



Georg Häusler
Head of Cabinet
Cabinet of Commissioner Dacian Cioloş

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Subject: CAP Greening proposals – GAEC and permanent pasture definition
Date: 29th February 2012

Dear Mr Häusler,

We appreciate your reply to our concerns about GAEC and also referring to the definition of permanent pastures. Unfortunately, we do not find the contents of the reply to be reassuring on the key points that we raised. We still see the proposed reforms as a step backwards for the protection of semi-natural pastures despite these being the habitats under most threat across Europe, according to Habitats Directive monitoring data.

On GAEC, it is not clear to us why the issue of “avoiding habitat deterioration” has been removed from the cross-compliance Annex of the horizontal regulation. Your letter points out that it appears in the Recital (58), but why only in the Recital? If it is of any policy relevance, surely this issue should be identified clearly in the cross-compliance Annex?

You seem to have misunderstood our point about GAEC and habitat protection in the UK. We are **not** referring to GAEC9 re overgrazing and poaching, we are referring to the very clear protection of semi-natural pastures (including species-rich grasslands) **against destruction through ploughing, intensification and conversion**. I have copied below the exact wording from GAEC in Scotland and Northern Ireland - it is clear that these would **not** fit into the cross-compliance Annex of the new horizontal regulation. The protection we refer to is **not** for landscape elements, it is for **semi-natural pastures, including non-herbaceous pastures**. This legal protection is provided on paper by the EIA Directive, but Member State implementation of the relevant clauses is extremely weak, and GAEC offers a clear opportunity to encourage effective implementation.

Scotland GAEC example of avoiding habitat deterioration
GAEC 12 Ploughing pasture of a high environmental or archaeological value

149. Any proposal to plough up pasture of high environmental or archaeological value e.g. species-rich grassland, Machair habitats, pastoral woodland and heather moorland will require the consent of the relevant authority (e.g. SNH for land in SSSIs, SPAs or SACs; SEERAD for land in an agri-environment agreement) or approval under the Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) (Scotland) Regulations 2002 (SSI 2002/6).

The European Forum on Nature Conservation and Pastoralism brings together ecologists, nature conservationists, farmers and policy makers. This non-profit network exists to increase understanding of the high nature conservation and cultural value of certain farming systems and to inform work on their maintenance.

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Northern Ireland GAEC example of avoiding habitat deterioration

GAEC 6 Protection of Habitats, Wildlife areas, Archaeological Sites and Permanent Pasture

Wildlife areas (semi-natural habitats) are areas supporting wildlife and include woodland, scrub, wetlands, flower rich (species rich) meadows and moorland. Semi-natural habitats contribute to both the landscape character and the wildlife value of the countryside. All claimants of direct agricultural support must:

- Retain all semi-natural habitats (woodland/scrub, wetlands, species rich grasslands, moorland), ponds, shelterbelts, trees protected under a Tree Preservation Order, archaeological features and earth science sites;
- Comply with the DARD Environmental Impact Assessment Uncultivated/Semi-natural Areas Regulations 2001. Farmers must not undertake new drainage, ploughing, clearing, levelling, reseeding or cultivations on uncultivated land or semi-natural habitats without prior approval from DARD.

This type of protection for semi-natural pastures, as provided under GAEC in the UK, should be obligatory across the EU. **Neither the new cross-compliance Annex nor the greening proposals provide any protection for this type of farmland.** The greening mechanism does not protect semi-natural pastures from destruction by ploughing or intensification - permanent pasture as defined by the Commission can be reseeded regularly, so that forcing farmers to retain a constant area of permanent pasture does not protect against intensification of his semi-natural pastures, so long as they stay in grass. Furthermore, the most environmentally-valuable grassland on a farm can easily be lost in the 5% decline that is permitted.

Referring to the new permanent pasture definition, we welcome the Commission's attempt to move in the right direction, but by requiring that herbaceous plants be "predominant" the definition excludes large areas of pastures in active farming use, such as heather moorland in the UK uplands, and many Mediterranean ligneous pastures. The change of term from "pasture" to "grassland" also gives a very negative signal to non-herbaceous pastures and to the farmers that use them. In some ways we see the new definition as worse than the existing one, as it increases the explicit focus on grass as the Commission's "preferred" pasture type. This is in clear conflict with farming realities in many marginal regions where ligneous pastures are very important, and where their grazing is essential for habitat conservation and to reduce the risk of wild fires and subsequent carbon release.

Overall, it is absolutely clear to us that the proposed Pillar 1 model offers no progress for the protection of semi-natural pastures. In fact the changes to GAEC are a step backwards.

If we add to this the severe threat from Pillar 2 funded afforestation of pastures, we believe there are very real causes for concern.

Best regards,

Guy Beaufoy
Director, EFNCP

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