

## **Agroforestry in the CAP: eligibility and cross-compliance or conditionality**

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# CAP Structure

CONDITIONALITY

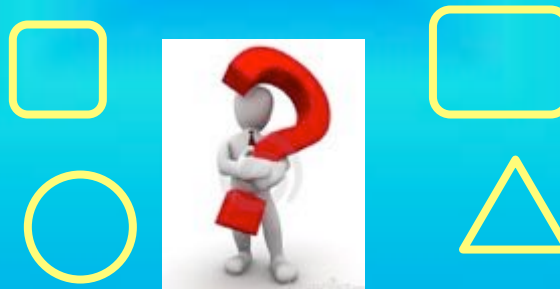
Pillar I (DP): 1307/2013

Pillar II (RD): 1305/2013



CROSS-COMPLIANCE

FARMER FUNDS LINKED TO LAND ELIGIBILITY



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# CONDITIONALITY

Statutory Management Requirements

Good Agricultural and Environmental Condition

# ELIGIBILITY

# CONDITIONALITY

Statutory Management Requirements

Good Agricultural and Environment Condition

# ELIGIBILITY

<b>Statutory Management Requirements</b>	<b>Directives and Regulations that apply</b>	<b>Former number</b>	<b>Applied since</b>
<b>SMR 1 Protection of water against pollution caused by nitrates</b>	Council Directive 91/676/EEC (Nitrates Directive)	SMR4	2005
<b>SMR 2 Conservation of wild birds</b>	Directive 2009/147/EC of the European Parliament (Birds Directive)	SMR1	2005
<b>SMR 3 Conservation of natural habitats and of wild flora and fauna</b>	Council Directive 1992/43/EEC (Habitats Directive)	SMR5	2005
<b>SMR 4 Food and feed law</b>	Regulation (EC) No 178/2002 of the European Parliament * Food Hygiene Regulations (EC) No's 852/2004 and 853/2004 * Feed Hygiene Regulation (EC) No 183/2005 * Regulation (EEC) No 2377/90 * Regulation (EC) No 396/2005 * Milk and egg producers have further specific hygiene standards in addition to the general requirements.	SMR11	2006
<b>SMR 5 Restrictions on the use of substances having hormonal or thyrostatic action and beta -agonists in farm animals</b>	Council Directive 96/22/EC Council Directive 96/23/EC	SMR10	2006
<b>SMR 6 Pig identification and registration</b>	Council Directive 2008/71/EC	SMR6	2005
<b>SMR 7 Cattle identification and registration</b>	Regulation (EC) No 1760/2000 of the European Parliament and of the Council	SMR7	2005
<b>SMR 8 Sheep and goat identification and registration</b>	Council Regulation 21/2004	SMR8	2005
<b>SMR 9 Prevention and control of transmissible spongiform encephalopathy's (TSEs)</b>	Regulation (EC) No 999/2001 of the European Parliament and of the Council	SMR12	2006
<b>SMR 10 Plant protection products (PPPs)</b>	Regulation (EC) No 1107/2009 of the European Parliament and of the Council	SMR9	2006
<b>SMR 11 Minimum Standards for the Protection of Calves</b>	Council Directive 2008/119/EC	SMR16	2007
<b>SMR 12 Minimum Standards for the Protection of Pigs</b>	Council Directive 2008/120/EC	SMR17	2007
<b>SMR 13 Protection of Animals kept for Farming Purposes</b>	Council Directive 98/58/EC	SMR18	2007

# CONDITIONALITY

Statutory Management Requirements

Good Agricultural and Environment Condition

# ELIGIBILITY

## Good agricultural and environmental condition (Annex 2, regulation 1306/2013)

Issue	Standards	
Water	GAEC 1	Establishment of <b>buffer strips</b> along water courses
	GAEC 2	Where use of water for irrigation is subject to authorisation, compliance with authorisation procedures
	GAEC 3	<b>Protection of ground water against pollution:</b> prohibition of direct discharge into groundwater and measures to prevent indirect pollution of groundwater through discharge on the ground and percolation through the soil of dangerous substances, as listed in the Annex to Directive 80/68/EEC in its version in force on the last day of its validity, as far as it relates to agricultural activity
Soil and carbon stock	GAEC 4	<b>Minimum soil cover</b>
	GAEC 5	Minimum land management reflecting site specific conditions to limit erosion
	GAEC 6	<b>Maintenance of soil organic matter</b> level through appropriate practices including ban on burning arable stubble, except for plant health reasons
Landscape, minimum level of maintenance	GAEC 7	<b>Retention of landscape features</b> , including where appropriate, <b>hedges</b> , ponds, ditches, <b>trees in line, in group or isolated</b> , <b>field margins</b> and terraces, and including a <b>ban on cutting hedges</b> and trees during the bird breeding and rearing season and, as an option, measures for avoiding invasive plant species

**EU Court of Auditors :**

**IS CROSS COMPLIANCE AN EFFECTIVE POLICY?**

***“Member States did not take their responsibility to implement effective control and sanction systems.***

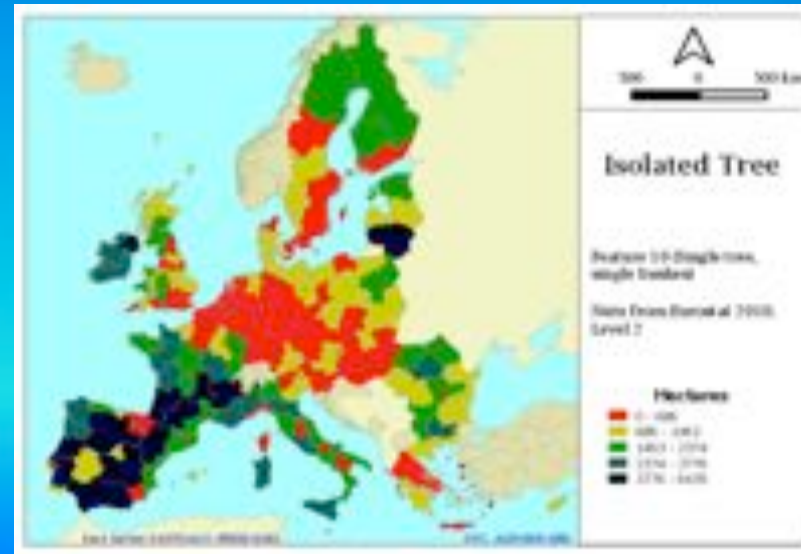
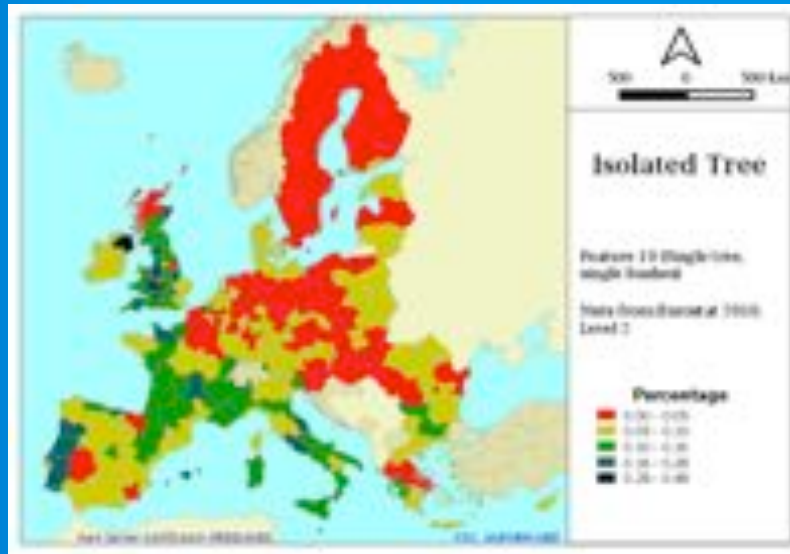
***As consequence the control system provides insufficient assurance on farmer compliance”***

**Policy makers complains:**

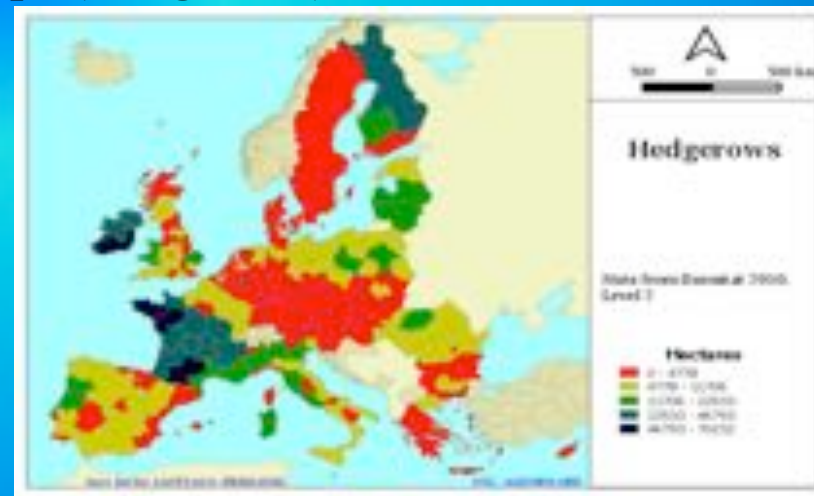
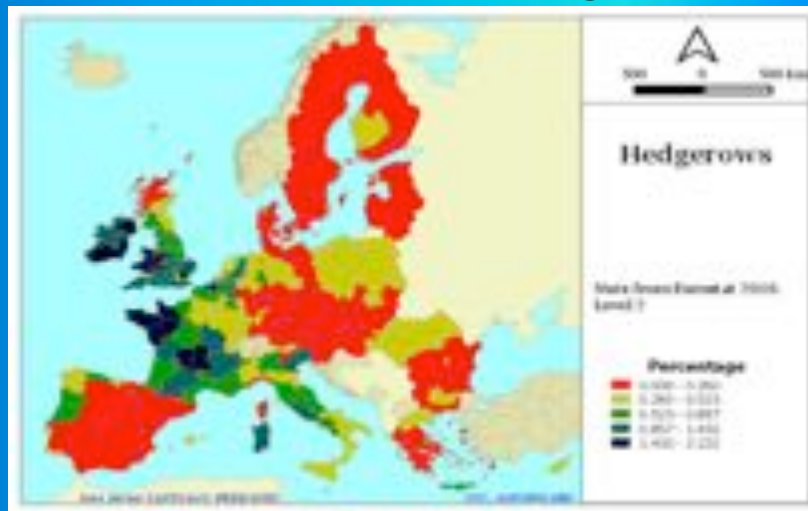
**Difficult to monitor (inventory and preservation)**



## Isolated trees in Europe (300000 ha)



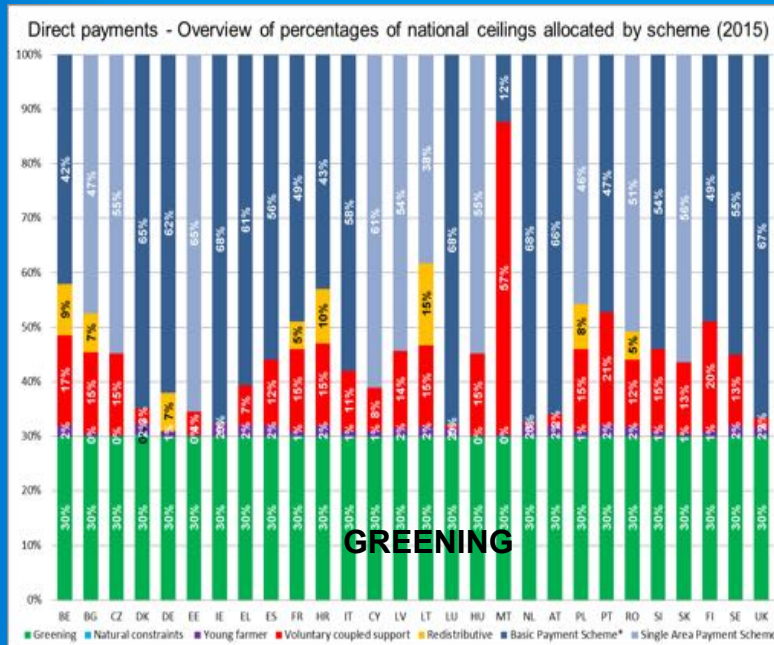
## Hedgerows in Europe (Hedgerows)



CROSS COMPLIANCE

ELIGIBILITY

# Current CAP included Landscape Features under the Greening and Pillar II



\* Only 4,34% of land Landscape Features

\* Not Agroforestry implementation yet

LANDSCAPE FEATURE PROMOTION (establishment maintenance)

HEDGEROWS

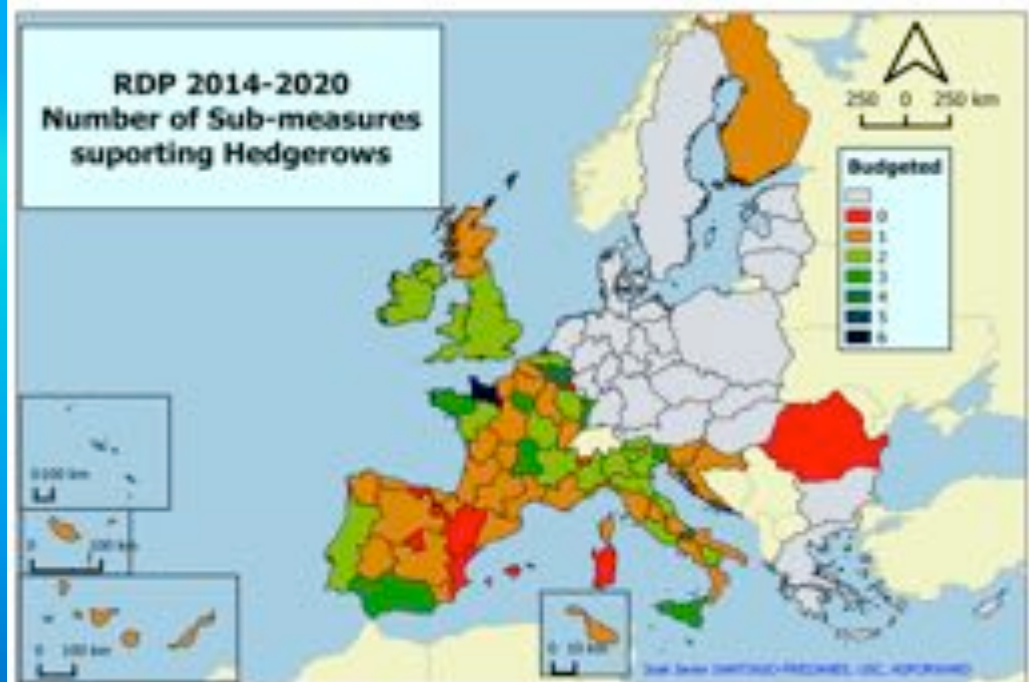
National laws and Regulation : UK, Ireland

Pillar II: France, The Netherlands or Belgium

Fulfil: Same management should not be paid under different measures

CROSS COMPLIANCE

ELIGIBILITY



# CONDITIONALITY

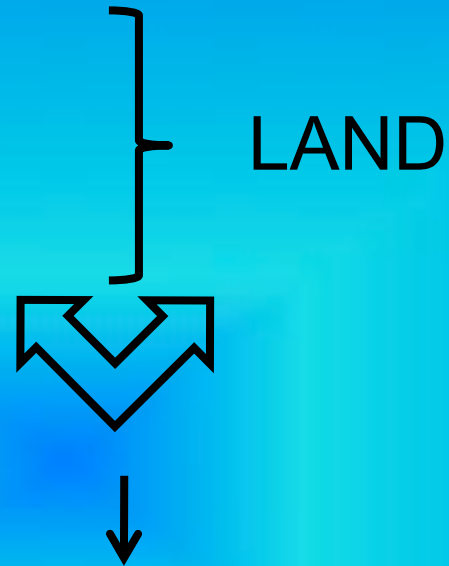
Statutory Management Requirements

Good Agricultural and Environment Condition

# ELIGIBILITY

- Eligibility

- Entitlement
- Agricultural activity



**WOODY VEGETATION // TREES // SHRUBS // FORESTS**

**CAP 2007-2013: 50 TREES ha<sup>-1</sup> → 100 TREES ha<sup>-1</sup>**

**Permanent grassland definition**



Direct payments - Overview of percentages of national ceilings allocated by scheme (2015)



GREENING

Arable Land

Permanent Grassland

Permanent Crops

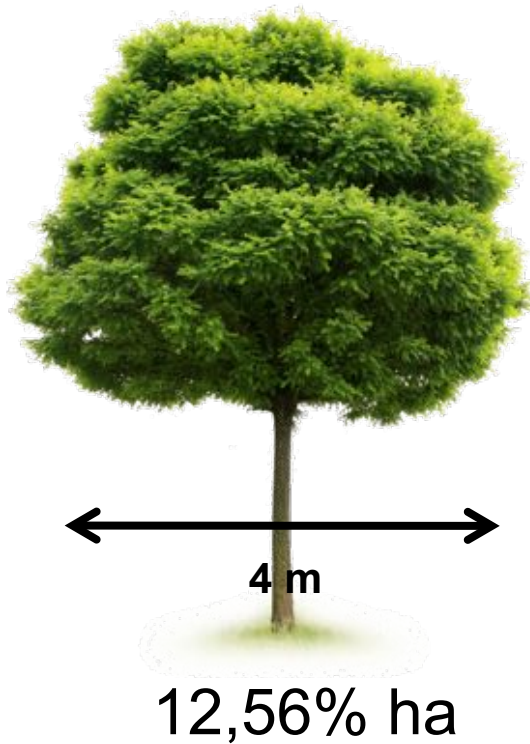
CROSS COMPLIANCE

ELIGIBILITY

Arable land

## Eligibility limited by

- \* Regulation 1305/2013
- \* Delegate act 640/2014: 100 trees ha<sup>-1</sup>
- \* Delegate act 639/2014: How are the trees known as Isolated trees



CROSS COMPLIANCE

ELIGIBILITY: ARABLE LAND



Permanent pasture

## Regulation 1307/2013

*Permanent grassland and permanent pasture means land used to grow grasses or other herbaceous forage naturally (**self-seeded**) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or more; it **may** include other species such as **shrubs** and/or **trees** which can be **grazed** provided that the grasses and other herbaceous forage remain predominant as well as, **where Member States so decide**, land which can be grazed and which forms part of **established local practices (ELP)** where **grasses** and other **herbaceous forage** are traditionally **NOT PREDOMINANT** in grazing areas.*

Where MS not decide so Eligibility :

Same rules than arable lands  
Prorata System (LPIS)

Permanent crop

- Permanent crops are defined by the commission as **non-rotational crops other than permanent grassland** that occupy the land for five years or more and yield repeated harvests, including nurseries and **short rotation coppice**.
- Fruit trees: apple, pear, apricot, peach, nectarines, orange, small citrus, lemon and olive trees as well as vineyards for table production.
- However, and in spite of **no tree density limits** in permanent crops, grazing or cropping on them are not extensively practiced, due to the lack of knowledge about the benefits they have

## CONCLUSIONS CROSS COMPLIANCE

IMPACT OF CAP ON LANDSCAPE FEATURES IS DIFFICULT

REASONS:

- \* INVENTORY DIFFICULT (BASELINE)  
GENERAL AND  
CAP AFFECTED
- \* DIFFERENT COUNTRY LAWS AND CAP IMPLEMENTATION
- \* LINKED TO CROSS COMPLIANCE, PILLAR I AND PILLAR II
- \* DIFFICULT TO MONITOR

**THEREFORE:**

IMPROVEMENT OF TOOLS IS NEEDED

## CONCLUSIONS ELIGIBILITY

### IMPACT OF CAP ELIGIBILITY ON AGROFORESTRY

Depends on type of land

- \* Arable lands: agricultural activity linked to woody vegetation should be promoted, tree maximum density should be left to MS accordingly their pedoclimatic conditions
- \* Permanent grasslands: where woody vegetation is part of the system the declaration of Established Local Practices should be done by MS
- \* Permanent crops: the agricultural use of understory should be promoted