



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 23 November 2012**

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**NOTE**

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From:	Presidency
To:	Delegations
No. Cion prop.:	15396/11 + REV 1, REV 2 (NL), REV 3 - COM(2011) 625 final/3 14483/12 - COM(2012) 552 final
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy ( <i>CAP Reform</i> ) - <i>Presidency questionnaire on equivalence to greening practices</i>

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With a view to structure the debate in Council ("Agriculture and Fisheries") at its session on 28-29 November 2012, delegations will find in Annex the questionnaire drawn up by the Presidency on equivalence to greening practices.

**CAP REFORM: DIRECT PAYMENTS****Presidency questionnaire****Equivalence to greening practices**

The Progress report drawn up under the Danish Presidency<sup>1</sup> noted the call from all delegations for a flexible and cost-effective approach to greening, so as to achieve maximum environmental benefits while preserving the economic viability of holdings and keeping the administrative burden and control requirements to a minimum, and to respond to different environmental and agronomic circumstances in individual Member States.

Furthermore, in the context of the MFF negotiations, attention was drawn to the need for a clearly defined flexibility for the Member States relating to the choice of greening measures.

The concept of equivalence is generally acknowledged as a powerful tool for granting Member States the necessary flexibility to achieve greening in an efficient and cost-effective manner.

On this basis the Presidency has sought to clarify and further develop a concept of "equivalence", which would allow farmers to be considered as meeting all or some of the greening practices foreseen by the Commission proposal if they carry out measures which bring about equivalent or higher environmental benefit.

Discussion in the Special Committee on Agriculture focussed on two categories of potentially equivalent measures or practices: national certification schemes and agri-environment-climate commitments undertaken by farmers under the second pillar. In both cases delegations recognised the need for defining a framework at EU level setting out rules for assessing equivalence.

In the context of the discussion on equivalence, which would allow second pillar agri-environment-climate commitments to be used for claiming compliance with first pillar greening practices, the Presidency has led intensive discussions on how to avoid complications due to the “no double funding principle”. These discussions are to be continued at the technical level.

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<sup>1</sup> 8949/12 + COR 1

Questions to structure the debate:

1. Do you share the view that equivalence is a powerful tool for granting Member States the necessary flexibility to achieve greening in an efficient and cost-effective manner? If yes should equivalence be based on an assessment of the environmental gain of the alternative measures concerned?
  2. If so, do you agree that the assessment of environmental gain needs to be simple, manageable and efficient, and provide sufficient predictability to farmers? Do you have any suggestions on how such an assessment could be carried out?
  3. Do you agree that in the context of an equivalence tool which would allow second pillar agri-environment-climate commitments to be used for claiming compliance with first pillar greening practices, a solution must be found to avoid complications in accordance with the "no double funding principle"?
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