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NOTE

From: General Secretariat of the Council
To: Council

Subject: Preparation of the CAP Strategic Plans and implementation of the new CAP reform
- Information from the Czech delegation, supported by the Hungarian and Luxembourg delegations

Delegations will find in the [Annex](#) an information note from the Czech delegation, supported by the Hungarian and Luxembourg delegations, on the preparation of the CAP Strategic Plan and implementation of the new CAP reform, to be addressed under "Any other business" items at the "Agriculture and Fisheries" Council on 12-13 December 2021.

Information from the Czech delegation, supported by Hungary, Luxembourg on the preparation of the Strategic plans and implementation of the new reformed CAP for the Agriculture and Fisheries Council on 12 and 13 December 2021 under “Any other business”

- The Czech Republic has for a long time called for the legislative package on the future CAP to be published as soon as possible, this is a key issue. It is very difficult to finalize the CAP Strategic Plan (SP) and set criteria for implementing the new CAP without having the final sectoral legislation, including accompanying secondary legislation (delegated and implementing acts). That is why we welcome the acceleration of the whole process.
- Due to the process of reaching a final political agreement, there were no discussions with Member States on implementing legislation launched by the European Commission until September and in some cases, it was agreed to be beyond the end of the year 2021, although the Member States are legally obliged to submit by the end of 2021.
- In general, the Czech Republic is calling for the proposed implementing legislative texts not to exceed the political agreement reached on the basic legislative acts.
- We do not agree with the approach of adding additional and extra-framework requirements to the forthcoming implementing rules, which were not part of the CAP reform negotiations. This would bring large additional administrative burdens for farmers and MS’s authorities and they were indicated at very advanced time, just a few weeks before the final submission of the SP to the EC.
- Especially, the Czech Republic shares the concerns resulting from the proposal to include the information on use of plant protection products within the geo-spatial application.

- At the same time, MSs were given a minimum amount of time to document assessment and sending comments. Under these conditions, they are not in a position to react in a responsible way.
- Delays in negotiations, and especially the adoption and publication of the complete legislation, will have several other negative effects associated with the preparation of the new programming period, whether it is the preparation of information and administrative systems or the approval of the necessary national legislation.
- MS shall send the SP via the SFC information system until the 1st of January. This system needs to be finalized in a number of chapters and it is not easy to insert a large, structured document into it. The reason is also the late approval of the implementing regulation on the content of strategic plans. The description of the system in guidelines often needs to be updated. Although we have taken advantage of the test environment, data entry is definitely not fast procedure. Therefore, close cooperation between the EC and flexible responses to MS' questions regarding the logic of data entry in the SFC are necessary for timely and correct submission.
- Our goal is ideally to meet the deadline of 1 January 2022 for the official submission of the CAP SP to the EC, but it will not be the final complete version, because under the given conditions it is not possible to meet this assumption.
- We still welcome that the discussion with the EC in the process of the CAP SP approval will be factual and constructive, focusing on the key elements of the shape of the CAP SP, and that valuable time will not be devoted to solving technical details and formalities.
- We would like the EC's approval process to be swift and efficient so as not to jeopardize the timely implementation of the new CAP.

- We emphasize, that the practical side of the matter, where the publication of EU legislation and the sending of the CAP Strategic plan has to be followed by the next implementation steps on the part of the MSs need to be taken into account seriously. The consequences of the late finalization of legislation for the CAP SP are not only tough issues with the preparation of our own national legislation and impossibility of its timely mirroring in the paying agency IT systems, but above all possible destabilization of the agricultural sector with an impact on agricultural entrepreneurs.
- Farmers will not be able to get acquainted with the rules of the reformed CAP and the new requirements for their management in time; they will not be able to adapt their sowing procedures, which they need to prepare already in the spring of 2022 at the latest. Situation when the farmer is going to pay for all the delays needs to be avoided.
- Therefore, every effort must be made to avoid the risk of further delays in starting the implementation of the new CAP and no new requirements exceeding the political agreement on the basic acts must be introduced. We are thus asking the EC for the most constructive and flexible approach.
