



To: Agriculture Ministers of EU Member States

Cc: Executive Vice-President for Clean, Just and Competitive Transition; Commissioners for Agriculture and Food, Health and Animal Welfare, and Environment, Water Resilience and Competitive Circular Economy; the Chairs of the European Parliament Agriculture and Environment Committees.

Input to the EU Agriculture and Fisheries Council Meeting, Brussels, 9-10th of December 2024

Brussels, 4th of December 2024

Dear Minister,

On behalf of the European Environmental Bureau, I am writing to share with you our views on some of the issues on the agenda of the EU Agriculture and Fisheries Council on 21st of October 2024. We have structured the letter according to our understanding of the Council Agenda, mainly focusing on the agenda within our expertise and priorities. I invite you to take our comments into account ahead of next week's council meeting.

A farmer-focused post-2027 common agricultural policy

The climate and biodiversity crises are intensifying, and their impacts are increasingly felt by society, including farmers, be it through extreme weather (droughts, floods), loss of pollinators or plummeting soil fertility. There is an increasing body of evidence that the only way to address and face those crises and ensure our ability to produce food in the long term is to transform our food and farming systems. The CAP, with its budget and through its wide scope, should be the key force driving this transformation in the EU.

Through the Strategic Dialogue (which the EEB was a member of), a historic consensus was reached in August 2024 between farmers, industry, and civil society representatives on the urgent need for change to undertake a transition to sustainable food and farming systems. The collective report recommended, amongst others, to overhaul the CAP, to on one hand target socio-economic support at the farmers who need it the most, and on the other hand reward and incentivise farmers to enhance ecosystems services through a gradual but substantial shift of funding to environmental payments. At the same time, measures are needed outside the CAP to ensure that farmers get fair incomes.

We call upon the Agriculture and Fisheries Council to heed the historic consensus in the Strategic Dialogue, and hence to:

- Reflect on **phasing out all non-targeted and hectare-based subsidies** that drive unfairness in the system and lead to an artificial increase of the cost of land and therefore prevent young farmers from entering the sector.
- Discuss the redirection of funding to reward land stewardship that genuinely **contributes to climate-neutral and biodiversity-positive farming**, and to **support extensive High Nature Value (HNV) systems**.

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org
International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles

- Consider the establishment of a **robust performance framework** which ties funding to the delivery of concrete results and creates strong accountability, public participation, and scrutiny mechanisms, **addressing the food and farming system holistically**.
- Ensure full compliance and integration with relevant existing **EU legislation on environment and climate** (including the Nature Restoration Law, Water Framework Directive, and Birds and Habitats Directives to name a few);
- Ensure that data related to CAP implementation are made **available to scientists and civic society organisations**, allowing for independent assessments.
- Focus the discussion on the future on how the CAP can become **genuinely result-oriented post-2027** within a food system's approach, as recommended by the Strategic Dialogue.

Setting the bar higher for new rules on animal transport

A year after the Commission published its proposal to revise the rules on animal transport, there is still a lot of work to be done to end the suffering of millions of live EU animals transported on long journeys every year. Recent events of farm animals stranded at borders or in warzones have shown once again the urgent need to ban the export of live animals to third countries. European citizens have expressed clear demands for higher animal welfare through the ECI 'End the Cage Age' signed by over 1.4 million citizens. Additionally, the Strategic Dialogue called on a strategy for sustainable animal farming, including higher animal welfare.

We call upon the Agriculture and Fisheries Council to:

- **Listen to European citizens and ban the export of live animals, limit transport times, set requirements** based on weather conditions and end the transport of vulnerable animals.
- **Send a strong signal to the European Commission to urgently deliver the other proposals**, besides transport, to modernise the animal welfare legislation in line with the latest recommendations of EFSA and of the Strategic Dialogue for the Future of Agriculture.

Forest monitoring framework

Forests play a vital role for biodiversity and climate, yet there is a significant deficit in public information about their status, the impact of management practices and their ecological condition. Consequently, there is a strong need for a harmonised and legally binding forest monitoring framework that ensures public, accessible, comparable data and information on EU forests.

For this reason, we strongly welcome the EC proposal for a Regulation on a monitoring framework for resilient European forests (Forest Monitoring Law, FML) as it constitutes an essential building block for realising the EU's climate and biodiversity objectives, while also bolstering socio-economic and ecosystem resilience in forests. While acknowledging the proposal's merits, we would also like to highlight some notable shortcomings that we urge the Council to improve upon, in order to transform it into an effective regulation.

We call upon the Agriculture and Fisheries Council to:

- **Engage the environment experts in the discussions:** This file is the joint responsibility of the Environment and Agriculture Council formations, but participation in technical discussions has been lopsided. The inclusion of environmental experts, especially those who show the

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org
 International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
 ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles

complementarity between satellite and ground data, can help unblock ongoing discussions that need to continue under the Polish presidency;

- **Make the strategic forest planning conditional for accessing EU funding**, as well-designed governance instruments must be at the heart of the strong FML;
- **Prioritise a strong participatory process** for the development of methodologies and analysis of data quality as well for co-decision, implementation and review processes;
- **Recognise the important financial benefits for forested countries to track the health of forest ecosystems**. Countries with a large forestry sector and existing monitoring systems can benefit from harmonized and remote sensing-based monitoring, in a way that reduces the costs for monitoring;
- **Improve the proposed indicators and include those that are currently missing** to make the FML a one-stop shop for assessing progress on European Green Deal related forest objectives. This includes improving social and economic indicators, such as wood traceability and non-wood resources, that are important for the forest-based bioeconomy such as ecotourism;
- **Enhance the alignment between the indicators and descriptors used in the FML and other forest-related files** such as the Nature Restoration Regulation and the Soil Monitoring and Resilience Directive.

See the Joint Briefing '[How Could European Forests Best benefit from the EU Forest Monitoring Law](#)' and our member ECOS' position paper on [selecting indicators for forest health, resilience and functions](#) for more information.

New Genomic Techniques

The proposal to deregulate New Genomic Techniques (NGT) plants, introduced by the European Commission in July 2023, fails to ensure their safe handling, as it lacks a robust scientific foundation. The proposed "category 1," which aims to ease market access for NGT plants deemed equivalent to conventional plants, removes the requirement for risk assessment. This approach oversimplifies genetic modifications by focusing solely on the number of mutations while ignoring critical contextual factors such as mutation sites, altered gene functions, genetic combinations, and resulting phenotypes. Adapting current GMO legislation to account for NGT plants must prioritize safety and transparency through comprehensive scientific assessments.

The Commission's proposal weakens the safeguards under Directive 2001/18/EC, which currently regulates NGTs like GMOs, ensuring risk assessment, traceability, and labelling. Concerns raised by civil society about the coexistence of GMO-free agriculture, consumer transparency, and environmental safety have been disregarded. The deregulation also risks exacerbating seed sector monopolies by enabling patents to cover native traits and conventionally bred plants, restricting breeders' access to biological material. Additionally, granting the Commission delegated powers to modify category 1 criteria without parliamentary oversight further undermines democratic processes. These flaws necessitate revisiting and strengthening the proposal to safeguard ecological and societal interests.

We therefore call upon the Agriculture and Fisheries Council to:

- **Delete the proposed "Category 1"** to ensure thorough evaluation of NGT plants and to continue to carry out process-based risk assessment, traceability, monitoring and labelling for all NGT organisms;

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org
International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles

- **Reinforce the prohibitions of Article 53 (b)**, European Patent Convention, in regard to plant and animal varieties and conventional breeding by correcting the interpretation of European patent law and restrict the scope of the patents to the specific technical processes.
- **Restrict delegated powers** that allow the Commission to unilaterally change criteria, ensuring the involvement of the European Parliament and Member States.

Please find further information here: [Background on the EU Commission draft proposal for criteria concerning the equivalence of NGT plants to conventional plants](#)

We would also like to share with you our [Action Plan](#) for the [European Pact for the Future](#). This details our vision of priority measures for the next legislative cycle, with considerable space dedicated to the needs for farming, sustainable agriculture and sustainable food systems - reflecting the conclusions of the Strategic Dialogue on Agriculture and Political Guidelines. We hope that you find it useful.

Thank you in advance for your consideration of these points which will help address the climate, biodiversity and pollution crises in the EU and give citizens confidence that their leaders are taking decisions to create the basis for a better future for them.

Yours sincerely,

Patrick ten Brink,



Secretary General of the European Environmental Bureau

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org
 International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
 ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles