



EUROPEAN PARLIAMENT

2009 - 2014

---

*Committee on Development*

---

**2011/0280(COD)**

30.5.2012

# **AMENDMENTS**

## **6 - 15**

**Draft opinion**  
**Birgit Schnieber-Jastram**  
(PE485.891v01-00)

on the proposal for a regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy

Proposal for a regulation  
(COM(2011)0625 – C7-0336/2011 – 2011/0280(COD))

AM\903340EN.doc

PE489.683v01-00

**EN**

*United in diversity*

**EN**

AM\_Com\_LegOpinion

**Amendment 6**  
**Franziska Keller, Catherine Grèze**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) The reform should ensure that, in accordance with Article 208 TFEU, objectives of development cooperation, including those approved in the context of the United Nations and other international organisations, are taken into account by the CAP. In particular, measures taken under this regulation should neither undermine the right of people and sovereign states to democratically determine their own agricultural and food policies nor jeopardize the food production capacity and long term food security of developing countries, in particular least developed countries (LDCs), and such measures should contribute to achieving the Union's commitments on mitigating climate change.***

Or. en

**Amendment 7**  
**Franziska Keller, Catherine Grèze**  
on behalf of the Verts/ALE Group  
**Norbert Neuser**

**Proposal for a regulation**  
**Recital 26**

*Text proposed by the Commission*

*Amendment*

(26) One of the objectives of the new CAP is the enhancement of environmental performance through a mandatory

(26) One of the objectives of the new CAP is the enhancement of environmental performance through a mandatory

'greening' component of direct payments which will support agricultural practices beneficial for the climate and the environment applicable throughout the Union. For that purpose, Member States should use part of their national ceilings for direct payments to grant an annual payment, on top of the basic payment, for compulsory practices to be followed by farmers addressing, as a priority, both climate and environment policy goals. Those practises should take the form of simple, generalised, non-contractual and annual actions that go beyond cross-compliance and are linked to agriculture such as crop *diversification*, maintenance of permanent grassland and ecological focus areas. The compulsory nature of those practises should also concern farmers whose holdings are fully or partly situated in 'Natura 2000' areas covered by Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora and by Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, as long as these practises are compatible with the objectives of those Directives. Farmers who fulfil the conditions laid down in Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 should benefit from the 'greening' component without fulfilling any further obligation, given the recognised environmental benefits of the organic farming systems. Non-respect of the 'greening' component should lead to penalties on the basis of Article 65 of Regulation (EU) No [...] [HZR].

"greening" component of direct payments which will support agricultural practices beneficial for the climate and the environment applicable throughout the Union. For that purpose, Member States should use part of their national ceilings for direct payments to grant an annual payment, on top of the basic payment, for compulsory practices to be followed by farmers addressing, as a priority, both climate and environment policy goals. Those practises should take the form of simple, generalised, non-contractual and annual actions that go beyond cross-compliance and are linked to agriculture such as *diversified* crop *rotation*, maintenance of permanent grassland and ecological focus areas, *or production of crops which are beneficial to the climate and the environment, help lower production costs and stimulate local markets in animal feed*. The compulsory nature of those practises should also concern farmers whose holdings are fully or partly situated in 'Natura 2000' areas covered by Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora and by Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, as long as these practises are compatible with the objectives of those Directives. Farmers who fulfil the conditions laid down in Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 should benefit from the 'greening' component without fulfilling any further obligation, given the recognised environmental benefits of the organic farming systems. Non-respect of the 'greening' component should lead to penalties on the basis of Article 65 of Regulation (EU) No [...] [HZR].

Or. en

## Amendment 8

Franziska Keller, Catherine Grèze  
on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Recital 33

##### *Text proposed by the Commission*

(33) Member States should be allowed to use part of their national ceilings for direct payments for coupled support in certain sectors in clearly defined cases. The resources that may be used for any coupled support should be limited to an appropriate level, while allowing such support to be granted in Member States or in their specific regions facing particular situations where specific types of farming or specific agricultural sectors are particularly important for economic, environmental and/or social reasons. Member States should be allowed to use up to 5 % of their national ceilings for this support, or 10 % in case their level of coupled support in at least one of the years of the period 2010-2013 exceeded 5 %. However, in duly justified cases where certain sensitive needs in a region are demonstrated, and upon approval by the Commission, Member States should be allowed to use more than 10 % of their national ceiling. Coupled support should only be granted to the extent necessary to create an incentive to maintain current levels of production in those regions. This support should also be available to farmers holding, on 31 December 2013, special payment entitlements allocated under Regulation (EC) No 1782/2003 and Regulation (EC) No 73/2009 and who do not have eligible hectares for the activation of payment entitlements. As regards the approval of voluntary coupled support exceeding 10 % of the annual national ceiling fixed per Member State, the Commission should

##### *Amendment*

(33) Member States should be allowed to use part of their national ceilings for direct payments for coupled support in certain sectors in clearly defined cases. The resources that may be used for any coupled support should be limited to an appropriate level, while allowing such support to be granted in Member States or in their specific regions facing particular situations where specific types of farming or specific agricultural sectors are particularly important for economic, environmental and/or social reasons. Member States should be allowed to use up to 5 % of their national ceilings for this support, or 10 % in case their level of coupled support in at least one of the years of the period 2010-2013 exceeded 5 %. However, in duly justified cases where certain sensitive needs in a region are demonstrated, and upon approval by the Commission, Member States should be allowed to use more than 10 % of their national ceiling. Coupled support should only be granted to the extent necessary to create an incentive to maintain current levels of production in those regions ***or increase levels of production in the case of leguminous crops in rotation***. This support should also be available to farmers holding, on 31 December 2013, special payment entitlements allocated under Regulation (EC) No 1782/2003 and Regulation (EC) No 73/2009 and who do not have eligible hectares for the activation of payment entitlements. As regards the approval of voluntary coupled support exceeding 10 %

further be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011.

of the annual national ceiling fixed per Member State, the Commission should further be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011.

Or. en

**Amendment 9**  
**Gesine Meissner**

**Proposal for a regulation**  
**Recital 33**

*Text proposed by the Commission*

(33) Member States should be allowed to use part of their national ceilings for direct payments for coupled support in certain sectors in clearly defined cases. The resources that may be used for any coupled support should be limited to an appropriate level, while allowing such support to be granted in Member States or in their specific regions facing particular situations where specific types of farming or specific agricultural sectors are particularly important for economic, environmental and/or social reasons. Member States should be allowed to use up to 5 % of their national ceilings for this support, or 10 % in case their level of coupled support in at least one of the years of the period 2010-2013 exceeded 5 %. However, in duly justified cases where certain sensitive needs in a region are demonstrated, and upon approval by the Commission, Member States should be allowed to use more than 10 % of their national ceiling. Coupled support should only be granted to the extent necessary to create an incentive to maintain current levels of production in those regions. This support should also be available to farmers holding, on 31 December 2013, special payment entitlements allocated under Regulation

*Amendment*

(33) Member States should be allowed ***until the end of 2016*** to use part of their national ceilings for direct payments for coupled support in certain sectors in clearly defined cases. The resources that may be used for any coupled support should be limited to an appropriate level, while allowing such support to be granted in Member States or in their specific regions facing particular situations where specific types of farming or specific agricultural sectors are particularly important for economic, environmental and/or social reasons. Member States should be allowed to use up to 5 % of their national ceilings for this support, or 10 % in case their level of coupled support in at least one of the years of the period 2010-2013 exceeded 5 %. However, in duly justified cases where certain sensitive needs in a region are demonstrated, and upon approval by the Commission, Member States should be allowed to use more than 10 % of their national ceiling. Coupled support should only be granted to the extent necessary to create an incentive to maintain current levels of production in those regions. This support should also be available to farmers holding, on 31 December 2013, special payment entitlements allocated under

(EC) No 1782/2003 and Regulation (EC) No 73/2009 and who do not have eligible hectares for the activation of payment entitlements. As regards the approval of voluntary coupled support exceeding 10 % of the annual national ceiling fixed per Member State, the Commission should further be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011.

Regulation (EC) No 1782/2003 and Regulation (EC) No 73/2009 and who do not have eligible hectares for the activation of payment entitlements. As regards the approval of voluntary coupled support exceeding 10 % of the annual national ceiling fixed per Member State, the Commission should further be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011.

Or. de

**Amendment 10**  
**Franziska Keller, Catherine Grèze**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 3a*

***Policy coherence for development***

***In accordance with Article 208 TFEU, objectives of development cooperation, including those approved in the context of the United Nations and other international organisations shall be taken into account in the implementation of this regulation. Measures taken under this regulation shall neither undermine the right of people and sovereign states to democratically determine their own agricultural and food policies nor jeopardise the food production capacity and long-term food security of developing countries, in particular of least developed countries (LDCs). Such measures shall furthermore contribute to achieving the Union's commitments on mitigating climate change.***

Or. en

**Amendment 11**  
**Franziska Keller, Catherine Grèze**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 30 – title**

*Text proposed by the Commission*

Crop diversification

*Amendment*

Crop *rotation*, crop diversification, *and cover crops*

Or. en

**Amendment 12**  
**Franziska Keller, Catherine Grèze**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 30 – paragraph 1**

*Text proposed by the Commission*

1. Where the arable land of the farmer covers more than **3** hectares and is not entirely used for *grass production* (sown or natural), entirely left fallow or entirely cultivated with crops under water for a significant part of the year, cultivation on the arable land shall consist of at least **three different** crops. None of those **three** crops shall **cover less than 5 % of the arable land and the main one shall not exceed 70 %** of the arable land.

*Amendment*

1. Where the arable land of the farmer covers more than **10** hectares and is not entirely used for *pasture* (sown or natural), entirely left fallow, **cultivated with permanent crops** or entirely cultivated with crops under water for a significant part of the year, cultivation on the arable land shall consist of **crop rotation including at least four crops and including at least one regionally appropriate leguminous plant on a minimum of 10% of the eligible hectares**. None of those **four** crops shall exceed **50 %** of the arable land.

Or. en

*Justification*

*A much broader variety of crops on arable farmlands is needed to ensure more sustainable crop management in general; hence the need to make crop rotation mandatory. The use of leguminous crops in crop rotation reduces the need to apply nitrogen fertiliser and thus*



*contributes to reducing greenhouse gas emissions and curbing climate change, which affects developing countries. The production of leguminous crops in Europe also reduces the EU's dependence on imported animal feed, and thus the incentive for large scale monoculture production of animal feed in developing countries.*

### **Amendment 13**

**Franziska Keller, Catherine Grèze**  
on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 30 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Where the arable land of the farmer covers less than 10 hectares and is not entirely used for pasture or grass production (sown or natural), entirely left fallow, cultivated with permanent crops or entirely cultivated with crops under water for a significant part of the year, cultivation of the arable land shall consist of crop diversification of at least three crops, including leguminous plants on a minimum of 5% of the eligible hectares.***

Or. en

#### *Justification*

*A much broader variety of crops on arable farmlands is needed to ensure more sustainable crop management in general; hence the need to make crop rotation mandatory. The use of leguminous crops in crop rotation reduces the need to apply nitrogen fertiliser and thus contributes to reducing greenhouse gas emissions and curbing climate change, which affects developing countries. The production of leguminous crops in Europe also reduces the EU's dependence on imported animal feed, and thus the incentive for large scale monoculture production of animal feed in developing countries.*

### **Amendment 14**

**Birgit Schnieber-Jastram**

#### **Proposal for a regulation**

#### **Article 32 – paragraph 1**

*Text proposed by the Commission*

1. Farmers shall ensure that at least 7 % of their eligible hectares as defined in Article 25(2), excluding areas under permanent grassland, is ecological focus area such as land left fallow, terraces, landscape features, buffer strips and afforested areas as referred to in article 25(2)(b)(ii).

*Amendment*

1. Farmers shall ensure that at least 7 % of their eligible hectares as defined in Article 25(2), excluding areas under permanent grassland, is ecological focus area such as land left fallow, ***areas without nitrogen use***, terraces, landscape features, buffer strips and afforested areas as referred to in article 25(2)(b)(ii).

Or. en

**Amendment 15**  
**Gesine Meissner**

**Proposal for a regulation**  
**Article 59 – paragraph 3**

*Text proposed by the Commission*

However, Articles 14, 20(5), 22(6), 35(1), 37(1) and 39 shall apply from the date of entry into force of this Regulation.

*Amendment*

However, Articles 14, 20(5), 22(6), 35(1), 37(1) and 39 shall apply from the date of entry into force of this Regulation.

***Articles 38 to 41 shall apply until 31 December 2016.***

Or. de