Dear Honourable Members,

Thank you for your letter of 21 September 2023 in which you refer to the impact of the various crises over the past years, including the Russian aggression against Ukraine, and how this has hit the farming sector. Against this background you express your support for the Romanian request to derogate from the Standards for Good Agricultural and Environmental Condition 7 and 8 (GAEC 7 and 8) under the Common Agricultural Policy (CAP).

The concerns underlying the request are well noted, but I consider that the context in which the derogations were granted last year is different both in terms of the market situation and the considerations on food security.

I would nevertheless like to assure you that the Commission continues monitoring the market situation very closely, including potential impacts of Russia’s invasion of Ukraine on food security in the EU and globally, and the harvest data in light of the extreme weather events witnessed by many regions of Europe this summer. At this stage, while some countries in the EU have below-average harvests, it does not appear that we have a critical situation at global or EU level – in the EU, harvest data are broadly in line with 5-year averages. The Solidarity Lanes are in place and operational, which was not the case at the time of the 2023 derogations.

Mr. Dan NICA, Mr. Victor NEGRESCU, Mr. Mihai TUDOSE, Ms. Rovana PLUMB, Ms. Carmen-Gabriela AYRAM, Ms. Maria GRAPINI, Mr. Adrian-Dragos BENEA, Mr. Iulian-Claudivi MANDA, Mr. Tudor CIUHODARU

Members of European Parliament
European Parliament
Rue Wiertz 60 / Wiertzstraat 60
B-1047 Bruxelles/Brussel

E-mails : art.4(1)(b) - personal data redacted

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During the last two AgriFish Council meetings I declared my openness to further analyse the request for further derogation on the GAECs. In particular, a proposal tabled by France submitted during the AgriFish meeting in November bears good reasoning for a careful assessment. However, I would also like to remind you that from a legal perspective a prolongation of the derogations would require opening the basic act. Any modification could not be done again via a Commission implementing act. Instead, it would require tabling a proposal to amend the CAP Strategic Plan Regulation and going through a co-decision procedure. This could be a lengthy process and could have unforeseeable consequences for the entire Regulation.

From an economic point of view, a further derogation could lead to more production with a consequence of further falling prices.

Furthermore, GAEC 7 and 8 are instruments designed to improve the contribution to the environmental objectives, and any permanent changes to these standards would certainly upset the delicate balance achieved in the last CAP reform.

In the specific case of Romania it is also reminded that according to the latest agricultural census from 2020, 2.7 million farms have less than 10 hectares of arable land (94.3%), meaning that they are exempted from both GAEC 7 and 8. This represents just over 4 million hectare.

Finally, broad derogations from environmental and climate requirements undermine the credibility of the CAP with respect to its sustainability objectives and hinder the transition to a sustainable and resilient agri-food system. Instead, I believe we should focus on doing everything we can to strengthen the long-term climate resilience of our farming sector, particularly by using or reinforcing the available risk management tools and climate adaptation measures.

I can assure you that the Commission stands ready to implement the appropriate and available measures at its disposal to address the challenges facing the sector in view of the objectives of the Common Agricultural Policy.

Yours faithfully,

Janusz WOJCIECHOWSKI