To:
Ursula von der Leyen, European Commission President

Cc:
Maroš Šefčovič, Vice-President for European Green Deal
Janusz Wojciechowski, Commissioner for Agriculture
Virginijus Sinkevičius, Commissioner for Environment, Ocean and Fisheries
Stella Kyriakides, Commissioner for Health and Food Safety

OPEN LETTER

Subject: Serious Concerns Regarding Commission’s proposal to extend Derogations to GAEC 8 under CAP

Brussels, 31 January 2024

Dear Madam President

We are writing to express our deepest concern regarding the Commission’s proposal to extend a derogation to GAEC 8 under the Common Agricultural Policy (CAP). We firmly believe that granting a derogation to GAEC 8 cannot be justified by market conditions or any other rationale and it will seriously harm ecosystems. It also goes against the stability required by farmers, introducing uncertainty and potential challenges that could hinder their short and long-term viability.
While we acknowledge the challenges faced by the agricultural sector, exacerbated by the ongoing conflict in Ukraine and climate crisis, we firmly believe that the proposed derogation is not a genuine solution but rather a scapegoat. Using non-productive areas to increase the production in an already saturated market won't improve farmers' income and will likely cause prices to fall even further. In addition, the destruction of high-diversity landscape elements will deepen farmers' dependence on external inputs such as fertilisers and pesticides, increasing the vulnerability of farms to floods, droughts and soil erosion. We appeal to your leadership to avoid political horse-trading that falsely pits food security and the viability of the farming sector against environmental protection and investments in the health of our ecosystems. We firmly believe that these objectives must go hand in hand, as without nature, there is no future for farming.

Applying derogations to CAP rules without sensible justification and impact assessment would undermine the credibility of the Commission, especially considering that a robust GAEC 8 provision was a political priority for the Commission during the CAP reform negotiations. Commissioner Wojciechowski in his address to agriculture Ministers during the November 2023 AGRIFISH Council, presented sound arguments against the derogation, and nothing has changed on the substance since then. The sudden shift in stance appears to be an ideological response and lacks a clear justification, prompting concern about the rationale behind this unexpected change.

Finally, the main objective of GAEC 8 is to protect biodiversity. Allowing farmers to comply by only cultivating nitrogen-fixing crops and catch crops, as proposed by the French government that inspired the Commission's proposal, have minimal to no value for biodiversity, according to scientific assessment, and therefore cannot be seen as the way forward.

As the European Commission President who spearheaded the Green Deal, your role is pivotal in ensuring that the EU's agricultural policy contributes to climate action and supports healthy agro-ecosystems. We urge you to prevent any further weakening of the CAP rules, recognizing that such actions will only hinder the transition to a fair, healthy, and environmentally friendly food system.

Thank you in advance for considering the concerns in this letter in your decisions,

[personal data redacted], BirdLife Europe and Central Asia

On behalf of
Name of the organisation (in alphabetical order)
Agroecology Italy
Association Biom
BirdLife Austria
BirdLife Europe
BirdWatch Ireland
BROZ - conservation association
Bulgarian Society for the Protection of Birds
“CambiamoAgricultura” Italian coalition
ClientEarth
Compassion in World Farming EU
Czech Society for Ornithology
DOF BirdLife Denmark
European Environmental Bureau
Federazione Nazionale Pro Natura (Italy)
GLOBAL 2000 - FOE Austria
Lipu
My sme Ies
NABU
Natagora
Natuurpunt
Raptor Protection of Slovakia
Rete Semi Rurali ETS
SEO/BirdLife (Spain)
SOS/BirdLife Slovakia
STEP - Society for Territorial and Environmental Prosperity - Bulgaria
Vogelbescherming Nederland/BirdLife The Netherlands
Wetlands International Europe