

# EU COMMON AGRICULTURAL POLICY 2014–2020: CAP-REFORM MUST DELIVER TO SAFEGUARD EUROPE'S WATERS!

**387 BILLION EUROS OF PUBLIC FUNDS REQUIRE  
EFFECTIVE ENVIRONMENTAL STANDARDS**

Position of European Environmental Bureau, GRÜNE LIGA, NABU,  
Living Rivers Foundation, Global Nature Fund, Bodenseestiftung,  
Deutsche Umwelthilfe, Coalition Clean Baltic, DUENE, Quercus and PAN Germany

## KEY RECOMMENDATIONS:

### **1. ENSURE STRICT ENVIRONMENTAL OBLIGATIONS IN PILLAR 1 AS FROM JANUARY 1<sup>ST</sup> 2014:**

No direct payments to farmers without strict **cross compliance** including **environmental standards** based on the **Water Framework Directive** and binding obligations for **water metering, nutrient balancing, pesticide application and erosion control**.

### **2. INTEGRATE 10% ECOLOGICAL FOCUS AREAS ON AGRICULTURAL LANDS (COMPUL- SORY AT FARM LEVEL) FOR WATER, SOIL AND BIODIVERSITY IMPROVEMENT:**

Mitigate nutrient and pesticide effects from **agricultural runoff** and improve water dependent ecosystems with **buffer strips, wetlands and riparian zones** along all water courses, ditches, ponds and lakes.

### **3. SECURE SUFFICIENT FUNDING BY EARMARKING 50% FOR AGRI-ENVIRON- MENTAL MEASURES, COMPENSATION PAY- MENTS RELATED TO WATER FRAMEWORK DIRECTIVE AND NATURA 2000 AND ORGA- NIC AGRICULTURE IN A STRONG PILLAR 2 FOR SUSTAINABLE RURAL DEVELOPMENT:**

Support real environmental improvements through **rehabilitation of wetlands, floodplains and riparian habitats**, through land use adapted to natural water dynamics such as **paludiculture and extensive grazing in floodplains**, and through **water friendly farming through organic agriculture**.

The European Environmental Bureau (EEB) is a federation of over 140 environmental citizens' organisations based in most EU Member States, most candidate and potential candidate countries as well as in a few neighbouring countries. These organisations range from local and national, to European and international. The EEB's aim is to protect and improve the environment by influencing EU policy, promoting sustainable development objectives and ensuring that Europe's citizens can play a part in achieving these goals. The EEB stands for environmental justice and participatory democracy. Our office in Brussels was established in 1974 to provide a focal point for our members to monitor and respond to the EU's emerging environmental policy.



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# THE REFORM OF THE COMMON AGRICULTURAL POLICY POST 2013 MUST DELIVER TO SAFEGUARD EUROPE'S WATER RESOURCES

Most of Europe's waters are currently not in the good ecological status that the Water Framework Directive calls for. The European Environment Agency has pointed out that "a substantial proportion of Europe's freshwaters are at risk of not achieving the aim of 'good status' by 2015". Moreover, Europe's freshwater biodiversity is in an alarming state: 37 % of freshwater fish species as well as 44 % of Europe's freshwater molluscs are considered threatened.

**Public spending within the EU Common Agricultural Policy is among the most significant pressures jeopardizing Europe's waters.** These payments to a large degree support unsustainable farming practices, entailing massive environmental impacts on our waters. These well known impacts include

- **eutrophication** of rivers, lakes and coastal waters as well as European seas, such as Baltic and North Sea (caused by excess nutrients and erosion)
- **pollution** of ground and surface waters (e.g. with pesticides)
- **habitat destruction** (through excessive maintenance of water courses, drainage of groundwater-dependent wetlands and flood protection)
- **over-abstraction** of available water resources for irrigation
- **climate effects** (particularly on carbon rich soils and drained peatlands)

Public spending without strict environmental obligations will maintain these damaging practices and the destruction of public goods will continue. In contradiction to both the precautionary and the polluter pays principle, such payments qualify as **perverse subsidies**.

Future direct payments in the CAP need clear **cross compliance standards based on existing EU-legislation, including the Water Framework Directive and the respective River Basin Management Plans as well as the Directive on Sustainable Use of Pesticides**. All CAP payments should provide incentives for the establishment of more sustainable

The Commission report on the Implementation of the Water Framework Directive and River Basin Management Plans (issued in November 2012) concludes: "More than 90 % of the RBMPs assessed indicate that agriculture is a significant pressure in the basin, including diffuse or point source pollution by organic matter, nutrients, pesticides and hydromorphological impacts."

farming practices and contribute to achieving the environmental objectives of the EU (including WFD and Natura 2000) as well as providing benefits for climate change mitigation and adaptation.

Enough is known about both harmful impacts and environmental enhancement through agriculture to be certain that the **CAP greening elements recommended in this position will be applicable throughout Europe and are indispensable to**

- a) support the achievement of the environmental objectives of the WFD (good status) and**
- b) prevent further deterioration of Europe's water resources (art. 4.7 WFD).**

Enlargement of irrigation areas should not be supported in water-stressed areas and only under specific circumstances in future water-stressed areas. Solutions for adaptation to climate change need to respect the limits of water availability on a sustainable basis integrating ecosystem needs. In this sense CAP should support measures like change of crops, production patterns and practices.

Better protection of wetlands and carbon rich soils including a ban on first ploughing (as proposed by the Commission as a new standard for Good Agricultural and Environmental Conditions) will benefit not only soil and carbon sequestration but is also urgently needed from a water perspective.

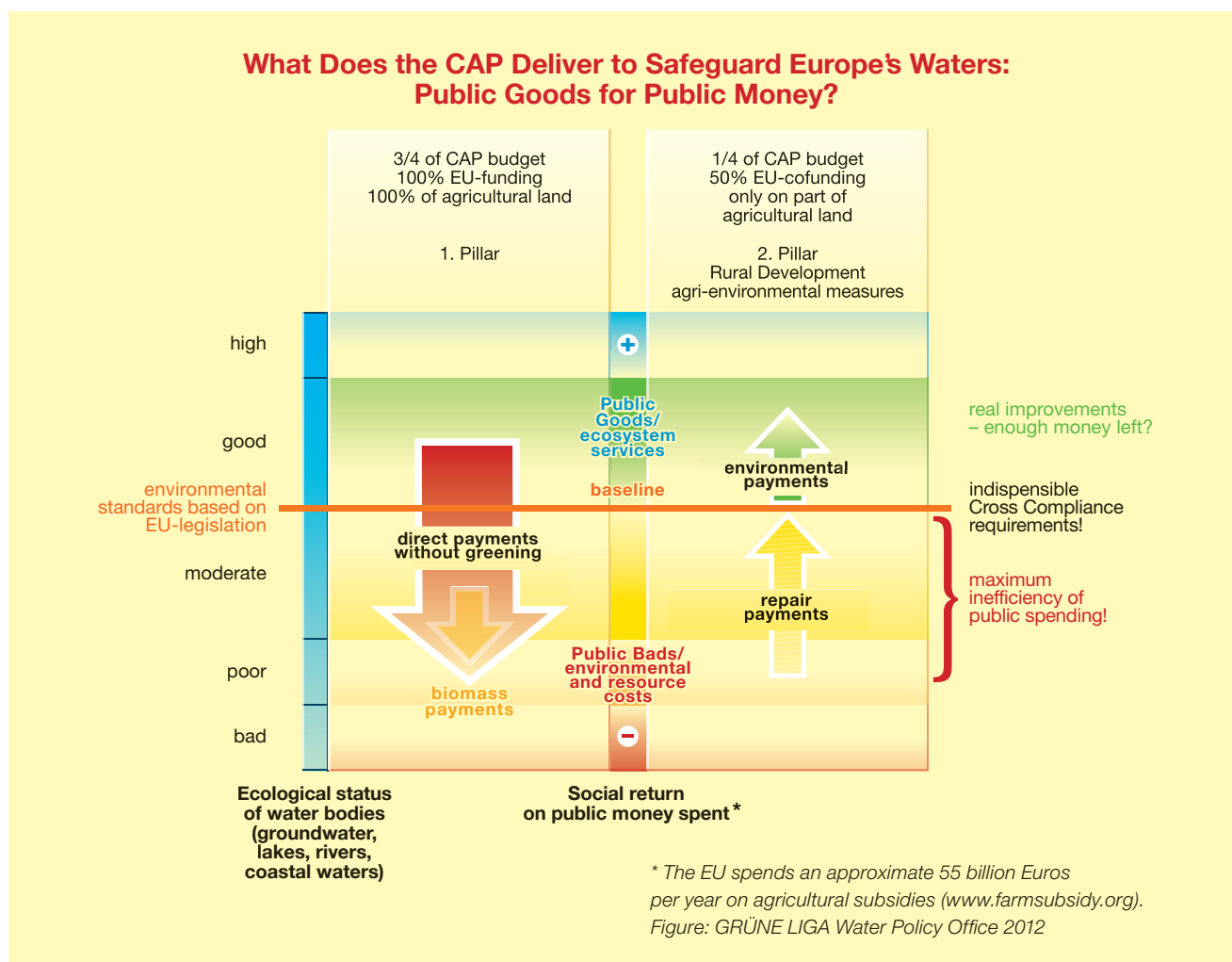
# IT'S THE RIGHT TIME TO INTEGRATE THE ENVIRONMENTAL OBJECTIVES OF THE WATER FRAMEWORK DIRECTIVE INTO THE CAP – LET'S NOT POSTPONE IT UNTIL 2020!

For all river basins in the EU, Management Plans and Programmes of Measures were due in 2009. According to WFD art. 11, measures (this includes farm level measures) must be made operational by 2012. All member states are in a position to integrate water related measures when shaping their operational programs until 2014.

The already adopted River Basin Management Plans cover more than 80% of the EU territory and population. Thus the large majority of member states are in a good position to integrate water-related measures into their rural development programmes for 2014 – 2020. The four member states that

are still working on their plans (BE-Wallonia, EL, ES and PT) are all expected to complete their plans by 2012 – 2013 and thus will also be able to realize the necessary integration before 2014. The River Basin Management Plans aim to deliver good status in Europe's waters by 2015. Postponing the integration of these plans would be highly controversial.

Leaving the CAP without specific water related components until 2020 will prohibit good status in most of Europe's rivers, lakes and seas and entail further damage to Europe's waters at high costs for society.



# CROSS COMPLIANCE AND WATER FRAMEWORK DIRECTIVE

## DIRECT PAYMENTS UNDER THE CAP MUST NOT IGNORE EXISTING WATER PROTECTION OBLIGATIONS

The cross compliance mechanism under the Common Agricultural Policy establishes a link between the implementation of EU legislation and the direct payments that most farmers as well as many landowners in the EU receive: The aim of cross compliance is to help enforce that **those who receive public money comply with existing regulations** in the fields of environmental protection, public, animal and plant health, food safety and animal welfare. **Environmental obligations based on the Water Framework Directive can and need to be included into cross compliance**, e.g. that farmers need to have a permit to discharge waste water or have a license to abstract water for irrigation. This will send a clear signal to farmers that water protection is the EU's priority as well as help **advance integration between EU water and agricultural policies, something that European Parliament and Council called for on numerous occasions.**

The following short-list of **basic measures to be included into the scope of cross compliance was agreed on by the Common Implementation Strategy Expert Group on Water Framework Directive and Agriculture** in October 2012. They are readily applicable and compulsory for farmers, they need to become cross compliance provisions by January 1, 2014:

1. Respecting Compliance with the authorisation for water abstraction (WFD art. 11.3.e).
2. Respecting Compliance with the authorisation for the creation of an impoundment that affects a water body or a riparian area (WFD art. 11.3.e).
3. Respecting requirements for water metering as implemented by Member States (WFD art. 11.3.b).

4. Respecting the prior authorisation for the modification of riparian areas and the requirement for restoration of riparian areas as implemented in the Member States (WFD art. 11.3.i).
5. Respecting mandatory requirements to control diffuse sources of pollution by phosphates as implemented in the Member States (WFD art. 11.3.h).
6. Respecting requirements for slurry storage and spreading outside of Nitrogen Vulnerable Zones, to reduce diffuse pollution of nutrients and minimise organic pollution as implemented in the Member States (WFD art. 11.3.h).

Note that WFD article 11 lists basic measures as “minimum requirements to be met” in every river basin management plan. The above list only represents a selection of basic measures; including further provisions will be necessary.

In order to address diffuse pollution with excess nutrients, the following appears indispensable:

1. Introduction of mandatory nutrient bookkeeping practices for all farmland on an annual basis.
2. Limit nitrogen and phosphorus net surface balance surplus to a maximum value as kg Total-N / ha agricultural area and year and to maximum as kg phosphate ( $P_2O_5$ ) / ha agricultural area and year.

## WFD PROVISIONS ARE CONTROLLABLE AT REASONABLE COSTS AND QUANTIFIABLE

The relevant activities such as controls over abstraction of water, waste water discharges, physical modifications to water bodies, application of fertilizers and pesticides, are all controllable at reasonable costs. Control, inspection and sanction systems are already in place for most of these measures in large parts of the EU.

# THE SIGNATORY ORGANISATIONS ASK THE EUROPEAN PARLIAMENT, THE MEMBER STATES AND THE EUROPEAN COMMISSION TO

## A) ENSURE STRICT ENVIRONMENTAL OBLIGATIONS IN PILLAR 1!

Environmental obligations within Pillar 1 are key to greening the CAP. The following requirements on good agricultural practice should be introduced as compulsory at farm level for 2014–2020:

- A clear **baseline including Water Framework Directive requirements** is indispensable for sensible cross compliance. This must include clear and binding indicators and standards, such as water metering for farmers, obligations for nutrient balancing, erosion control and pesticide application in line with the Directive on the Sustainable Use of Pesticides.
- Including **10% ecological focus areas** on agricultural lands is paramount. These areas should functionally integrate wetlands, riparian zones and at least 10 m wide buffer strips (on both sides of water courses, with no ploughing, fertilizer and pesticide application) into the agricultural landscape, providing benefits for water quality, biodiversity and climate change mitigation and adaptation.
- Obligations for real protection of permanent pastures, erosion control and crop rotation with at least 3 crops and no crop exceeding 50 % of the arable farmland providing public goods related to water protection.
- **Water pricing in agriculture is essential** for allocating water resources more efficiently. It must be implemented throughout the EU (art. 9 WFD; introduction of water pricing was due in 2010).

The **Blueprint to Safeguard Europe's Water Resources** highlights the importance of better integration of water protection with the Common Agricultural Policy:

- “Elements of ecological focus areas envisaged by the Commission proposal on the greening of **CAP pillar I**, such as buffer strips, could serve as Natural Water Retention Measures (NWRM), a type of Green Infrastructure.”
- “The **Directive on the Sustainable Use of Pesticides** was identified in the Commission's proposals for CAP reform for possible inclusion in the cross compliance mechanism. Effective enforcement of this Directive could complement the measures taken under the legislation on plant protection products and help to further reduce water pollution from plant protection product use.”
- “As part of the CAP reform, the Commission has proposed to introduce **specific requirement from the WFD in the CAP cross compliance** mechanism. The details of this proposal need to be defined in delegated acts, but it could, if retained, give a strong incentive to fulfil the WFD requirements at farm level, such as abstraction and impoundments permits, thereby tackling significant agriculture pressures on the water environment.”

## B) SECURE A STRONG PILLAR 2 FOR SUSTAINABLE RURAL DEVELOPMENT!

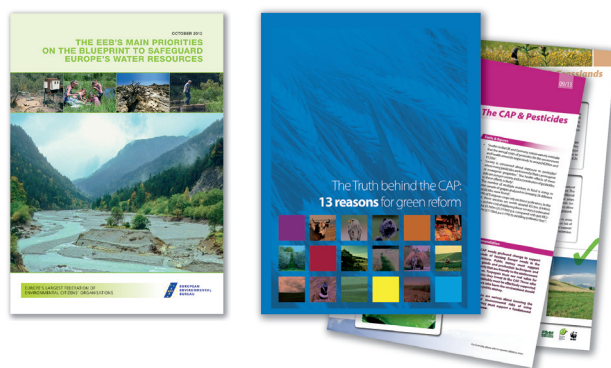
In shaping Pillar 2, sufficient funding must be secured and at least 50 % earmarked for agri-environmental measures and other environmental improvements particularly the following:

- **Wetlands and other natural retention measures** for water and nutrients need to be placed along the flow path of agricultural runoff<sup>1</sup>. In order to reduce nutrient losses within catchments, such functional integration into the agricultural landscape needs proper ecohydrological planning and advice. Existing and historic small water courses, ditches, ponds and wetlands indicate where such measures can be placed most effectively, preferably through restoration.
- **Extensive grazing** in floodplains
- **Paludiculture:** On highly degraded peatlands, rewetting and conversion of conventional farming practices to wetland adapted production of reeds and wood can provide benefits for water and climate<sup>2</sup>.
- **Rehabilitation of riparian zones, floodplains, wetlands and drained areas** through restoration and land use adapted to natural water dynamics that contributes to connecting biodiversity rich areas and Green Infrastructure especially in river and lowland corridors. Floodplain and wetland restoration offer synergies for agriculture, flood protection and biodiversity.
- **Farm Advisory Systems** need to professionally support more water friendly farming practices.
- **Support for organic farming** needs to be included as a mandatory standard target of agri-environmental schemes and other rural development measures. Coopera-

tions between drinking water suppliers and organic farmers (e.g. in Leipzig and Munich) demonstrate the lower impact and the beneficial effects of organic farming on water resources<sup>3</sup>.

In more general terms, CAP payments should promote the establishment of more sustainable farming practices and not continue to prevent the search for alternatives to environmentally harmful production schemes. There are sensible, cost-effective and economically viable farming practices which provide positive effects on a wide range of ecosystem services!

Payments for agri-environmental and other measures within Pillar 2 should go beyond greening requirements, be targeted towards real environmental improvements and not serve as mere repair payments. Based on strict obligations for direct payments, they should safeguard and improve the status of the fundamentals of the European Agricultural Model: Water, soil, climate and biodiversity.



*The EEB highlights five major priorities on the Blueprint to safeguard Europe's waters: improve enforcement by tackling exemptions and delays, save European freshwater biodiversity from infrastructure damage, mainstream ecosystem based adaptation and mitigation to climate change, make economics work better and reform the CAP to support sustainable use of water in agriculture. Source: EEB, 2012. In "The Truth behind the CAP" EEB looked at the impact of CAP on the European environment, including its impacts on water. > <http://www.eeb.org>*

<sup>1</sup> cf. GRÜNE LIGA (2011): Wetlands for Clear Water; [www.wrrl-info.de/en/docs/wrrl-sonderinfo\\_en.pdf](http://www.wrrl-info.de/en/docs/wrrl-sonderinfo_en.pdf)

<sup>2</sup> cf. [www.yepat.uni-greifswald.de/paludiculture](http://www.yepat.uni-greifswald.de/paludiculture)

<sup>3</sup> cf. GRÜNE LIGA (2010): Factsheet Water Friendly Farming in Leipzig's Drinking Water Protection Zones.



# CAP-REFORM MUST DELIVER TO SAFEGUARD EUROPE'S WATERS!

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