



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 7 May 2012**

**9599/12**

---

**Interinstitutional File:**  
**2011/0280 (COD)**  
**2011/0288 (COD)**  
**2011/0282 (COD)**

---

**AGRI 284**  
**AGRISTR 60**  
**AGRIFIN 84**  
**CODEC 1202**

**NOTE**

---

From: General Secretariat  
To: Delegations

---

No. Cion prop.: 15396/1/11 REV 1 - COM(2011) 625 final/2  
15425/11 + REV 1 - COM(2011) 627 final/2  
15426/11 + REV 1 - COM(2011) 628 final/2

---

Subject: 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 (*CAP Reform*)

Proposal for a Regulation of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy (*CAP Reform*)

Proposal for a Regulation of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural development (EAFRD) (*CAP Reform*)

- *Presidency questionnaire*

---

With a view to structure the debate in Council ("Agriculture and Fisheries") at its session on 14-15 May 2012, delegations will find in Annex the questionnaire drawn up by the Presidency.

### Presidency questionnaire on Greening

The Presidency has noted broad support within the Council for the ambition to green the Common Agricultural Policy for the period 2014-2020 both in Pillars I and II. While recognising that the principle of greening of direct payments and the percentage attributable to greening are part of the ongoing discussions on the Multi-annual Financial Framework 2014-2020, delegations have nonetheless made clear that to achieve this ambition adjustment of the modalities proposed by the Commission is required.

The Presidency has noted in particular the principles underlined by most delegations that additional greening measures have to be coherent with their specific objective circumstances; to be simple in their application and control, with implementation costs remaining proportional; and that the measures should respect the need for a level playing field across the European Union and generate the same level of additional benefit across the Member States.

In this context, and consistent with the overall approach proposed by the Commission, delegations have made a number of suggestions including:

- to widen the scope of *green by definition* by recognising other measures apart from organic farming, including specific operations for environment and climate under Pillar II, as well as areas of specific environmental value,
- to adjust the parameters of *crop diversification*, including minimum threshold and the definition of crop,
- to adjust the definition of *permanent grassland* and to maintain these areas at regional level,
- to adjust the *ecological focus area* requirements to meet the 7 % threshold in terms of scope and in recognition of efforts at local or regional level. Furthermore to take into account concerns about the administrative cost of including landscape features in the Land Parcel Identification System,

- to reconsider the level of *sanctions* applicable should the greening objectives not be met,
- not to include the greening requirements in the *baseline* for agri-environmental climate measures in Pillar II nor for the payments concerning the Water Framework Directive,
- to reconsider the inclusion of, in particular, the Water Framework Directive in *cross compliance*.

Delegations are therefore invited to give their views on:

- 1) their priority adjustments to the Commission proposal in order to introduce the flexibility they require to achieve the greening objectives;
- 2) possible additional measures and flexibility especially in relation to ecological focus areas while respecting the objectives of environmental benefits, increasing biodiversity, improving soil and water quality, as well as of the landscape; and contributing to climate mitigation and adaptation.

---