



To: Agriculture Ministers of EU Member States

Cc: Executive Vice-President for the European Green Deal and Commissioners for Agriculture and for Environment, and the Chairs of the European Parliament Agriculture and Environment Committees

Re: Input to the EU Agriculture and Fisheries Council Meeting, Brussels, 29 April 2024

Brussels, 26th April 2024

Dear Minister,

On behalf of the European Environmental Bureau, I am writing to share our views on some of the issues on the agenda of the forthcoming EU Agriculture and Fisheries Council on the 29th of April 2024. We have structured the letter according to the provisional agenda that is publicly available, mainly focusing on your deliberations within our expertise and priorities.

I invite you to take our concerns into account during the final official level preparations, as well as at the meeting itself.

Rapid and structural responses to the current situation in the agricultural sector

The European Commission's recent proposal on a "CAP simplification" effectively revokes key environmental conditionalities under the Common Agricultural Policy, without addressing the structural concerns increasingly voiced by farmers over the past few months. The process that led to this reform proposal, amending two CAP regulations, did not respect basic EU standards of transparency, public participation and evidence-based decision-making.

First the Commission failed to involve all relevant stakeholders as well as the public at large, thus disregarding EU legal principles and its own Better Regulation Guidelines. Only four farming organisations were consulted in a week's time and out of those four, only one of them called for a weakening of conditionality elements, while two others were clear about the fact that simplification should not lead to the weakening of environmental conditions. This was even reiterated in a [joint letter](#) sent by IFOAM Organics Europe and European Coordination Via Campesina (ECVC), who claimed that they had been consulted but not heard. This skewed and undemocratic approach firmly contradicts the Commission's stated intention of depolarising the debate around the future of EU farming.

The proposal, which was approved with a vote in the European Parliament plenary on Wednesday under an unfounded and unjustified 'urgency procedure', undermines the legitimacy of the CAP by fast-tracking a process that will break down key measures that took over three years and a half of extensive negotiations to build. Even if presented as 'minor simplification' tweaks, this proposal is going far beyond a few minor tweaks and impacting over 30% of the EU budget.

Although it was not a strict legal requirement for the proposal to undergo an impact assessment before publication, the substantial alterations introduced by it entail it is impossible to take the 2021 CAP

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Commented [FB1]: add the link

Commented [FB2]: the reform took 3 years and an half

Commented [FB3]: sorry but we can't really say that about the measures- new conditionality was not the panacea ;) - they were v.minimum environmental safeguards in a way

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proposal impact assessment as a reference. In the absence of an updated impact assessment, the effects of the removal of all significant environmental conditionalities from CAP, including on the contribution of CAP to climate budget mainstreaming and biodiversity, remain a complete unknown.

Additionally, the measures blatantly ignore unequivocal scientific evidence on the need for a just transition towards genuine social, economic, and environmental sustainability in the farming sector. It completely contradicts recent recommendations from the European Environment Agency (EEA), which clearly indicated the key role the food and farming sector must have in addressing the climate crisis ([European Climate Risk Assessment](#)).

It is deeply disturbing to see how key environmental measures that are set in policy and democratic processes have been entirely bypassed without any oversight from EU citizens. The implications of this precedent should not be underestimated. The legitimacy and social acceptability of this policy and the process that led to its approval are extremely doubtful, and any further developments along these same lines can do nothing except erode citizens' support for the agricultural policy and disaffection with EU policymaking even further.

Nitrates Directive

Water pollution with nitrates is still a wide-spread issue across Europe, with detrimental effects on biodiversity and human health. Data from the latest [Nitrates Directive implementation report](#) show that more than 30% of surface waters, 14% of groundwater and 80% of marine waters in the EU are negatively affected by excess nutrients. The vast majority of this pollution is stemming from intensive livestock farming. This is already resulting in [tap water being unfit for human consumption](#), an [annual cost for EU taxpayers of €22 billion](#) and avoidable [health costs](#) linked to increased risk for cancer.

The Nitrates Directive is a crucial tool to prevent nutrient pollution from agriculture, to achieve the environmental objectives of the Water Framework Directive (WFD) and reduce the burden of tackling pollution on the public budget. We therefore consider that the draft Directive amending the Nitrates Directive that the European Commission published on 19 April for a 4 week consultation significantly undermines the ongoing efforts to tackle the nitrates pollution and the European Commission provided no justification on why the application of nutrient products recovered from manure need to be set above the current legal threshold of 170 kg N per hectare and per year.

Thus, we urge you to step up efforts to achieve the environmental objectives of the WFD by 2027 as utmost priority as well as to reach the EU Green Deal objective to reduce nutrient losses by 50% and the use of fertilisers by 20% by 2030. While we agree with the need to reduce imports of fertilisers, the more efficient approach to address this matter would be to encourage a switch to agroecological farming practices, reduction of livestock numbers and a switch to more sustainable, plant-based diets, following the recommendations from the Commission's Joint Research Centre. Moreover, the proposed amendments to the Nitrates Directive undermine the ongoing fitness check evaluation of the Directive and offer no real solutions to tackle water pollution.

Yours sincerely,

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Commented [IP4]: This is just a placeholder in case we want to add anything directly addressed to Ministers/ask anything specific of them.

Commented [FB5R4]: I understand (from AGRI sources) that the Council is coming up now with a new list of demands.... CRAZY.. so maybe we could end that paragraph by saying something along the lines you suggested but also challenge the legitimacy and social acceptability of the policy itself and warn that an additional similar push will be further erode citizens support for agri policy or something like that

Commented [IP6]: @Sergiy please provide input here by tomorrow (24/04) lunch time.

Commented [SM7R6]: @Sara Johansson

Commented [SJ8R6]: On it!

Commented [SJ9R6]: A bit unsure about the format. The other sections are listed as bullet points. Normally I would list some recommendations but I don't see that in the other sections.

Commented [SJ10R6]: Done! @Sergiy Moroz would you like to revise? I will add links / references in parallel.

Commented [SM11R6]: small tweaks, but main one - tried to frame an ask to the Ministers

Commented [SJ12R6]: Thanks, that's helpful!

Commented [PTB13]: Do all understand that notation? Or do you want to say 170 kg N / ha per year ? Or 170kg per hectare per year.

Commented [SJ14R13]: Good point, we can revise.

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Patrick ten Brink,
Secretary General of the European Environmental Bureau

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