68 – paragraph 4 – subparagraph 2 – point a

Text proposed by the Commission

(a) afforestation and non-productive investments linked to the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1);

Amendment

(a) ***establishment of agroforestry systems***, afforestation and non-productive investments linked to the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1);

Or. en

Justification

Agroforestry systems have many benefits for the environment and increasing farm resilience. Establishment and maintenance of agroforestry areas is not "afforestation" since the land normally remains as "agriculture" in the IACS/LPIS system. Costs for individual tree protection against animals can be high and inclusion of "agroforestry" in this article allows 100% of costs to be eligible for assistance.

Amendment 92

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation
Article 70 – paragraph 1

Text proposed by the Commission

1. Member States **shall** grant support for risk management tools under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Amendment

1. Member States **may** grant support for risk management tools under the conditions set out in this Article and as further specified in their CAP Strategic Plans, ***in addition risk mitigation strategies should be supported and encouraged which increase farm resilience and reduce exposure to income instability.***

Or. en

Justification

Risk mitigation and the prevention of crisis situations developing should be encouraged and be on a par with risk management.

Amendment 93

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation
Article 70 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) financial contributions to measures which increase farm resilience, including but not limited to, crop diversification strategies and agroforestry systems;

Or. en

Justification

Agroforestry systems and crop diversification strategies can increase farm resilience.

Amendment 94

Luke Ming Flanagan

on behalf of the GUE/NGL Group

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Proposal for a regulation
Article 72 – paragraph 1

Text proposed by the Commission

1. Member States may grant support for agricultural, forestry and rural business knowledge exchange and information under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Amendment

1. Member States may grant support for agricultural, **agroforestry**, forestry and rural business knowledge exchange and information under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

Or. en

Amendment 95
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 73 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Member States **may decide to not** apply selection criteria for investment interventions clearly targeting environmental purposes or realised in connection with restoration activities.

Amendment

Member States **shall, in addition**, apply selection criteria for investment interventions clearly targeting environmental purposes or realised in connection with restoration activities.

Or. en

Justification

Environmental selection criteria must always be applied to ensure a level playing field.

Amendment 96
Karin Kadenbach

Proposal for a regulation
Article 87 – paragraph 2 – point a

Text proposed by the Commission

(a) **40%** for the expenditure under the Basic Income Support **for Sustainability** and the Complementary Income Support referred to in Title III, Chapter II, section AM\1173369EN.docx

Amendment

(a) **20 %** for the expenditure under the Basic Income Support and the Complementary Income Support referred to in Title III, Chapter II, section II,

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II, subsections 2 and 3;

subsections 2 and 3, ***Member States shall submit calculations showing the amount of emission savings or reductions achieved with this expenditure;***

Or. en

Amendment 97
Karin Kadenbach

Proposal for a regulation
Article 97 – paragraph 1 – point a

Text proposed by the Commission

(a) targets for each ***relevant*** common ***and, where relevant,*** CAP Strategic Plan specific result indicators and related milestones. The value of these targets shall be justified in view of the assessment of needs referred to in Article 96. As regards the specific objectives set out in points (d), (e), and (f) of Article 6(1), targets shall be derived from the elements of explanation given in points (a) and (b) of paragraph 2 of this Article;

Amendment

(a) targets for each common CAP Strategic Plan specific result ***and impact*** indicators and related milestones. The value of these targets shall be justified in view of the assessment of needs referred to in Article 96. As regards the specific objectives set out in points (d), (e), and (f) of Article 6(1), targets shall be derived from the elements of explanation given in points (a) and (b) of paragraph 2 of this Article;

Or. en

Amendment 98
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 110 – paragraph 2 – point b – point i – point 1 (new)

Text proposed by the Commission

Amendment

1) shall ensure that a functionally independent mediation and appeals body comprising of the required expertise and stakeholder representation is established to provide legal certainty for beneficiaries:

Or. en

Justification

To ensure fairness and transparency for beneficiaries.

Amendment 99

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 123

Text proposed by the Commission

Amendment

Article 123

deleted

Performance bonus

1. A performance bonus may be attributed to Member States in the year 2026 to reward satisfactory performance in relation to the environmental and climate targets provided that the Member State concerned has met the condition set out in Article 124(1).

2.

The performance bonus shall be equal to 5% of the amount per Member State for financial year 2027 as set out in Annex IX.

Resources transferred between the EAGF and the EAFRD under Articles 15 and 90 are excluded for the purpose of calculating the performance bonus.

Or. en

Justification

This is not a bonus, and leads to further administrative burden.

Amendment 100

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 124

Article 124

deleted

Attribution of the performance bonus

1. Based on the performance review of the year 2026, the performance bonus withheld from a Member State's allocation following the second paragraph of Article 123 shall be attributed to this Member State if the result indicators applied to the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1) in its CAP Strategic Plan have achieved at least 90% of their target value for the year 2025.

2. The Commission shall within two months of the receipt of the annual performance report in the year 2026 adopt an implementing act without applying the Committee procedure referred to in Article 139 to decide for each Member State whether the respective CAP Strategic Plans have achieved the target values referred to in paragraph 1 of this Article.

3. Where the target values referred to in paragraph 1 are achieved, the amount of the performance bonus shall be granted by the Commission to the Member States concerned and considered to be definitely allocated to financial year 2027 on the basis of the decision referred to in paragraph 2.

4. Where the target values referred to in paragraph 1 are not achieved, the commitments for financial year 2027 relating to the amount of the performance bonus of the Member States concerned shall not be granted by the Commission.

5. When attributing the performance bonus, the Commission may take into consideration cases of force majeure and serious socio-economic crises impeding the achievement of the relevant milestones.

6. The Commission shall adopt implementing acts laying down the detailed arrangements to ensure a

consistent approach for determining the attribution of the performance bonus to Member States. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 139(2).

Or. en

Justification

This Article is unnecessary with the deletion of the Article 123.