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### "I/A" ITEM NOTE

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From: Working Party on Financial Agricultural Questions (AGRIFIN)  
To: Permanent Representatives Committee (Part 1)/Council  
On: 2 December 2014

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No. prev. doc.: 14801/14 + COR 1

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Subject: Special Report No 4/2014 from the European Court of Auditors entitled  
"Integration of EU water policy objectives with the CAP: a partial success"  
- *Adoption of Council conclusions*

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1. At its meeting on 25 September 2014, the Working Party on Financial Agricultural Questions (AGRIFIN) discussed the above Special Report as well as the Commission's replies to that report.
2. In the light of those discussions, the Presidency drew up the draft conclusions set out in doc. 14803/14.
3. At its meeting on 2 December 2014, the Working Party on Financial Agricultural Questions (AGRIFIN) reached agreement on a revised version of the draft conclusions as set out in the Annex to this note.

4. In accordance with the conclusions adopted by the Council on 8 May 2000 on improving the examination of special reports drawn up by the Court of Auditors<sup>1</sup>, the Working Party on Financial Agricultural Questions (AGRIFIN) invites the Permanent Representatives Committee to suggest to the Council that it adopt the draft Council conclusions as set out in the Annex to this note as an "A" item at a forthcoming session.
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<sup>1</sup> Doc. 7515/00 + COR 1.

**Draft Council conclusions  
on Special Report No 4/2014 from the European Court of Auditors entitled  
"Integration of EU water policy objectives with the CAP: a partial success"**

THE COUNCIL OF THE EUROPEAN UNION

- (1) WELCOMES Special Report No 4/2014 from the European Court of Auditors entitled "Integration of EU water policy objectives with the CAP: a partial success";
- (2) ACKNOWLEDGES that agriculture has a major role to play in the sustainable management of water quantity and quality;
- (3) BELIEVES that a number of the Court's recommendations were taken up in the 2013 CAP reform;
- (4) AGREES with both the Court's and the Commission's assessment that both cross-compliance and rural development funding, which are used to integrate the EU's water policy objectives into the CAP, have a positive impact on water quality and quantity, but also UNDERLINES the potential of greening as provided for in the new Direct Payments Regulation<sup>2</sup> to contribute to the achievement of water policy objectives;

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<sup>2</sup> Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. OJ L 347, 20.12.2013, p. 608.

- (5) RECALLS that while important water-related EU legislation is already included in the scope of cross-compliance, when adopting the CAP reform in 2013, the European Parliament and the Council made a joint statement<sup>3</sup> inviting the Commission to come forward, where appropriate, once Directive 2000/60/EC<sup>4</sup> and Directive 2009/128/EC<sup>5</sup> have been implemented in all Member States and the obligations directly applicable to farmers have been identified, with a legislative proposal including the relevant parts of these Directives in the system of cross-compliance;
- (6) RECALLS that as from 2015 these two Directives are included in the scope of the Farm Advisory System<sup>6</sup>, which means that farmers in all Member States will have access to advice on the relevant requirements and practices;
- (7) RECALLS that as regards rural development, more tools and mechanisms than in the past are provided, for protecting water resources, for the period 2014-2020 through the new Rural Development Regulation<sup>7</sup>, in particular its Article 46 and ex ante conditionality 5.2 in its Annex V and that the existing tools and mechanisms, such as payments linked to Directive 2000/60/EC, are likely to be increasingly used in the period 2014-2020 as the deadlines for achieving good status of water bodies are approaching and as the second-cycle river basin management plans are implemented;

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<sup>3</sup> OJ L 347, 20.12.2013, p. 607.

<sup>4</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, p. 1.

<sup>5</sup> Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, OJ L 309, 24.11.2009, p. 71.

<sup>6</sup> Points (d) and (e) of Article 12(2) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008. OJ L 347, 20.12.2013, p. 549.

<sup>7</sup> Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005. OJ L 347, 20.12.2013, p. 427.

- (8) CONSIDERS, however, that it is important to promote the sustainable growth of the farming sector so that it remains competitive, contributing to the protection of the environment and taking into account the need to avoid undue administrative burden;
- (9) RECALLS in this regard that cross-compliance is not designed to compensate for the cost of environmental damages, since the principle for the calculation of the cross-compliance reductions is based on a percentage of all CAP payments concerned and received by the farmer.
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