Dear [Name],

Thank you for your letter of 14 September 2023 in which you refer to the various climatic events as well as to the impact of the war in Ukraine on the agricultural markets and the situation of farmers. As a consequence of the extreme weather conditions over this year, you ask the European Commission to provide for derogations from the CAP conditionality, eco-schemes and agri-environment-climate commitments in 2024.

You are well aware that the market situation is followed closely by the Commission and regularly discussed with Member States in the AgriFish Council, including the impact of the war in 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 spring and summer. The request to consider derogations on GAEC 7 and 8 in 2024 and onwards has also been on the Council agenda several times since this summer.

The concerns underlying your 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.

The 2023 cereals harvest is expected to reach a level similar to last year’s. With a production of cereals forecast at 268.6 million tonnes, and exports of wheat expected to reach 31 million tonnes, there is no critical situation in terms of supply at global or EU level. Globally most forecasters expect increase in cereal end-stocks for the 2023/24 season compared to last the last campaign. This positive supply situation is reflected in the cereal prices which are well below the level one year ago. Additionally, the 2023 oilseeds harvest has been above average in the EU.

Another key factor is that Solidarity Lanes are well established and fully operational, which was not the case at the time of the introduction of derogations for 2023. Exports via the Black Sea have also recently resumed.

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From a legal perspective, an extension of the GAEC derogations to 2024 would require opening the Strategic Plans Regulation (SPR). Any modification could not be done again via a Commission implementing act. Instead, it would require tabling a proposal to amend the SPR basic act and going through a co-decision procedure. This could be a sensitive and lengthy process and could have unforeseeable consequences for the entire Regulation.

The request to derogate from various obligations under the CAP in 2024, is a sensitive issue as it concerns instruments designed to improve the contribution to the environmental and climate objectives. Broad and continued derogations from environmental and climate requirements undermine the credibility of the new CAP with respect to its sustainability objectives and hinder the transition to a more sustainable and resilient farming system. We need to do everything we can to strengthen the long-term climate resilience of our farming sector, particularly by using the available risk management tools and climate adaptation measures.

That said, the Commission will continue monitoring the market situation very closely and, if necessary, will carefully assess the most appropriate instruments to address the situation.

Yours sincerely,

Janusz Wojciechowski

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