



**THE GOOD AGRICULTURAL & ENVIRONMENTAL
CONDITIONS 2 AND BROADER CAP NEGOTIATIONS**

**INHFA
Submission to the Dáil
Agricultural Committee**

April 14, 2021



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Why has the INHFA been at pains to highlight the implications of GAEC 2 being added onto peat soils in the New Common Agricultural Policy (CAP) negotiations?

The answer is very simple, GAEC 2 is part of an intricate mechanism that facilitates the delivery of the EU Biodiversity Strategy that Minister Eamon Ryan has already signed up to on behalf of Government.

Before anyone would make the mistake of assuming that we don't wish to deliver for both the Climate and Biodiversity please hear us out because nothing could be further from the truth.

In the late 1990's many of our members that were farming at the time were told that the Natura Designations would deliver for Biodiversity and that farmers would get paid for their efforts. A REPS program for five years was the carrot on offer then. A pig in the bag is what farmers were sold! The Designations were introduced and stayed, but REPS vanished, along with subsequent budgets ring fenced for Natura in CAP programs, hijacked for political gain elsewhere.

We then move to the question of, Do Designations deliver for the Environment? Again the answer is no. The NPWS didn't even communicate with the land owners for nearly twenty years as to why their land was deemed so valuable to warrant a designation in the first place. Yet, they seem surprised when they report that 92% of the Natura Areas has either deteriorated or remained the same in terms of habitat quality since their Designation was introduced, and they wonder why?

The STICK APPROACH of forcing a designation on a land owner does not work.

The EU Biodiversity Strategy is calling for up to 30% of lands to be designated and at least 10% to be elevated to "STRICT PROTECTION" and targeted at carbon rich soils. The ink hadn't even been seen on this document in public, when already it was being catered for in the EU Commissions Draft CAP proposals in GAEC 2. The main objective of these proposals were the appropriate protection of carbon rich soils.

Currently, the Minister and his officials will correctly tell you that GAEC 2 has not yet been defined in these negotiations or that the Member State has not yet set their interpretation on it. But what is set in stone for the very first time in the CAP programs, is that Peat Soils has been differentiated in comparison to any other types of soils on our lands.



GAEC 2 and other Climate mitigation measures has forced the EU Commission to offer a Derogation to Member States, to maintain lands eligible for payments. These measures have now created the potential for these lands to lose their “Agricultural Area” and their “Agricultural Activity” status, which are all current standards that defines lands as being “Eligible Hectares” for Basic and Area Based Payments.

So in simple English what does this mean? It means history is repeating itself. It means a decision has been made that farmers on peat soils will do all the heavy lifting on Climate Mitigation for Ireland INC. It means ‘They will pay you your Basic Income Support while they strip your land of an Agricultural Activity and Agricultural Area and will effectively be “Set a Side”. A designation has effectively arrived without ever having been spotted!! In addition to this it also poses the following questions:

- Once this happens can this land ever revert to an agricultural area again where the Council of Ministers position in Article 4(1) point C (b) refers to this type of land and excludes it from being reintroduced as agricultural area. This Amendment needs to be removed.
- In a measures based scheme where a farmer has rewetted some of his/her peat soils, will this land be allowed to be re drained and brought back into an agricultural area once the scheme payments have ceased?
- Has a Council of Ministers Amendment Article 4(1) point C(ii) that has the ability to take in "ineligible" land for payment also the ability to take out farmland as an agricultural area?
- Will measures that are delivered in EIPs, Agri Environment Schemes, LIFE Programs etc. on an Agricultural Area, now leave the result of that measure as a Landscape Feature (which is non-agricultural area) after the relevant duration of the financing program has lapsed?
- Can the addition of GAEC 2 be determined by Member States in such a way that could potentially remove an area of land from its current “Agricultural Area” definition, which could force a Member State to use a derogation in order to keep affected areas eligible for payments? If this is the case, we have now opened Pandora’s Box in GAEC 2.

We had hoped that the EU Biodiversity Strategy would be debated within the Joint Oireachtas Agricultural Committee as per our formal request. We would have expected impact assessments including the economic impact to be carried out on these lands being



targeted. Now the question is whether the EU Biodiversity Strategy has been introduced by stealth in a multipronged approach that includes GAEC 2 in the CAP proposals, EU Farm to Fork Strategy, Food Wise 2030 Strategy, LULUCF policy and the Government Climate Bill? The implications of this for wider society are significant with added regulations such as planning applications etc.

Above all else Ireland has demonstrated that the stick approach of designations does not deliver for the environment and to continue with a similar approach through the EU Biodiversity Strategy will also end in failure and the real losers once again will be the farmers and the Environment.

I urge you as legislators - now that you have been informed to lobby for a change in the Council of Ministers Definition of GAEC 2, and ensure that it is defined as **“Minimum Protection of Wetland and Peatland Agricultural Areas”**.

Thank You