

01.07.2022

Dear President von der Leyen,

Dear Vice-President Timmermans and Commissioner Wojciechowski,

We the undersigned MEPs read with consternation that the Commission is delaying the implementation of two key CAP conditionality requirements intended to sustainably maintain our productivity and increase our resilience, effectively extended the existing “exceptional and temporary” derogations of 2022 into a second year.

After years of tough negotiations, both within the Parliament and Council, and inter-institutionally, we consider it crucial that the Commission **respect the political agreement of the co-legislators on the hard-fought CAP reform**. The Commission should keep both co-legislators informed of changes envisaged to the basic common agreement, and demonstrate their strict compliance with the conditions of Article 148 SPR.

Delaying the entry into force for these two key conditionality norms compromises their effectiveness. Further, we consider that the decision is counterproductive even in the immediate short-term, as the GAECs 7 and 8 could instead form the basis of a low-cost response to fertiliser shortage, by encouraging the sowing of nitrogen-fixing leguminous crops.

Derogations for a maximum of 1 year must be justified and effective

The legal basis of derogating from the basic CAP rules is laid out in Art.148 of the SPR, which mentions that “*In order to resolve specific problems, the Commission shall adopt implementing acts which are both necessary and justifiable in an emergency*” and that such measures would be limited to “*a period not exceeding 12 months.*” while longer derogations require a fully-fledged legislative procedure. We ask:

- How does the Commission ascertain that there is an emergency, and of what nature and extent? The Commission is legally obliged to demonstrate the preconditions for the adoption of derogations. Yet the Commission has repeatedly stated that the food security of the EU is not at stake. Who, then, are the concerned parties that EU actions would support?
- How does the Commission define what is necessary in that emergency? How would the proposed derogations actually help alleviate the food security situation? Minimal gains in yield on what is often marginal land will not achieve much¹, especially when compared to the high levels of food waste and of food crops diverted for use as animal feed or 1st generation biofuels.
- Will derogations be awarded on a case-by-case basis for each national strategic plan?

We call for a comprehensive scientific impact assessment to establish whether the proposed derogations actually help in the identified emergency, and the extent of possible negative consequences. At this point, we consider that they hinder food security by compromising soil fertility measures, right when farmers face high fertiliser prices, delaying the low-cost, nitrogen-fixing benefits of rotation with leguminous crops. We also call on the Commission to be transparent on how climate expenditure will be accounted for in the years during which derogations from GAEC 7 and 8 are permitted.

¹ Luckmann et al (2022), *Effects of a change to fallow land in the EU on the global grain market*, <https://eu.boell.org/sites/default/files/2022-04/E-Paper%20Analysis%20fallow%20land.pdf>

CAP conditionalities as precaution against imminent fertiliser shortages, and guarantor of long-term productivity

In the short term, the many benefits of crop rotation are unquestionable, and contribute to food security: 32 meta-analyses of reviews of cropping studies² show crop rotation increased yields and quality, improved soil and has multiple environmental benefits. A recent economic study of 35 thousand farms shows the more diverse the crop rotation, the more self-sufficient is the farm and the more money is earned³. Crop rotation under GAEC7 can include legumes in the rotation, and, further, 4 of the 7% of Ecological Focus Areas (EFA) under GAEC 8 may consist of nitrogen-fixing crops. Intercropping including leguminous crops saved 16-29% of land and 19-36% of synthetic fertiliser⁴. Leguminous plants are also useful to attract beneficial insects and essential pollinators that in turn boost productivity.

Even where farmers may prefer the so-called “non-productive” uses of GAEC 8, this land wrongly considered “out of production” actually supports production. Numerous peer-reviewed scientific studies (including those cited by DG AGRI itself⁵), have shown that establishing the right mix of wildflower species on arable land can actually *increase* yields of the whole surrounding agro-ecosystem^{6,7}, by attracting predators of pests.

The CAP’s conditionality norms are the absolute bare minimum of climate mitigation and adaptation action against the climate and biodiversity crises that seriously threaten farmers’ livelihoods, their land, and its continued productivity. The IPCC Sixth Assessment Report⁸ is unequivocal that a continuation of the *status quo* means a marked reduction in productivity and yields over the medium to long term. Open letters including one co-signed by more than 660 eminent scientists^{9,10,11} call on you to hold the course of a transition to sustainable food systems, focussing on food rather than feed, more leguminous crop production, and urgently addressing food waste.

EU actions on food security - including its rapid response to the Russian aggression - should strengthen, not undermine short-medium term resilience and long-term productivity. Given the climate emergency, the approximately 2% of global GHG emissions deriving from the production of fertilisers, and high fertiliser prices, it is vital to promote agronomic measures to fertilise soils in a manner independent of expensive, Russian-gas derived inputs.

² Rietra R, Heinen M, Oenema O (2022). *A Review of Crop Husbandry and Soil Management Practices Using Meta-Analysis Studies: Towards Soil-Improving Cropping Systems*. Land 2022, 11, 255. <https://doi.org/10.3390/land11020255> <https://edepot.wur.nl/564894>, section 3.2 & fig.2

³ Nilsson, P. et al (2022), *Farm performance and input self-sufficiency increases with functional crop diversity on Swedish farms*, Ecological Economics, Volume 198, 2022, 107465, ISSN 0921-8009, <https://doi.org/10.1016/j.ecolecon.2022.107465>

⁴ Li C, Hoffland E, Kuypers TW et al (2020). *Syndromes of production in intercropping impact yield gains*. Nat. Plants 6, 653–660. <https://www.nature.com/articles/s41477-020-0680-9>

⁵ Albrecht M, Kleijn D, Williams NM, Tschumi M, Blaauw BR, Bommarco R, Campbell AJ, Dainese M, Drummond FA, Entling MH, et al. *The effectiveness of flower strips and hedgerows on pest control, pollination services and crop yield: a quantitative synthesis*. Ecol Lett. 2020 Oct;23(10):1488-1498 <https://pubmed.ncbi.nlm.nih.gov/32808477/>

Zytynska SE, Eicher M, Fahle R, Weisser WW (2021). *Effect of flower identity and diversity on reducing aphid populations via natural enemy communities*. Ecol Evol. 2021 Dec 6;11(24):18434-18445 <https://pubmed.ncbi.nlm.nih.gov/35003682/>

Fountain, M.T. (2022) *Impacts of Wildflower Interventions on Beneficial Insects in Fruit Crops: A Review*. Insects 2022, 13, 304. <https://doi.org/10.3390/insects13030304>

AGRI-EIP (2016) https://ec.europa.eu/eip/agriculture/sites/default/files/eip-agri_fg_ecological-focus-areas_final-report_en.pdf citing:

- Wäckers FL, van Rijn PCJ (2012). “Pick and Mix: selecting flowering plants to meet requirements of target biological control insects”. In: *Biodiversity and Insect Pests*”, G. Gurr (ed) Wiley Blackwell, pp. 139-165

- Olson D, Wäckers FL (2007) “Management of field margins to maximize multiple ecological services.” *Journal of Applied Ecology* 44:13-21.

- Campbell AJ, et al (2012) “Realizing multiple ecosystem services based on response of three beneficial insect groups to floral traits and trait diversity”. *Basic & Applied Ecology* 13:363- 370

⁶ Ecostack research, <https://www.ecostack-h2020.eu/>, a pan-EU Horizon 2020 consortium showed: +12% yield increase for wheat, +26% increase for peas, +32% increase for carrots.

⁷ Pywell RF et al (2015). “Wildlife-friendly farming increases crop yield: evidence for ecological intensification”, *Proceedings of the Royal Society B*,

<https://doi.org/10.1098/rspb.2015.1740>

⁸ “Climate Change 2022: Impacts, Adaptation and Vulnerability”, IPCC Working Group II, Sixth Assessment Report <https://www.ipcc.ch/report/ar6/wg2/>, note specifically their Summary for Policymakers

⁹ Letter from Pe’er et al, 11.3.2022 <https://slakner.wordpress.com/2022/03/12/tackling-the-short-term-food-crisis-in-developing-countries-open-letter-to-the-eu-commission/>

¹⁰ Letter from 668 scientists “We need a food system transformation – in the face of the Ukraine war, now more than ever” [https://www.cell.com/one-earth/fulltext/S2590-3322\(22\)00205-6#%20](https://www.cell.com/one-earth/fulltext/S2590-3322(22)00205-6#%20)

¹¹ IEEP, 21.03.2022 <https://ieep.eu/news/the-eu-s-emerging-response-to-the-food-crisis-needs-urgent-reset>



In this light, the EU should be promoting:

- Nitrogen fixation by bacteria in leguminous plants: crop rotation with legumes, under-sowing using leguminous cover crops or secondary crops, in combination with green manuring where appropriate; managing risk with insurance for leguminous rotations¹².
- Use of existing nutrients in animal waste: use of manure, compost or high-organic matter fertilisers refined from slurry waste; developing storage and supply chains.
- Nutrient management plans that prevent leaching; building topsoil and retaining nutrients.
- Reduction of EU industrial livestock levels to match grazed fodder capacity on open pasture, reducing dependency on animal feed to bring our food system back within planetary boundaries¹³.

Dear President, dear Commissioners, we urge you to consider these arguments for food security in the short and long term, and we hope to receive answers to our questions in due time.

Yours sincerely,

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¹² Successfully used in Veneto, Italy, linking crop rotation & other IPM practices with risk management https://ec.europa.eu/info/sites/default/files/mutual-funds-ipm-and-maize-production-in-italy_en.pdf https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/trade/documents/agri-market-brief-12_en.pdf

¹³ IEEP briefing, 18.05.2022 <https://ieep.eu/publications/reducing-european-fertiliser-and-feed-dependency-through-the-cap>