

Cross-Compliance in Central and Eastern European Countries

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Abbreviations:

CAP	Common agriculture policy
CR	Czech Republic
CEECs	Central and Eastern European Countries
GAEC	Good Agriculture and Environmental Conditions
GFP	Good Farming Practices
EC	European Commission
EU	European Union
IACS	Integrated Administration and Control System
NGO	Non-governmental organisation
SMRs	Statutory Management Requirements

Introduction

The aim of the report “Cross-Compliance in Central and Eastern European Countries” is to summarise the proceedings of an expert seminar (20 – 21 September 2004 in Prague) on the implementation of Good Agricultural and Environmental Condition (GAEC) in old and new EU Member States (focusing on standards selected, information dissemination to farmers, control etc.).

As background information for the seminar a questionnaire on GAEC was distributed among participants in advance. According to respondent reactions, IREAS developed the structure of the seminar presentations. The results of this questionnaire are included in part B of this report.

Part A.

Seminar report

1. Background to the Prague Seminar

Cross-compliance was introduced as a policy concept in the European Union (EU) by the Agenda 2000 Common Agricultural Policy (CAP) reform. The so-called 'Horizontal Regulation' (1259/1999 and 1782/2003) allowed Member States to attach environmental conditions to the receipt of direct payments of the CAP. According to the recent CAP reform decisions agreed by the Council at the end of June 2003 in Luxembourg, cross-compliance has become an obligatory element of the CAP. Cross-compliance is now obligatory for recipients of direct payments that will be administered through the Single Farm Payment, which will be independent from production. Most new Member States¹ will implement a Single Area Payment Scheme as a transitory arrangement until they introduce the Integrated Administration and Control System (IACS) and begin the Single Farm Payment, as set out by Council Decision 2004/281 and Regulation 2199/2003. Recipients of the Single Farm Payment must keep their land in 'good agricultural condition, compatible with the protection of the countryside' (Article 143b of Council Decision 2004/281).

With the commencement of Agenda 2000, Good Farming Practices (GFP) have had increasing importance as a precondition for support in the area of rural development. According to the "Horizontal Regulation" establishing common rules for direct support schemes, mandatory environmental requirements constitute an instrument for the integration of environmental objectives into the CAP. Experiences with such an integration of GFP definitions and implementation into agricultural support measures in Member States could serve as an example for the future development of cross-compliance. Meanwhile, the new Regulation for Rural Development (COM(2004)490) is being prepared and proposes that GFP is replaced by cross-compliance as set out for the Single Area Payment in Articles 4 and 5 and Annexes III and IV of Regulation 1782/2003.

Cross-compliance conditions should be based on well-defined standards, and appropriate indicators are required for implementation and control. There are two aspects of cross-compliance as set out for the Single Area Payment and proposed for rural development measures, as outlined below.

- Compliance with a range of 18 Statutory Management Requirements (SMRs) covering the environment, food safety, animal and plant health and animal welfare. These SMRs are a set of laws that are already in force throughout the EU. (Set out in Annex III of Regulation 1782/2003).
- Compliance with a requirement to maintain land in Good Agricultural and Environmental Condition (GAEC). The definition of GAECs is to be carried out at Member State or regional level, but must protect soils, ensure a minimum level of maintenance of land and avoid the deterioration of habitats. The second requirement is to be achieved by setting minimum livestock stocking rates or/and appropriate regimes; protection of permanent pasture; retention of landscape features; and avoiding the encroachment of unwanted vegetation on agricultural land. (Set out in Annex IV of Regulation 1782/2003).

¹ Specifically the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Poland and Slovakia.

Table 1: Main issues and Standards applying to GAECs for the Single Farm Payment in Member States

<i>Issue</i>	<i>Standards</i>
Soil erosion: protect soil through appropriate measures	<ul style="list-style-type: none"> - Minimum soil cover - Minimum land management reflecting site-specific conditions - Retain terraces
Soil organic matter: maintain soil organic matter levels through appropriate practices	<ul style="list-style-type: none"> - Standards for crop rotations where applicable - Arable stubble management
Soil structure: maintain soil structure through appropriate measures	<ul style="list-style-type: none"> - Appropriate machinery use
Minimum level of maintenance: ensure a minimum level of maintenance and avoid the deterioration of habitats.	<ul style="list-style-type: none"> - Minimum livestock stocking rates or/and appropriate regimes - Protection of permanent pasture - Retention of landscape features - Avoiding the encroachment of unwanted vegetation on agricultural land

The Prague seminar was focused on issues relevant to the new Member States of Central and Eastern Europe (CEECs). Discussions on SMRs were omitted since the underlying Directives are not yet implemented and need not be applied until 2009. The main focus was on preparation for the implementation of GAECs, since they had to be implemented in new Member States by the day of accession. An overview and comparison was made of current approaches towards setting GAECs within the Old and New Member States and the likely future development of GAECs in the context of the evolving agriculture and rural development policy of the EU.

2. Overview of Presentations and Discussions

2.1. Agriculture and Environment Interactions

The first part of the Prague seminar was devoted to outlining the evolution of agricultural systems in all Member States involved in the cross-compliance project. Recent problems related to agriculture and the environment were presented and discussed by particular country representatives. This provided an introduction to the evolution of agriculture throughout Europe, which has resulted in various problems, property relationships and legislative systems.

2.1.1 *Agriculture and the environment in the EU accession countries*

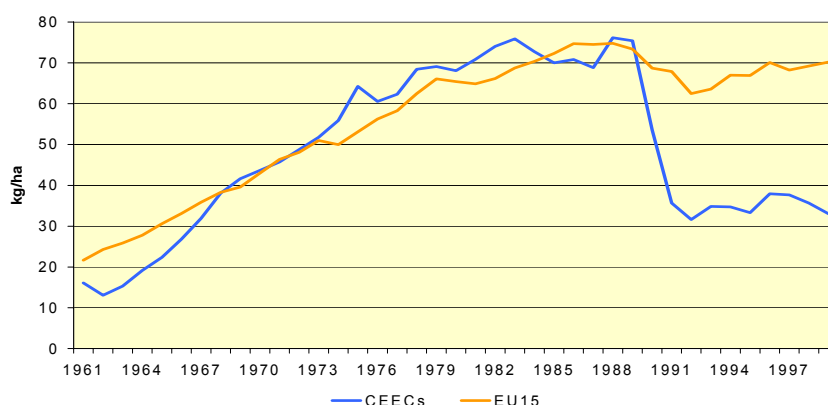
To begin Mr. Jaroslav Prazan (Research Institute of Agricultural Economics, Czech Republic) presented a summary of a project carried out by the European Environment Agency “Agriculture and the environment in the EU accession countries” (2004). The main messages of the presentation were that the average farming area, ownership structure and area of field blocks differ significantly among

CEECs. For example Poland and Lithuania have conserved the mosaic of small farms and fields, contrary to the Czech Republic and Slovakia, which have large farms with large field plots. This has been due to different political, historical and socio-economic situations. However there are similar environmental problems within CEECs. They are:

- **Soil erosion** from land consolidation, field enlargement, conversion from grassland to arable land, inappropriate machinery use and tillage practices.
- **Air pollution** from ammonia, methane, nitrous oxide (though animal numbers and intensive practices have mostly declined).
- **Water pollution** from fertilisers and pesticides (practices more important than quantities now).
- **Loss of biodiversity** from intensification and land abandonment.
- **Collapse of cattle/sheep market** in most CEECs (support ceased, markets lost...).
- **Decrease of animal densities** (dramatic increase of milk yield per cow, wool market collapse etc.) resulted in land abandonment and under-management.

Differences in N-fertiliser consumption between CEECs and the EU are shown by the following figure. The big decrease in the use of N-fertilisers in CEECs from the early 1990s was caused mainly by the collapse of agricultural cooperatives and by the worsening of the economic situation of farmers. Recently the consumption of fertilisers has risen again.

Graph 1: N-fertiliser consumption in selected CEECs and the EU



Source: EEA, 2004

The significant decrease of grazing densities of sheep and cattle (see the table below) was caused by the collapse of the cattle and sheep market in most CEECs (which created an opening for Australian high quality wool imports) and by the collapse of agricultural cooperatives (which provided marketing and manufacturing of products to farmers). Due to this factor, animal densities decreased significantly and problems with land abandonment were noted. Currently there is insufficient management of grassland in CEECs and adequate management of grasslands depends on support from the state nature conservation fund.

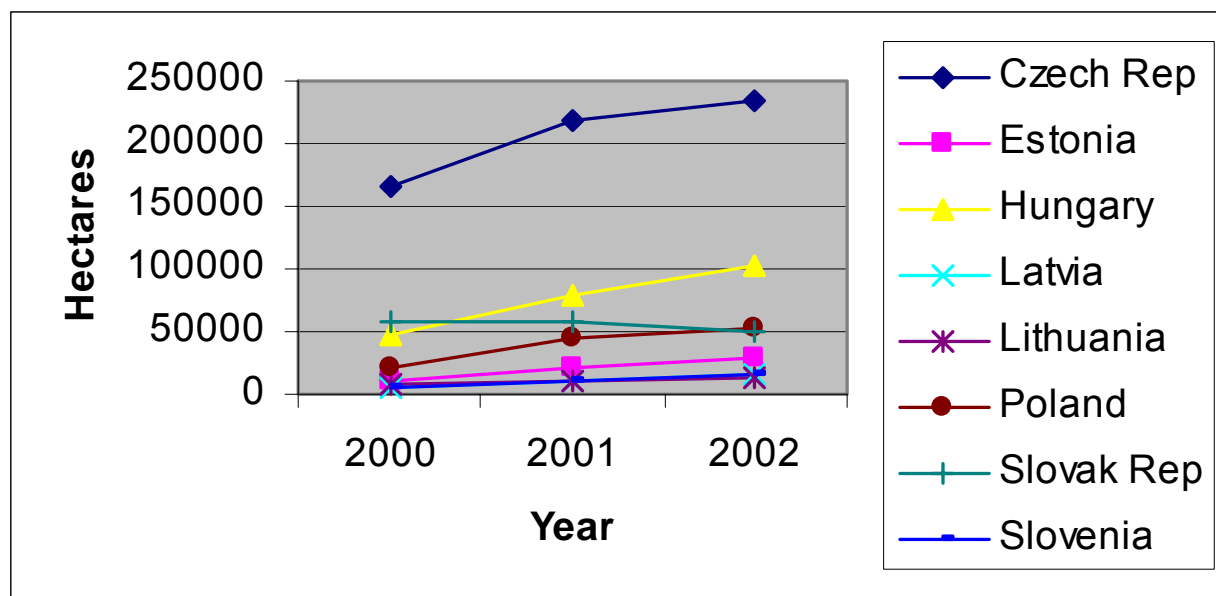
Table 2: Grazing densities - beef and veal production (thous.t)

Country	1989	1997	%
Bulgaria	130	67	51,5
Czech Republic	269	157	58,4
Estonia	58,6	21,1	36,0
Hungary	158	72,8	46,1
Latvia	129	25,5	19,8
Lithuania	224	79,3	35,4
Poland	720	486	67,5
Romania	211	280	132,7
Slovak Republic	109,8	65,6	59,7
Slovenia	49,7	52	104,6

Source: OECD, 1998

In most of the CEECs, the organic farming sector has been increasing over time. In the Czech Republic abrupt changes were observed especially in the mid 1990s, when the system was enforced and big government subsidies were provided to farmers to promote organic farming. Recent trends are displayed in the following graph.

Graph 2: Certified and policy-supported organic and in-conversion land



Source: Lampkin 2002

2.1.2 An overview of the agriculture/environment interactions in selected old Member States

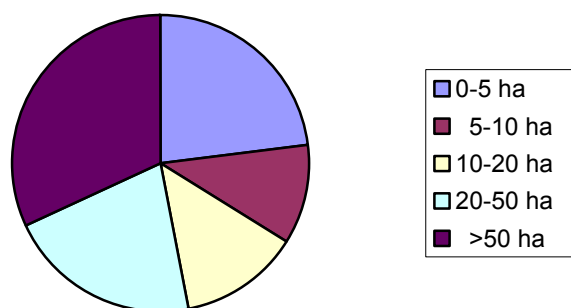
Project partners presented national information. The high intensity of agriculture and the increased specialisation of farms proved to be a typical problem and a threat to biodiversity and soil quality. Environmental problems mentioned were comparable to the above-mentioned problems of CEECs, although abandonment is not a priority concern.

Presentations were provided as follows

- Harriet Bennett (IEEP, UK) – Agriculture and the environment in the UK
- Heike Nitsch (FAL, Germany) – Agriculture and Environment – Country report Germany
- Jorgen Primdahl (KVL, Denmark) – Danish Agriculture and Environmental Issues
- Gerwin Verschuur (CLM, Netherlands) – Agriculture systems and environmental problems in the Netherlands

Selected information from these presentations showing agricultural characteristics from the UK, Germany, Denmark and the Netherlands, are provided below.

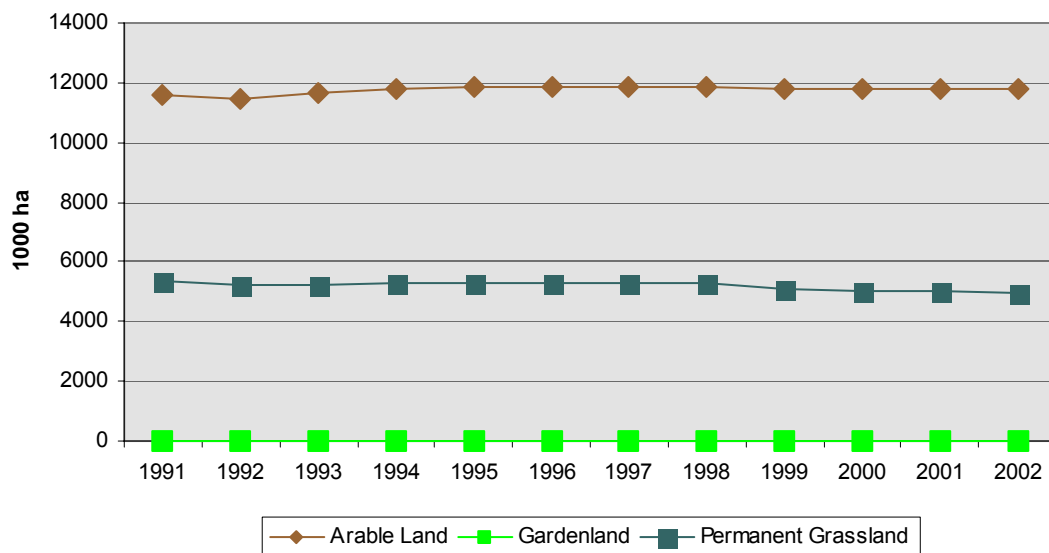
Graph 3: Farm size in the UK



The most severe soil problems in the *UK* are: erosion of topsoil, the contamination of land by heavy metals and lack of organic matter in topsoils on arable and rotational grassland. Diffuse water pollution and declines in biodiversity and landscape change are also significant environmental problems.

In *Germany*, in 2002 the average farm size was about 43 ha, although there were big differences between the regions. The main environmental problems highlighted were the decline of species and biotope diversity; uniformity of landscape due to intensive agricultural land use and elimination of landscape elements.

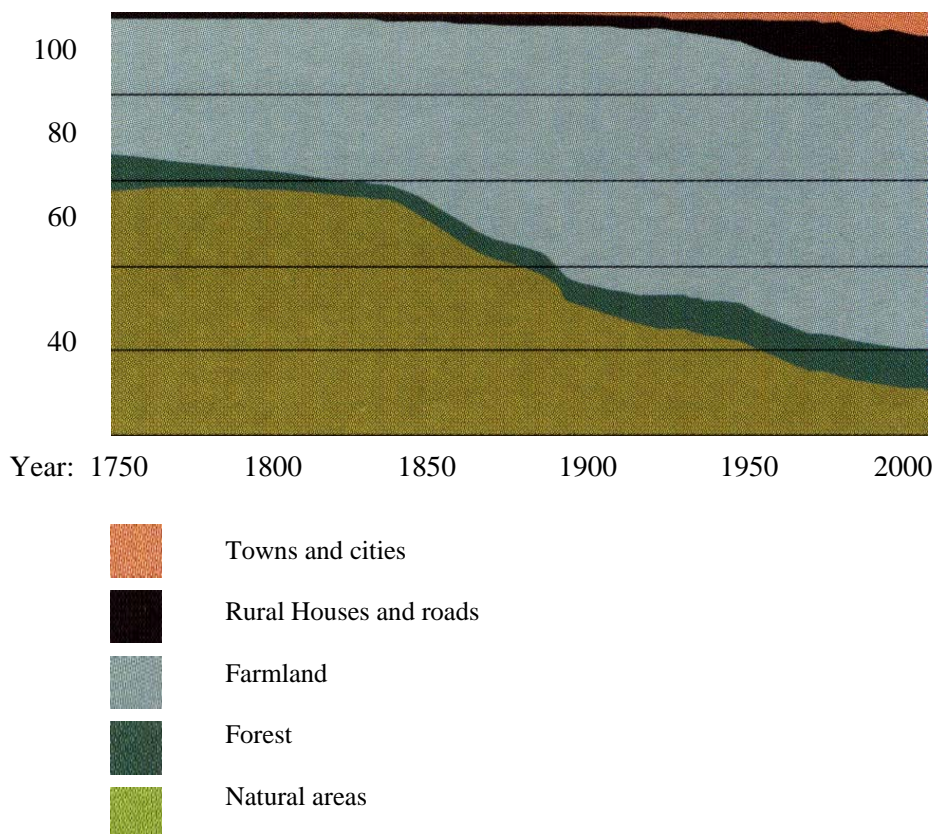
Graph 4: Land use in Germany



Acidification, manure surplus and water shortage are the main causes of environmental stress on nature in *The Netherlands*. These stress factors have caused 20-80% of the reductions in biodiversity. Soil and water quality is mostly influenced by N and P nutrient surpluses and pesticide use.

Most of the *Denmark* is intensively arable land. The main environmental problems are loss of habitats and biodiversity and the eutrofication and contamination of waters.

Graph 5: Distribution of land in Denmark in %



2.1.3 Main points raised in the discussion

In the discussion, the problems and interrelations between agriculture and the environment were discussed.

It was agreed that there is potential for the development of soil management plans and nature management plans in the framework of cross-compliance in future. Good standards based on soil management plans in Germany and UK are being developed. It was proposed that in the Netherlands farmers with an authorised soil erosion prevention plan should be treated differently to farmers without.

Aquatic action plans in Denmark were noted as a useful prospect and it was discussed how it might be possible to combine the integrated approach of the Water Framework Directive and Local Biodiversity Action Plans for farm areas.

2.2. GAEC: Implementation in New Member States

During this session focus was put on the process of preparation of GAECs, setting-up the control system, planned information systems for farmers (advising, awareness raising) and sharing experience on best practices and mistakes. Information on standards according to particular countries were based on responses to the questionnaire (see section B).

2.2.1 *Presentations were provided as follows:*

- Zdenek Postulka (Ministry of the Environment, CR), Abraham Hofhanzl (Agency for Nature Conservation and Landscape Protection of the Czech Republic) – Cross-compliance in CEECs – Summary of the Questionnaire
- *Country Reports:*
 - Karolina Dobihalova (Ministry of Agriculture, Czech Republic) – Cross-compliance – GAEC in the Czech Republic
 - Gabriela Matecna (Agricultural Paying Agency, Slovakia) – GAEC (Good Agricultural and Environmental Condition)
 - Marek Jobda (Ministry of Agriculture and Rural Development, Poland) – Good Agricultural and Environmental Condition
 - Katalin Balazs (Institute of Environmental and Landscape Management, Szent Istvan University, Hungary) – Good Agricultural and Environmental Condition in Hungary
 - Peter Nagode (Ministry of Agriculture, Forestry and Food, Slovenia) – Cross-compliance and Good Farming Practice
 - Saulius Jasius (Lithuanian Ministry of Agriculture, Lithuania) – Romualdas Zemeckis (Lithuanian Institute of Agrarian Economics, Lithuania) – Good Agricultural and Environmental Condition in Lithuania
 - Eike Lepmets (Ministry of Agriculture, Estonia) – cross-compliance – GAEC: Implementation in Estonia
 - Orlovskis, Andris (Ministry of Agriculture, Latvia) – Good Agriculture and Environmental Condition in Latvia for 2004

GAEC standards presented in particular presentations are included in chapter 4.

2.2.2 *Main points raised in the discussion*

The problems of abandonment versus the benefits of spontaneous landscape restoration were discussed. In CEECs some intensively maintained countryside (fields, meadows) are partly covered by bushes and trees. In some countries (e.g. the Czech Republic) standards (eligibility for subsidies) are formulated to prevent scrub growth. The balance between keeping valuable trees and bushes and clearing abandoned land should be established.

A Latvian standard that demonstrates conflicts between good agricultural and environmental condition was discussed in detail. Land drainage systems are to be properly maintained, ensuring regulation of the soil moisture regime. However, degradation of wetlands due to agricultural intensification is a serious recent problem influencing biodiversity and worsening water quality. Additionally, wetlands could be a rich source for fodder or energetic biomass. This standard illustrates the dilemma in CEECs on whether to promote good agricultural or environmental condition. The purpose of decoupling is not

yet fully understood; agricultural production remains a priority rather than dealing with water quality, erosion, climatic change and biodiversity issues.

2.3. GAEC: Progress with Implementation in ‘Old’ Member States

The third part of the seminar informed the audience about the processes of implementation of GAEC in old Member States. Focus was put on the process of preparation, the document’s form, setting-up the system of control and planned information systems for farmers (advising, awareness raising). The last drafts of GAEC standards were presented by country representatives (more information in chapter 5).

Presentations were provided as follows:

- Vicki Swales (Institute for European Environmental Policy, UK) – Cross-compliance in England: Good Agricultural and Environmental Condition
- Carlo Prinz (Federal Ministry of Consumer Protection, Food and Agriculture, Germany) – GAEC: Progress in implementation in Germany
- Gerwin Verschuur (CLM, Netherlands) – GAEC Development in Netherlands
- George Vlahos (Agricultural University of Athens) – Good Agricultural and Environmental Conditions standards in Greece
- Andrea Povellato (Istituto Nazionale di Economia Agraria, Italy) – The Implementation Process of Cross-Compliance in Italy
- Lone Kristensen (Danish Centre for Forest, Landscape and Planning, Denmark) – The Danish Rules of Good Agricultural and Environmental Condition
- Laurent Mary (Ministry of Agriculture, Food, Fisheries and Rural Affairs, France) – Implementation of GAEC in France

Selected information from two presentations is provided below.

2.3.1 Advisory services and consultancy process in England

The UK represents a good example of public participation and involvement in policy implementation that should ensure the broad acceptance of the GAEC regulation. The consultation process regarding GAEC standards was undertaken by the Department for Environment, Food and Rural Affairs. Awareness raising and communication with farmers as well as advisory services were included. The consultation process included a series of stakeholder workshops held between November 2003 and March 2004. Participants included farmers, farmers’ representatives, NGOs, environmental authorities. Stakeholders were presented with outline GAEC proposals and participants were given the opportunity to comment.

Documents for public consultation were issued in March 2004 and the deadline for comments was 20 June. Detailed proposals were set out and a questionnaire was distributed. Some 463 responses were submitted. The proportions of different interest groups that responded were as follows: 57% farmers and contractors, 10% farming interest groups, 6% government bodies, 5% environmental NGOs, 15% others, 6% not known.

2.3.2 Control system in Germany

In Germany two methods of controls for the organisation of on-the-spot checks are under discussion:

- a) the use of “former” IACS inspection teams and experts from the specialised control bodies; or
- b) the use of experts from specialised control bodies (for GAEC controls, it is expected that they can be merged to a large extent with the traditional IACS inspections without any need for additional experts).

There are few standards proposed for the area of soil erosion, soil organic matter and soil structure, minimum level of maintenance and landscape features. The standards for soil erosion standards and landscape features were analysed.

Soil erosion standards include “not to plough crops on more than X% of arable land in winter”. An indication of the use of arable land is provided in the farmer’s application form. Control is done through the IACS database with inspections carried out June and August. These controls can be part of the standard 5% IACS sample.

Landscape features may form part of an agricultural parcel and may thus be eligible for the activation of payment entitlements. This step forward is completely in line with the political philosophy of the CAP reform, but Germany faces the problem that the reform of the CAP is “overtaking” the implementation of GIS. Germany is taking the final steps in this process of creating a new basis for the identification of agricultural parcels. It started some years ago and is being implemented on the basis of the traditional approach relating to the net agricultural surface; consequently, all landscape features have been excluded.

Now Germany is facing a new situation: landscape features are to be retained and they form part of a reference parcel (principle of the gross surface). The implementation of such a new system is a very complex, costly and lengthy process. Therefore, Germany is not able to include landscape features in its GIS by January 2005. For a transition period of several years the German paying agencies will have to rely to a large extent on the areas declared by farmers in their application forms. This transition period will be finished when all landscape features are digitalised in GIS (probably in 2008).

There are two possibilities to control the retention of landscape features:

- real on-the-spot checks,
- verification that landscape features are not removed by making use of remote sensing.

In both cases, the controlling authorities have to check what the farmer originally declared or the information in the GIS against the real situation.

2.3.3 Main points raised in the discussion:

It was agreed that in many cases stakeholder participation in developing GAEC standards should be extended. Best practice was recognised to exist in the UK, where DEFRA has run detailed consultations with the public, NGOs and expert bodies. This preparatory process has proved beneficial for the creation of high quality comprehensive standards.

Awareness raising and consultancy activities were recognised to be a core part of any successful implementation of cross compliance. It was also agreed that there is a need for robust and effective monitoring and evaluation of cross-compliance and its environmental impacts.

2.4. Closing session

In the last section, Mr. Hejzman introduced an important topic: how cross-compliance can contribute to the conservation of high nature value habitats in the Czech Republic. He presented a historical overview of grassland evolution, different types of semi-natural and natural grasslands and indicator plant species. An introduction to the Czech method of Natura 2000 mapping and problems with the grassland register was provided. One important problem was highlighted: around 40% of grasslands in the Czech Republic are not used for grazing due to the intensification of animal husbandry and decreases in the number of extensively bred herds of cattle and sheep.

2.5. Summary of final discussion

A number of issues and questions were raised by participants relating to the successful development of cross-compliance. These are summarised below.

2.5.1 *Issues raised*

- What is the proper relationship between „good agricultural conditions“ and „good environmental conditions“ in the framework of GAEC? The new Member States tend to prioritise agricultural aspects, whereas the old Member States tend to prioritise environmental aspects.
- What is the potential for soil and nature management plans in the framework of cross-compliance? It could be possible to require an environmental management system for the whole farm (EMS, as defined by Regulation 1836/93).
- What is the potential role for nature trusts and farmers' associations in relation to private certification schemes?
- Where is the border between unwanted vegetation succession (abandonment, under-utilisation) and successive restoration of landscape features and landscape biodiversity (solitary trees, bushes, woods, wetlands etc.).
- There is a need to protect landscape features in their own right, not just as habitats, but how can we define protection of other landscape features in a way which farmers and inspectors both readily understand?
- Are there specific preconditions in new Member States regarding the GAEC implementation? A particular difference is the predominant small farm size in new Member States and predominance of family farms.

2.5.2 *Conclusions*

- The EC has to provide better guidance and ensure implementation of sufficient GAEC standards going beyond the current legislation in order to fulfil concrete needs of particular Member States.
- Co-ordination of cross-compliance monitoring with other farm-level checks should be undertaken to reduce the number and frequency of visits.
- The definition of „permanent pasture“ varies between countries and needs further clarification.
- It is difficult to protect permanent pasture of high nature value, landscape or historic interest, whilst allowing farmers to reseed long-term improved grasslands of no particular conservation value.
- There is an urgent need to introduce advisory services if GAEC is to be effective.
- There is a need for robust and effective monitoring and evaluation of cross-compliance and its environmental impact.
- The need to develop a GAEC system that is clear to farmers, with verifiable and meaningful standards that can be audited/monitored cost effectively was recognised.
- It would reduce the motivation of farmers if the implementing authorities chose to implement GAEC in a minimalist way, not going beyond compliance with the law.

Part B.

Questionnaire Evaluation

3. Responses to the Questionnaire

During July 2004, a questionnaire was sent to experts from research institutes, ministries and NGOs related to agriculture, enlargement, environment and nature.

Originally, the idea was to directly address Ministers of Agriculture in CEECs. For this purpose an official letter was sent to Ministers with a request for them to designate someone responsible for GAEC implementation that could fill in the questionnaire. Unfortunately, very few replied, so most respondents were contacted via informal structures (e.g. people from academic fields, expert organisations, controlling bodies, etc.). As a result, there is not a full data set. The field of GAEC implementation is also very dynamic, especially in 'old' Member States, so questionnaire results describe the situation as it was in August 2004.

Most of respondents became country representatives at the seminar. A list of respondents is provided in the following table.

Table 3: Questionnaire respondents

Country	Respondent	Organisation
Czech Rep.	Karolina Dobihalova	Ministry of Agriculture
Estonia	Eike Lepmets	Ministry of Agriculture
Hungary	Katalin Balazs	Szent Istvan University
Latvia	Andris Orlovskis	Ministry of Agriculture
Lithuania		Ministry of Agriculture
Poland	Anna Klisowska	Ministry of Agriculture and Rural Development
Slovakia	Gabriela Matecna	Agricultural Paying Agency
Slovenia	Peter Nagode	Ministry of Agriculture, Forestry and Food
Denmark	Lone Kristensen	The Royal Veterinary and Agricultural University
England	Harriet Bennett	Institute for European Environmental Policy
France	Estelle Godart	Ministry of Agriculture, Food, Fisheries and Rural Affairs
Germany	Heike Nitsch	Bundesforschungsanstalt fur Landbouw en Milieu
Greece	George Vlahos	Agricultural University of Athens
Italy	Andrea Povellato	Istituto Nazionale di Economia Agraria
Netherlands	Gerwin Verschuur	Stichting Centrum voor Landbouw en Milieu

The purpose of the questionnaire was to identify the specific situation in the Central and Eastern European Candidate Countries (CEECs) concerning the CAP, especially those issues regarding cross-compliance.

The primary emphasis of the questionnaire was the practical implementation of cross-compliance issues, mainly GAEC in new EU countries (Regulation 2199/2003, § 6).

For the comparative purposes, there were also some “old” EU Member States included, especially partners and members of the Concerned Action. Responses to the questionnaire and an evaluation of answers is included in the following chapters.

An example of the questionnaire is provided in Annex I.

3.1. Results

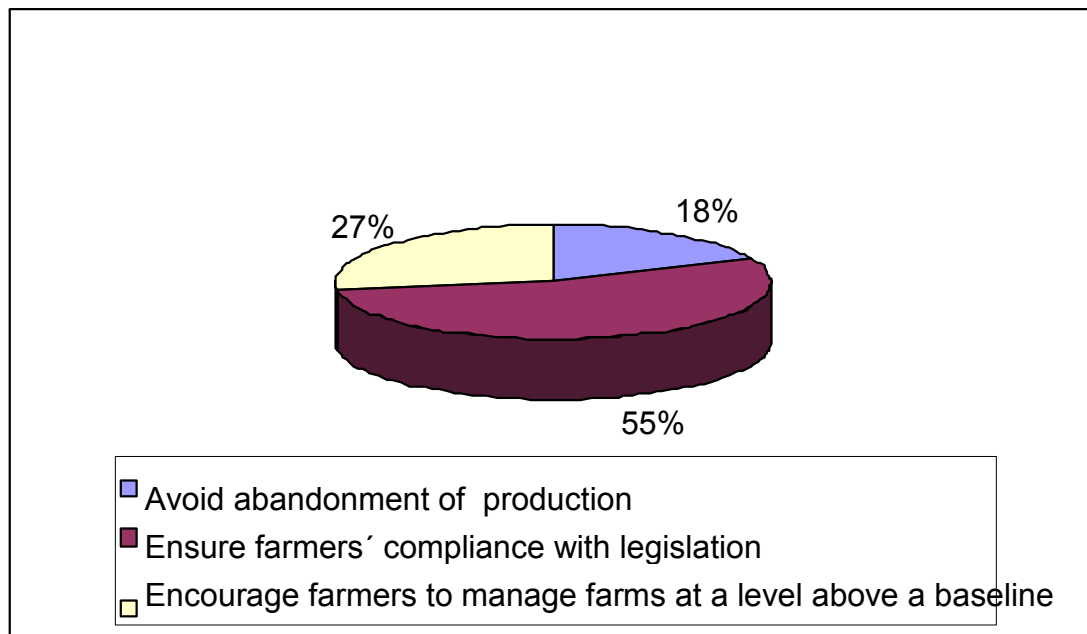
3.1.1. Good agricultural and environmental condition (Annex IV) – principles

The questionnaire started with the general question: **What do you consider to be the purpose of the European Commission when introducing GAEC (Article 6 of Directive 2199/2003)?** Responses are displayed in Graph 6 and Table 4 below.

Table 4: CEE perspectives on the purpose of the EU regulation regarding GAEC

Country/Purpose	Avoid abandonment of production .	Ensure farmers' compliance with legislation	Encourage farmers to manage farms at a level above a minimum baseline
Czech Rep.		•	•
Estonia		•	
Hungary		•	
Latvia		•	
Lithuania			•
Poland		•	
Slovakia	•		•
Slovenia	•	•	

Graph 6: The perceived purpose of GAEC in CEECs

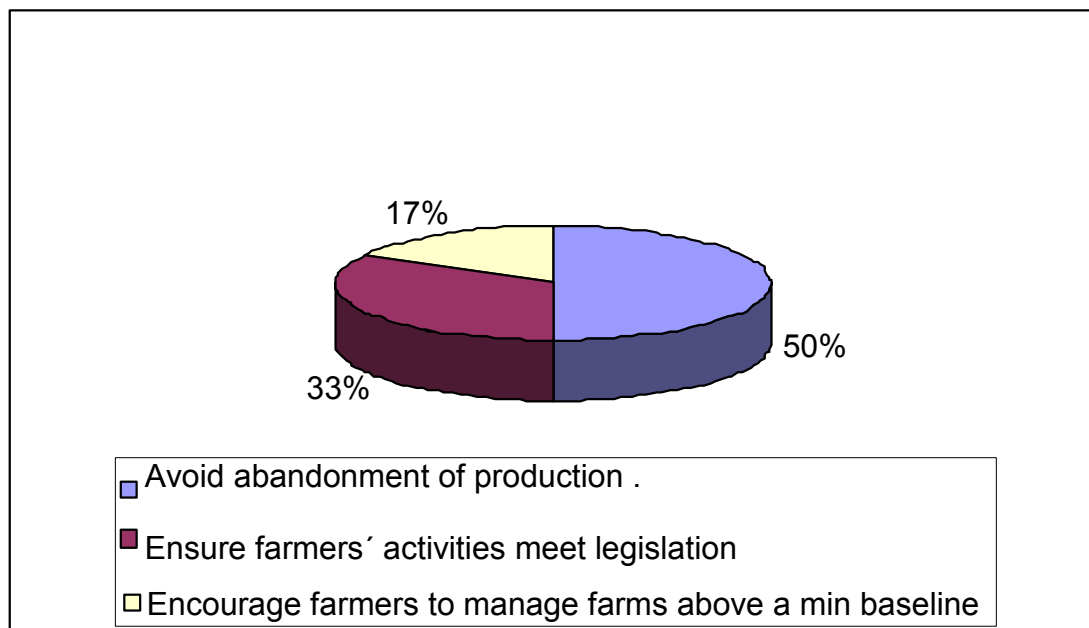


According to results summarised below in Table 5, we can conclude that most 'old' Member States consider avoiding abandonment as an important reason to introduce cross-compliance. Some countries also perceive cross-compliance as a tool to enforce legal standards and regulations and implement the polluter pays principle.

Table 5: The perceived purpose of GAEC in 'old' Member States

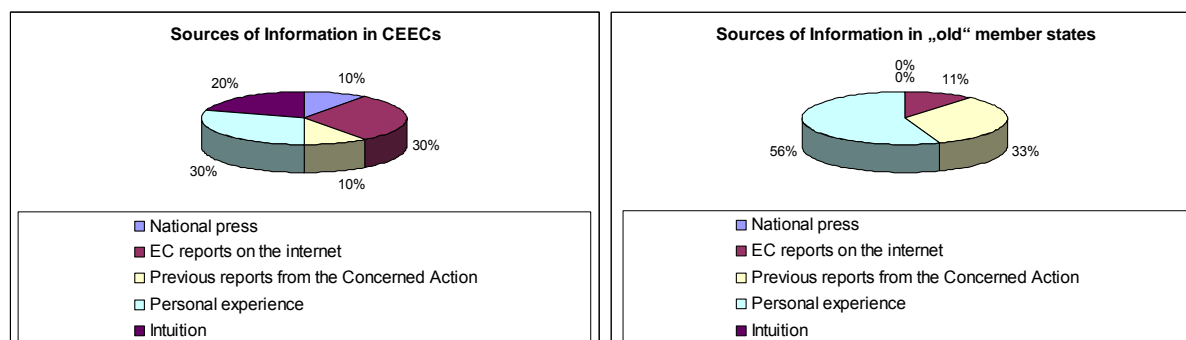
Country/Purpose	Avoid abandonment of production .	Ensure farmers' activities meet legislation	Encourage farmers to manage farms at a level above a minimum baseline
Denmark	•		
England	•	•	
France	•	•	•
Germany	•		•
Greece	•	•	
Italy		•	
Netherlands	•		

Graph 7: The perceived purpose of GAEC in ‘old’ Member States



The second question (**What sources of information did you use to choose the right purpose of EU regulation mentioned above?**) identified particular sources of information used by country representatives.

Graph 8: Sources of Information in CEECs and ‘old’ Member States



We can conclude that CEECs use a larger scale of information resources (especially EC reports and personal experience with the issue). ‘Old’ Member States rely more on personal experience. Since most respondents are members of the Concerned Action, previous reports from the project were also mentioned in case of Denmark, Germany and Greece.

3.1.2. Good agricultural and environmental condition (Annex IV) – standards

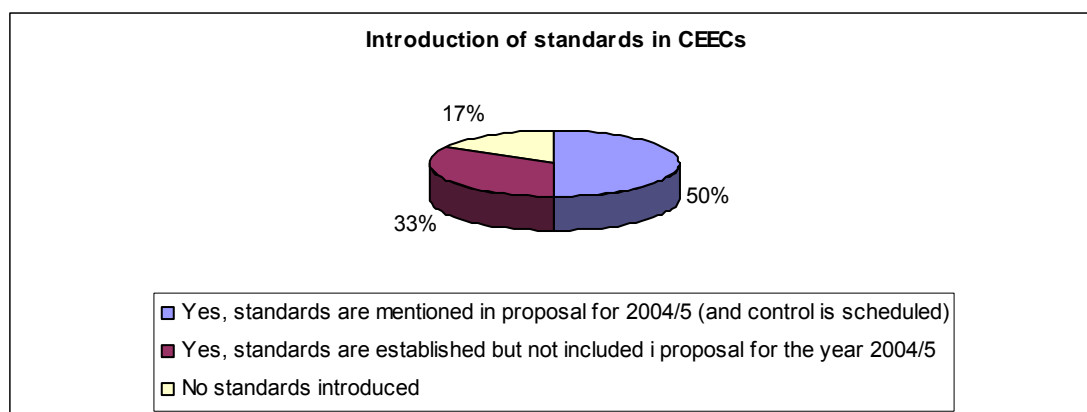
A comparison of concrete standards proposed in national regulations (especially in CEECs) was a key output of our analysis. Questions were as follows:

- a) **What problems (according to your opinion) should be addressed through GAECs?**
- b) **Have GAECs been introduced, or is there an intention to introduce standards intended to be introduced, in 2005 or later?**

The most frequent problems mentioned were soil erosion (Czech Republic, Poland, France, Italy) and abandoned land (Poland, Lithuania, France).

Responses to the second question are displayed in following graph (for CEECs only).

Graph 9: Introduction of standards in CEECs



In Estonia, Latvia and Lithuania, GAEC standards have been introduced in the current country proposals. The Czech Republic and Slovakia have established standards but decided not to include them into GAEC proposals for the year 2004/2005. Poland stated that no standards have yet been introduced.

3.1.3. Good agricultural and environmental condition – preparation

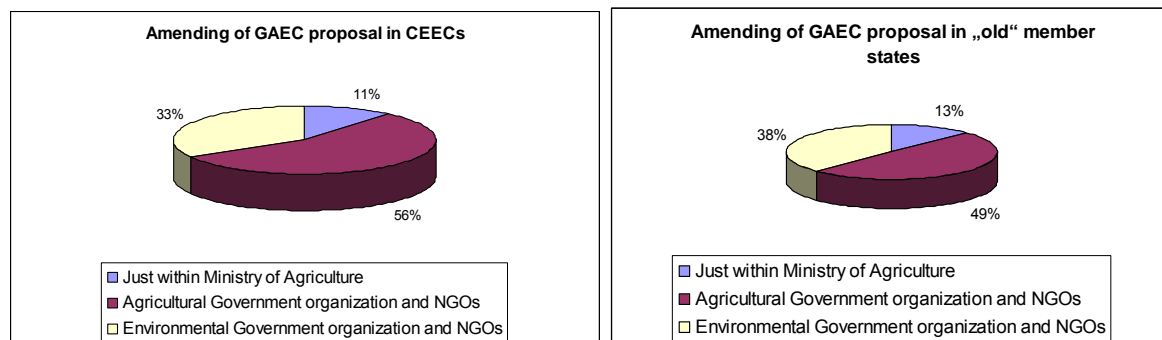
In this section we tried to capture the process of GAEC preparation, especially its length and the institutions involved. Again, we would like to emphasise that the process of preparation (in sub-division into first draft, amending and approval) has not finished yet in most 'old' Member States. Some of the data, for the purpose of the questionnaire, was therefore assumed.

The first question was **What kind of a procedure has been used (is being used) for setting up GAECs in your country?** The main purpose was to gather information on stakeholders involved in GAEC preparation. The role of the Ministry of Agriculture is always essential, but the co-operation with other institutions and expert organisations within established working groups is useful for optimal results. Broad public and cross-institutional discussion on the purpose of GAEC standards contributes to acceptance by farmers and improves environmental effects.

In all CEECs the **first draft** of GAEC was prepared by a small working group at the Ministry of Agriculture. Only Slovakia used external consultants during preparation. The situation was the same in 'old Member States (only England used both a working group and external consultants). Greece, Germany and Netherlands did not reply to this question.

The **amending process** of GAEC proposals was more dynamic and it is possible to see differences between both groups of countries.

Graph 10: Amending of GAEC proposals



Distribution of responsibility between the agricultural and environmental sectors seems to be the same in both cases, but in CEECs, less co-operation throughout all institutions was observed. In England, France and the Netherlands, both sectors co-operated on the amending procedure. In CEECs, co-operation was stated only in the case of Slovenia.

Finally, the **approval** of GAEC proposals could be done within the Ministry of Agriculture or by a broader group of stakeholders. Most CEECs chose the first option, except the Czech Republic (broader audience) and Slovenia (did not reply). In 'old' Member States there is an opposite trend: approval is, or will be, by a broader group of stakeholders (except in England).

We can conclude that the CEECs lacked preparation time, resulting in poor stakeholder involvement and a lack of inter-sector discussion.

An additional question was related **to types of standards promoted** – at state or regional level. From results it is obvious that all CEECs promote state level in standard design, as do most 'old' Member States. Only the Netherlands, Italy and Greece promote the regional level of standards. France promotes both types.

The following table describes answers to the question: **How long will the preparation of GAECs last?** Only comparable results were included in the analysis.

Table 6: Timeline for GAEC preparation in selected countries

	2003						2004											
	VII.	VIII.	IX.	X.	XI.	XII.	I.	II.	III.	IV.	V.	VI.	VII.	VIII.	IX.	X.	XI.	XII.
CR			F						M	P								
EE	F									P								
LA			F						M		P							
PL			F						M	P								
SK				F							P							
DK											M							
UK									F				M	P				
FR			F								M							P
GE							F					M	P					
IT												F	M					
NL									F					M			P	

F ... first draft finished

M... amending finished

P ... approval done

From Table 6 it is clear that CEECs have had very limited time for GAEC implementation and that is why the preparatory phase did not involve all sectors and stakeholders and created standards that could be considered brief and formal, and lacking sufficient monitoring and control plans (see following question).

The final deadline for GAEC implementation was May 2004 (the date of EU entry) for CEECs. ‘Old’ Member States must start the system from 1st January 2005. For the right policy implementation it is necessary to have enough time for preparation of the proposals and also to prepare farmers for the new regulation. This condition was not met in most CEECs.

No country has yet prepared any system of monitoring and policy evaluation of GAEC standards.

The last question of Section 3 of the questionnaire was devoted to weak points of GAEC implementation: **Which issues do you consider to be the weakest points of GAEC in your country?** Responses are listed below.

Latvia

- Limitations on checking compliance on grazing land and meadows due to bad weather conditions and low planned control rates (possible cases of fraud).
- As this is the first year of GAEC as well as EU direct payments, farmers are likely to find it hard to understand all the requirements.

Estonia

- GAEC is not recognised as a tool to improve the environment. As it causes additional pressure for the administration, only the minimum requirements have been set.

Slovakia

- Discovering the nutrient content of organic matter is complicated without soil analysis.
- At a spot check only crop rotation and organic manure use can be controlled.

- With regard to soil structure it is possible to identify heavy and very heavy soils, but there is no instrument for measuring soil compaction.

Hungary

- More details are needed for farmers to understand, for instance, the following: “using crop rotation and cropping patterns with regard to the agro-ecological features of the given region”; “maintenance of the natural landscape elements”; and “grazing should be adjusted to the natural production capacity of grasslands”.

Czech Republic

- Difficulties with controls and (eventually) high costs of some measures.

Lithuania

- Insufficient measures to ensure a minimum level of maintenance and avoid the deterioration of habitats and retention of landscape features.

Greece

- Top down approach in the designing phase.
- Control system insufficient at present.

Germany

- Permanent pasture - No complete register of grassland exists. The protection of permanent pasture through cross-compliance will therefore depend substantially on area without premium and the possibilities for trading. In several federal states and especially in water and nature reserves the ploughing of grassland is either restricted or totally prohibited (in reserves). Nevertheless, prohibition of ploughing or obligatory maintenance of grassland is not compulsory in the whole of Germany.
- Prevention of erosion - A soil erosion register exists in only some parts of Germany and does not refer to plot level, so information is lacking. Soil compaction and organic matter shall be covered by one simple crop rotation restriction, or calculation of organic matter, or through soil analysis. There is a tendency to implement rather simple standards (e.g. in order to prevent conflicts with existing agri-environmental programs) and until now without regional differentiation. This will lead to more bureaucracy with major effects on farm management.
- Registration of landscape elements - There is no comprehensive register of such elements. Self reporting in 2005 on landscape elements within farm areas is considered to fill that gap in the first instance, until registers are established. Minimum sizes are oriented towards better feasibility for administration, not towards environmental objectives.

England

- The GAEC measures in England are a positive advance for cementing sensitive environmental management into everyday agricultural practice. There is, however, some valid debate concerning Defra’s interpretation of Annex IV and how appropriate the choice of measures is. The link to the Entry Level Stewardship scheme (agri-environment measure), which builds on the achievements of GAEC, will further benefit the environment.

Italy

- The control procedure as currently set out is inadequate.

3.1.4. Good agricultural and environmental condition – control

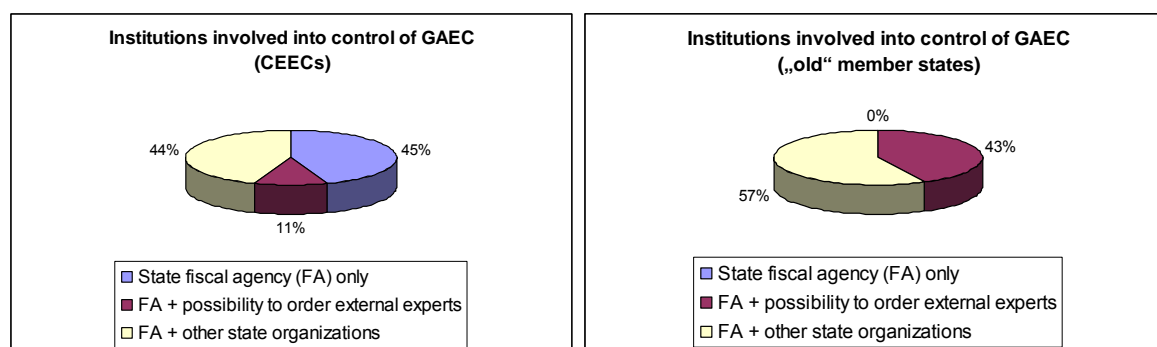
Control of particular GAEC standards is an important issue for implementation. Some respondents mentioned it as the weakest point. GAECs need to be not too simple nor too sophisticated. The costs of control and the type of controlling body are the main problems to be solved.

In the control section, we raised two questions:

- a) **What type of organisations are involved in the control of GAEC?**
- b) **How is the government involved in the mechanism of GAEC control in the area of observing the environmental legislation?**

The following graphs display responses to question a).

Graph 11: Institutions involved in control of GAEC



The state fiscal agency is the only controlling body in CEECs (the Czech Republic, Estonia, Hungary and Latvia). Other CEECs prefer to combine the fiscal state control with independent experts (Lithuania) or an additional government organisation. In Slovenia, for instance, the paying agency, agriculture inspectorate, Veterinary Administration of the Republic of Slovenia and Slovenian office for protection and registration of plant varieties are involved.

The Czech Ministry of Environment is proposing a new initiative: an extension of the IMPEL (European Network for Implementation and Enforcement of Environmental Law) activities to the field of nature protection and sustainable agriculture within the so-called Green Cluster concept. It is expected it would enable to raise a consolidated and widespread control organisation for the purposes of control and monitoring of cross compliance.
<http://europa.eu.int/comm/environment/impel/about.htm#introduction>.

In ‘old’ Member States government agencies commonly co-operate with experts or other organisations. Some additional information on controlling systems was provided as follows.

Denmark: The Ministry of agriculture have official responsibility, but the physical control will be done by a state institute: The Directorate for Food, fisheries and Agri Business under Ministry of Agriculture, Food and Fishery

England: The Rural Payments Agency will co-ordinate a range of specialist inspection groups to ensure farmers meet the cross-compliance requirements. Defra claim that the overall number of inspections will decrease as a result.

Germany: There are 2 possible models:

1. IACS-control, possibly with an external agency in cases of suspicion, when expert knowledge is required.
2. IACS-control + regular control of external agency (as is the case with standards of Annex III, where there will be a continuation of different specialised administrative

controls. The paying agencies deliver information about the farmers who apply for direct payments to the specialised control bodies of the regions. In the case of Annex IV this is likely to involve the agricultural administration and the nature conservation administration. The specialised control bodies choose the sample for controls (risk-based controls and other checks, e.g. due to complaint; including the control of agri-environmental legislation). The control results are then transferred to the paying agencies.

Italy: No choice until now, but the possible solution could be an agreement between the Paying agency (responsible for the sanction) and Specialised agencies or Regions.

Regarding the second question on environmental sector involvement, this is done only in Poland, Estonia and Slovenia. In Estonia, for instance, there is a wide range of environmental acts that the farmer has to follow. If the farmer is breaking the law the relevant institutions will sanction (currently there is no linkage with the support payments). In other CEECs the control system is covered only by the agricultural sector.

The environmental sector is involved in England and Germany. In Germany the nature conservation administration may be involved in controls, especially maintenance of landscape elements.

3.1.5. Good agricultural and environmental condition – communication

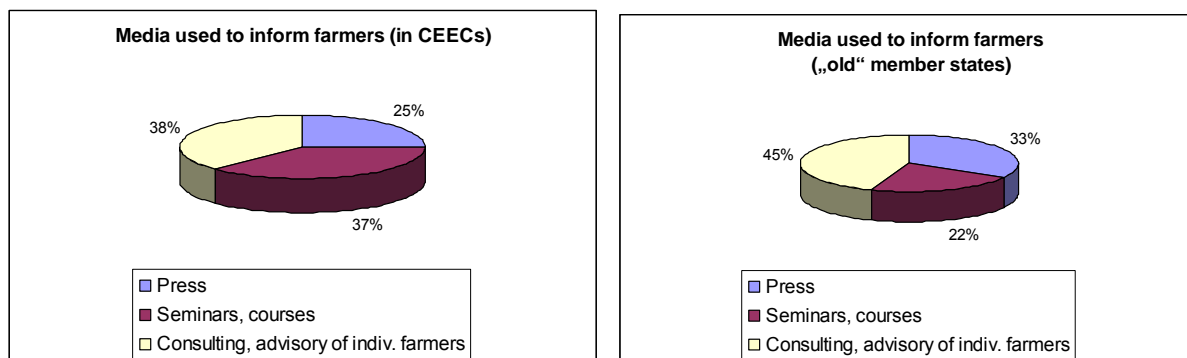
The last question was: **What kind of information system is proposed to inform farmers?** Since many countries chose 2 or 3 ways of communication we compare the results via both a table and graphs.

Table 7: Media used to inform farmers

Country/Media	Press	Seminars, courses	Consulting, advice for indiv. farmers
Czech Rep.		•	•
Estonia		•	•
Hungary		•	
Latvia	•		•
Lithuania	•	•	•
Poland			•
Slovakia	•	•	
Slovenia	•	•	•
Denmark			
England	•	•	•
France	•		
Germany			•
Greece			•
Italy			•
Netherlands	•	•	

Here we can see an equal division of different awareness raising strategies among different countries. The press announcements have been used as an additional measure, except in France. Only England intends to use the full range of awareness raising instruments. The Czech Republic, Estonia, Lithuania and Slovenia want to introduce both ‘active methods’: seminars and courses together with consulting and advisory services for individual farmers.

Graph 12: Media used to inform farmers



4. Standards – CEECs

GAEC standards are listed here according to particular CEECs. We put standards into five categories.

- Soil erosion
- Soil organic matter
- Soil structure
- Ensure a minimum level of maintenance
- Biodiversity (avoid the deterioration of habitats)

An overview of chosen standards is contained in the following table.

Table 8: GAEC standards in CEECs

Country	soil erosion	soil organic matter	soil structure	maintenance	biodiversity
Czech Republic	X				
Estonia				X	
Hungary	X	X	X	X	X
Latvia		X		X	
Lithuania		X		X	
Poland	X	X		X	
Slovakia	X	X	X	X	
Slovenia					

As we can see, Hungary and Slovakia chose to address many issues through GAECs. The Czech Republic proposed only one standard relating to soil erosion. The minimum level of maintenance seems to be the highest priority problem in most CEECs.

Regarding different payment systems for direct payments via the Single Area Payment Scheme (SAPS), new Member States had a duty to implement GAEC by the date of accession. Slovenia is an exception, which has chosen to implement the standard system of direct payments (Council Decision 2004/281 and Regulation 2199/2003).

Table 9: GAEC standards in CEECs

Country	Category	Standards
Czech Rep.	<i>Soil erosion</i>	<ul style="list-style-type: none"> • The protection of landscape features helping to avoid soil erosion by wind and water (hedgerows, terraces, valley lines, wind-break stripes and contour field paths with drains).
Estonia	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> • Farmer has to grow crop, which has to be established by 15 June or keep the land under black fallow. • Grassland has to be mown once and the hay has to be collected or the land has to be grazed before 31 July. • Land which has been abandoned should also be sown by 15 June or kept under black fallow or mechanical weed treatment should be done.
Hungary	<i>Soil erosion</i>	<ul style="list-style-type: none"> • Ensure a minimum soil cover before spring sown crops in areas exposed to erosion. • Contour tillage in areas susceptible to erosion. • Preservation of terraces. • Growing row crops on plots where the angle of slope is higher than 12% is prohibited. • Preserving uncultivated green spaces (plot edges, hedges, etc.) that act as natural soil protection features.
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> • Using crop rotation with regard to the agro-ecological features of the region. • Using stubble ploughing and stubble management after harvest. • Stubble burning is prohibited, except on order of the plant health authority.
	<i>Soil structure</i>	<ul style="list-style-type: none"> • Using appropriate machinery and practices according to the cultivation category of the land. • Using periodical deep tillage.
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> • Keeping arable lands tilled, ensuring weed free status of the plot. • The appearance and spread of undesired herbs and ligneous plants in agricultural areas must be prevented. • Utilisation of grassland types accordingly with mowing or grazing, and at least one clearing mowing musty be carried out every year.
	<i>Biodiversity</i>	<ul style="list-style-type: none"> • Preserving the natural landscape elements. • Preservation of the natural grasslands must be ensured. • Grazing must be adapted to the natural production capacity of the grassland.

Latvia	<i>Soil organic matter</i>	<ul style="list-style-type: none"> Plants or plant and stubble remains are worked into soil with the purpose of fertility maintenance of the land.
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> Agricultural land is cultivated and crops are grown in accordance with agricultural practices, and agricultural land is free from invasive plant species (<i>Heracleum sosnowsky</i>) and bushes. Land amelioration systems being in charge of the farmer are properly maintained, ensuring regulation of the soil moisture regime. Grasslands and meadows are used for grazing of animals or feed production – grazing lands and meadows are grazed or meadows are mowed for the first time no later than 1 August and grass is gathered without delay.
Lithuania	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> Arable land shall be planted with agricultural plants or be left as green or black fallow. Black fallow shall be cultivated periodically in order to free it from weeds and to improve the quality of the soil. Meadows and pastures as well as perennial grasslands and pastures shall be maintained in good condition, used for grazing animals or/and the hay shall be harvested at least once a year (before 1st August). Hay or green mass shall be cut and removed from the field before 1 August. Hay, straw and remnant plants may be mowed at the edge of the field. Arable land, meadows, pastures as well as perennial grasslands and pastures shall be free from trees and bushes, except in the case of the area of detached trees and bushes or a group of trees and bushes which is excluded from the eligible area. Agricultural land shall be free from remnant herbs (hard herb plants - wormwood, thistle and others). The presence of detached weed or herb clusters in the field shall not be considered as non -compliance.
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> It is forbidden to burn hay or straw in the field.
Poland	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> Crop cultivation or fallow - for arable land. Grass mowing once a year in vegetation period - for grasslands. Grazing in grass vegetation period - for pastures. Agricultural land should not be covered by trees and shrubs except: trees and shrubs protected under the Nature Protection Law, those which are important for water and soil protection, trees and shrubs which do not influence agricultural production on this land.
	<i>Soil erosion</i>	<ul style="list-style-type: none"> Agricultural land on slopes with 20° slant - farmer should retain terraces. Agricultural land on slopes with 20° slant - farmer should retain soil cover or mulching. In agricultural land on slopes with 20° slant crop cultivation with the ridge along the slope is forbidden. In agricultural land on slopes with 20° slant, keeping land under black fallow is forbidden.

	<i>Soil organic matter</i>	<ul style="list-style-type: none"> • Arable land should not be kept as fallow land longer than 5 years (meadows and pastures can be cultivated in rotation). • It is forbidden to burn meadows, pastures and stubble.
Slovakia	<i>Soil erosion</i>	<ul style="list-style-type: none"> • Save the soil by suitable measures to stop the physical soil degradation by wind and water erosion. • Secure basic care of agricultural land by destroying weeds and preventing invasion of trees and other shrubs on the agricultural parcel <p><i>Control of standards</i></p> <ul style="list-style-type: none"> - planting a special agricultural and protective green - visual control (photos) - relief contour line agri-technology – visual control (photos) - crop rotation with protective effect – control of crop/parcel book documentation - mulch crop combined with non-ploughing technology - visual control (photos) non-ploughing technology - visual control (photos)
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> • Realise good after-harvest stubble treatment, to stop spreading of diseases, weed and pests. • Use the agricultural land by suitable way, without endangering ecological stability of the land. <p><i>Control of standards</i></p> <ul style="list-style-type: none"> - has at least 10% perennial forage crops - control of crop/parcel documentation, e.g. Land Parcels Identification System (LPIS), parcel – book not to crop in monoculture on the same parcel more than 3 years– potato, sunflower and sugar beet - control of crop/parcel documentation ,e.g. LPIS, parcel – book
	<i>Soil structure</i>	<ul style="list-style-type: none"> • Keep the soil structure in good condition by using a suitable farming method
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> • To conserve the landscape, when possible. • To conserve meadows and pastures by cutting and grazing. Cutting must be done at least once a year. Pastures which can be entered by machines must have under-grazed parts cut at least once a year. <p><i>Control of standards</i></p> <ul style="list-style-type: none"> - visual controls
Slovenia		Considering that Slovenia has implemented standard system of direct payment it has no GAEC standard yet.

5. Standards – Old Member States

Old Member States have a duty to implement GAEC by 1 January 2005. The information below is based on draft GAECs that were available in September 2004.

The following categories of standards were used:

- soil erosion
- soil organic matter
- soil structure
- ensure a minimum level of maintenance
- biodiversity (avoid the deterioration of habitats)

Table 10: GAEC standards in ‘old’ Member States (September 2004)

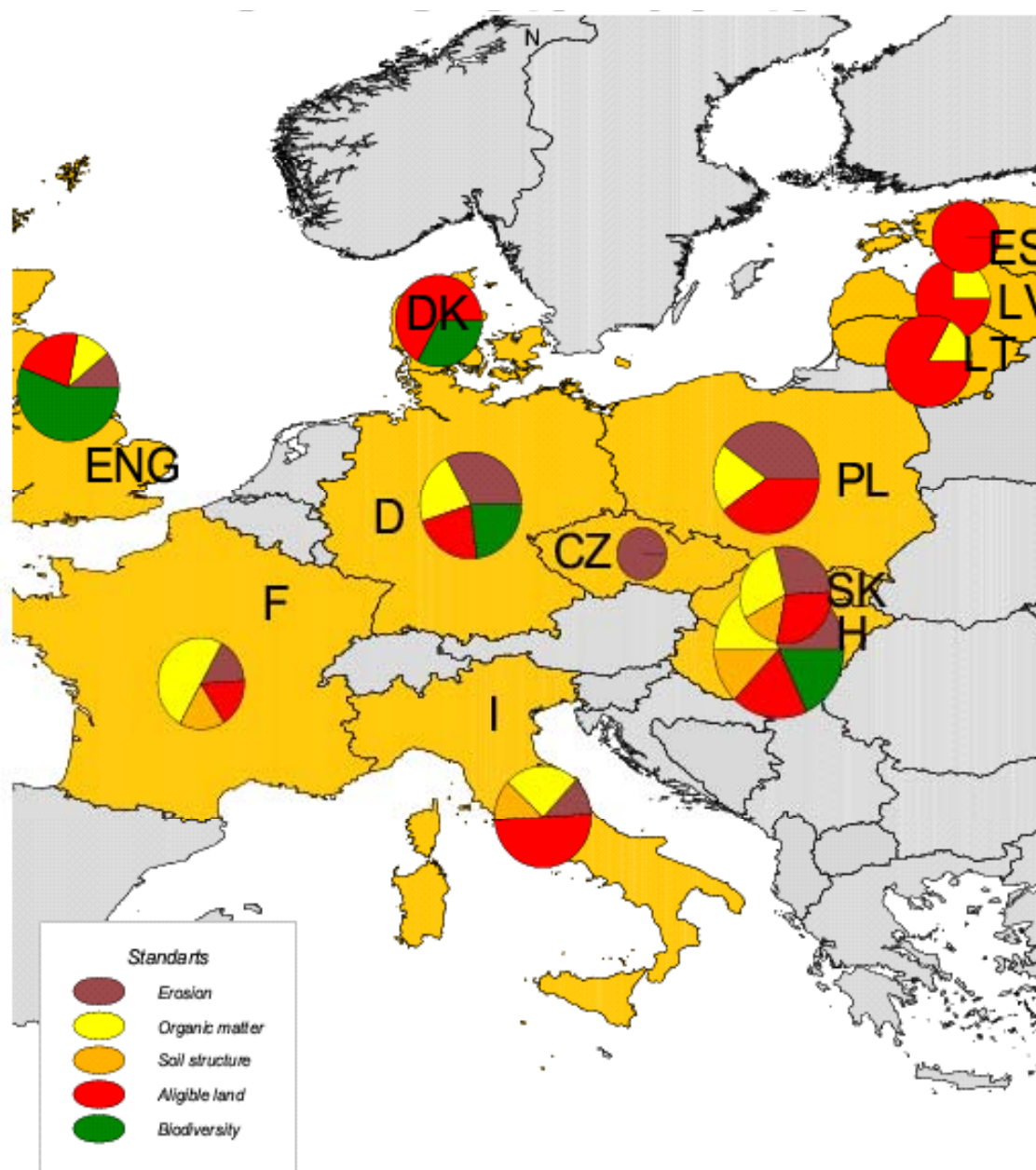
Country	Category	Standards
Denmark	<i>Minimum level of maintenance, Soil erosion</i>	<ul style="list-style-type: none"> Set-aside areas and agricultural areas no longer in agricultural use must have a plant cover. <ol style="list-style-type: none"> The plant cover has to be established not later than 2 weeks after the harvest, and never later than 1st October. If the harvest is later than 1 October the plant cover must be established as quickly as possible and not later than 31 May. The plant cover must be based on seeds leftover from earlier seasons or sowing of grass species or other seed combination approved by the Danish Plant Directorate. Every year before 1 October sufficient plant cover has to re-established. <ul style="list-style-type: none"> Plant cover can be omitted in a 2 metre fringe around a field for the sake of wildlife, however not around water courses, coastal areas or lakes. Beetle banks can always be established and other activities to enhance the wildlife can be approved. Set-aside areas and agricultural areas no longer in agricultural use must be maintained by cutting according to requirements, however in such a way that there is no re-growth of trees and scrub older than 5 years. Agricultural areas no longer in use can also be maintained by grazing or mowing. The plant cover must not be cut in the period 1 May to 30 June (with some exceptions). Areas taken out of production must not be used in such away that the plant cover is destroyed. Temporary activities are allowed (for example storage of gravel, sand etc.) if the plant cover is re-established immediately. The plant cover on permanent grassland must be maintained in such away that it is kept free of re-growth of trees and scrubs. (Trees and scrub must not be older than five years).
	<i>Biodiversity</i>	<ul style="list-style-type: none"> On areas taken out of production pesticides must not be used, with the exception of products approved for control of specific weeds (eg wild oat, giant hogweed)
England	<i>Soil erosion</i>	<ul style="list-style-type: none"> Guidance produced in 2005. Farmers to develop Soil Management Plan in 2006. Implement SMP from 2007.
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> For land not wholly in agricultural production: cut or graze vegetation once every five years and ensure scrub can be easily removed. General set-aside management.
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> Comply with Heather and Grass Burning Regulations.
	<i>Biodiversity</i>	<ul style="list-style-type: none"> Appropriate grazing density (guidance is provided on acceptable grazing and possible stocking rates). Protection of landscape features (must comply with 7 items of existing legislation e.g. Hedgerow Regulations). Management of hedgerows (do not cut between 1 March and 31 July). 2m uncultivated field margins (required alongside hedges and watercourses, measured from centre of hedge or ditch, fertiliser,

		<p>herbicide and pesticide restricted, cutting allowed, can be counted as part of set-aside).</p> <ul style="list-style-type: none"> • 6m -10m set-aside strips (to buffer sensitive habitats e.g. protected sites, woodlands, hedges with 6-10m strips).
	<i>Others</i>	<ul style="list-style-type: none"> • Protection of stone walls (do not remove or damage stone walls). • Public Rights of Way (comply with existing legislation).
France	<i>Soil erosion</i>	<ul style="list-style-type: none"> • 3% of the cultivated surface must be dedicated to the measure - first in grass margins along riversides, other surfaces must have 'ecological' cover, maintained through the winter
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> • No burning of crop waste. • At least 3 crops to be present on the farm in the same year (or 2 crops from 2 different crop groups). • Soil must be covered in wintertime with, for instance, 'mulch' of maize waste
	<i>Soil structure</i>	<ul style="list-style-type: none"> • Legal requirements for irrigation (max. authorised volume, measuring device)
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> • Adaptation of existing requirements regarding each type of land use. Strong demand on requirements to discourage land abandonment: distinction between cultivated/non cultivated land and specific requirements for the latter
Germany	<i>Soil erosion</i>	<p><i>From 2005 to 2008: (two-step phasing in process)</i></p> <ul style="list-style-type: none"> • 40% of the arable land of a farm must not be ploughed between the harvest and mid February the following year. • Unless a new crop is sowed on ploughed areas before 1 December • Retain terraces (elimination of terraces only with authorisation under special provisions). <p><i>From 2009:</i></p> <ul style="list-style-type: none"> • Special provisions for every parcel with respect to the erosion risk of the agricultural land (taking into account the risk for water and wind erosion). The classification scheme and provisions for every risk-group will be laid down in a new national ordinance. Result: Soil erosion register for Germany on the level of NUTS-3 or 4 or even for every plot.
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> • The burning of stubbles is prohibited. <p>(In case these requirements are not met, farmers are obliged to either calculate the humus balance at farm level for the arable land or to analyse the soil organic matter at least every 6 years. If the average values of three years of the balance or the analysis is below a threshold level, the farmers has to undergo a consultation and prove compliance with the requirements in the second year following.)</p>
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> • On arable land passive or active greening has to be allowed for, and the vegetation has to be cut and mulched every year or mowed and removed from the land. • On permanent pasture grass is to be cut and mulched yearly or mowed and removed from the land every second year. <p>(The federal states can allow exceptions from these requirements for reasons of nature conservation or plant production.)</p>

	<i>Biodiversity</i>	<p>Features have to be retained, unless removal is authorised and not opposed to nature conservation. Requirement binding for elements above threshold sizes:</p> <p>Hedges (minimum length 20 m)</p> <p>Tree rows (minimum length of 50 m and at least 5 trees)</p> <p>Field woods (100 –2000 m²)</p> <p>Wetland habitats up to 2000 m² that are registered and protected by the German Federal Nature Conservation Act</p> <ul style="list-style-type: none"> • Single trees that are protected by the German Federal Nature Conservation Act • General obligation for agricultural land out of production: not to mow or mulch between April and mid July.
Italy	<i>Soil erosion</i>	<ul style="list-style-type: none"> • Creation of temporary gully drains perpendicular to the maximum slope on sloping ground.
	<i>Soil organic matter</i>	<ul style="list-style-type: none"> • Prohibition of stubble burning. • Crop rotation: different crops on the same field at least every 5 years (20% of the land).
	<i>Soil structure</i>	<ul style="list-style-type: none"> • Prohibition of working or driving on moist/frozen soil.
	<i>Minimum level of maintenance</i>	<ul style="list-style-type: none"> • Minimum management of permanent pasture land. • Minimum management of non-cultivated land. • Minimum management of olive groves. • Ditch maintenance.
Netherlands	<i>Soil erosion</i>	<ul style="list-style-type: none"> • Farmers with an authorised soil erosion prevention plan will be treated differently to farmers without. With a plan the measures indicated will be controlled. Without a plan conditions will depend on slope gradient (<2°, 2-18°, >18°), land use and slope length. (The prohibition of black fallow in wintertime is likely to be a condition to maintain soil organic matter).

In the following map, GAEC standards are displayed according to particular countries.

Graph 13: Groups and relative amounts of standards presence in participating countries



Source: Ireas, 2004

6. GAEC standards and biodiversity – issues for discussion

From the Tables in chapters 4 and 5 some standards that will be most likely to have a significant impact on biodiversity have been identified. The nature of these impacts is discussed below and some possible future standards identified

Issue 1

To secure the basic care of agricultural land by destroying weeds and protecting from invasion of trees and other non/cultural herbs (*Slovakia*)

Annual mowing of pastures that can be reached by machines - visual control (*Slovakia*)

Such standards delimit the land eligible for subsidies and aim to combat abandonment. Unfortunately they can harm landscape features and, consequently, a broad range of fauna (e.g. birds and insects), because bushes and solitary trees can be very important for biodiversity. In addition they also play an important anti-erosion and microclimatic role.

In some parts of CEECs it could be the case that all trees and bushes will be removed to ensure receipt of subsidies. The same could apply to pasture lands, where pastures have gradual wide boundaries and inner woody structures with a relatively dense canopy of woody elements as for example *Acer species*, *Tilia species*, *Betula species*, *Rosa canina*, *Juniperus* etc. These biodiversity rich features will be cleared from the pastures or the land will be abandoned and eventually forested; the mixed wooded pasture habitat of biodiversity value is likely to be lost. This is presently a controversial issue in the Czech Republic. For example, in the Land Parcels Information System (LPIS), farmers have to exclude every single tree in order to define their eligible land. The Ministry of Agriculture states that this is an EU requirement. Some farmers have already begun to cut trees and bushes. From the point of view of biodiversity it is necessary to protect trees and bushes and it is possible they should be included in the eligible land.

Issue 2

Land amelioration systems should be properly maintained, ensuring regulation of the soil moisture regime (*Latvia*)

Degradation of wetlands due to agricultural intensification is a serious recent problem influencing biodiversity and worsening water quality. Additionally, wetlands can be a rich source for fodder or energy biomass. This standard is an illustration of the situation in many CEECs where the decoupling mechanism is not yet fully understood. Production still takes priority over water quality, erosion, climate change and biodiversity issues. In comparison, the Danish requirement for an Aquatic Action Plan should help to restore wetland habitats.

Issue 3

Grass is gathered in due time (*Latvia*),

Utilisation of grassland types accordingly with mowing or grazing, and at least one clearing mowing must be carried out every year (*Hungary*)

Permanent pasture out of production: grass has to be mowed and removed from the land every second year (*Germany*)

Timing and frequency of mowing and harvest is one of the most influential factors for grassland biodiversity. The regions endangered by abandonment are often the most biodiversity rich. On the one hand, most herb-rich grasslands demand early mowing; on the other hand many insects and birds require late mowing. As a result, standards should take into account regional and biotope differences. The Czech Republic is an interesting example. Due to abandonment of meadows and lack of controls (or late controls) of grass mowing in border territories, the population of *Crex crex* and other birds has increased significantly. However, the biodiversity of the herbal communities has decreased and tall grass has become dominant. This is the result of one commonly applied standard: to mow the meadows and harvest the biomass before the end of October.

Issue 4

Stubble ploughing and stubble management after harvest (Hungary)

Good after-harvest stubble treatment, to stop spreading of diseases, weed and pests (Slovakia)

This measure could have a negative impact for grain eating birds such as *Perdix perdix*; research studies document the negative impacts of autumn ploughing after harvest. Germany has adopted a better standard demanding 50% of the arable land of a farm must not be ploughed between the harvest and mid February the following year.

Issue 5

General obligation for agricultural land out of production: not to mow or mulch between April and mid July (Germany)

This measure is likely to have a huge positive effect on populations of some birds and insects, but it might have a negative impact on biodiversity in herb rich meadows in lowlands and warmer areas. In the case of arable land it is likely to be beneficial, but in the case of grasslands of high biodiversity value its effect might not be beneficial.

Issue 6

Guidance produced in 2005, farmers to develop Soil Management Plan in 2006, implement SMP from 2007 (England)

Special provisions for every parcel in respect of the erosion risk of the agricultural land. taking into account the risk for water and wind erosion. The classification scheme and provisions for every risk-group will be laid down in a new national ordinance. Result: soil erosion register for Germany on the level of NUTS-3 or 4 or even for every plot (Germany).

These standards are a significant step towards integrated farm/landscape management. The creation of management plans for the whole farm area is a good method of avoiding soil erosion and enables integration of targeted measures such as crop rotation patterns, contour tillage, restoration of landscape features etc.

The Statutory Management Requirements of cross-compliance include such issues as compliance with the Birds and Habitats Directives (Natura 2000), Nitrate Directive etc. As a result, further progress towards integrated planning and creating whole farm integrated management plans, including ecosystem and species management, nutrient management, water retention, crop rotation, fire wood

production, soil organic matter management and pest control would be beneficial. Such standards would have to be accompanied by focused and detailed consultancy services. Training programmes and resources should be available for restoration of landscape features and wetlands. At the Prague seminar it was agreed that nature conservation trusts and farmers' organisations could help with the administration and running of integrated landscape management plans, projects and fund-raising activities.

According to available information and overviews we can conclude that cross-compliance (including GAEC standards) is an important new element of agricultural policy in CEECs. It brings a new feature to farmers: a financial motivation to respect environmental issues in the agricultural sector. This feature has great potential for positive impacts on the environment, although regular evaluation including cost-benefit analysis is necessary.

Annex I: Form of the questionnaire

I. Cross-compliance: Good agricultural and environmental condition (Annex IV) – principles

1) What are you considering to be a purpose for introducing Article 6 EC of the Directive No 2199/2003 (GAEC) by the EC?	
a)	Avoid abandonment of production and to enable to withdraw subsidies by farmers, with a focus on good public relations,
b)	Ensure farmers' compliance with the requirements of common rules of good agricultural practice (by control activities) and environmental protection (mostly activities within the regime of polluter pays principle or mandatory environmental requirements included in the legislation).
c)	Introduce a new tool to solve specific problems in the area of agriculture and environment, which is going beyond the legislation,
d)	Others
	Comments

2) The source of information for answering the 1st question was:	
a)	National press
b)	European Commission's (EC's) reports on Internet
c)	Reports from the previous seminars of the IEEP project
d)	Personal experience
e)	Intuition
f)	Others
	Comments

3) What is the main reason for introducing GAEC in your country?	
a)	Avoid abandonment of production and to enable to withdraw subsidies by farmers, with a focus on good public relations.
b)	Ensure farmers' compliance with the requirements of common rules of good agricultural practice (by control activities) and environmental protection (mostly activities within the regime of polluter pays principle or mandatory environmental requirements included in the legislation).
c)	Introduce a new tool to solve specific problems in the area of agriculture and environment, which is going beyond the legislation.
d)	Just fulfill demands of EC.
e)	Others
	Comments

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II. Cross – compliance – Good agricultural and environmental condition (Annex IV) – standards

4) In case you have answered b or c in question 3, please write a list of problems you do want to solve through GAEC (set the problems in order of your priorities):

		Comments
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5) Please enclose the proposal of your GAEC (Accession Countries – the proposal for the year 2004, Member States – working draft for the year 2005) as the attachment (please, name it in format: *SGAEC-the name of the country.doc*).

		Comments
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6) In case you have worked out the draft of individual standards of GAEC for the control – please enclose it as an attachment (please, name it in format: *CSGAEC-name of country.doc*).

		Comments
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7) Have you introduced or do you intend to introduce some standards by 2005 or later?

	a)	Yes, they are mentioned in the standards' proposal for the year of 2004 (2005) with the scheduled beginning of controls.
	b)	Yes but those standards will not be mentioned in the proposal for the year 2004 (2005).
	c)	No.
	d)	Others
		Comments

III. Cross – compliance – Good agricultural and environmental condition (Annex IV) – preparation

8) What kind of a procedure have you used (is being used) for the setting up the GAEC standards in your country?

8.1. First draft

	a)	Small working group at the Ministry of Agriculture.
	b)	First draft was prepared by an external consultant.
	c)	Others
		Comments

8.2. Amending

	a)	Just within Ministry of Agriculture.
	b)	State organisations and non governmental sector in the area of agriculture.
	c)	Environmental state authorities and non-governmental sector are taking part.
	d)	Others
		Comments

8.3. Approval

	a)	Just within Ministry of Agriculture.
	b)	Process among different stakeholders (agriculture, environment, regional planning, economy etc.).
	c)	Others
		Comments

9) How long has the total period of GAEC standards preparation been lasting or will last (in months e.g.: IX.2003 – III.2004)?

	a)	First draft
	b)	Amending
	c)	Approval
		Comments

10) Have you prepared a system of monitoring and evaluation of GAEC impacts?

	a)	Yes
	b)	No.
		Comments

11) Which issues do you consider to be the weakest points of GAEC in your country?

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12) At what level is planning taking place in your country?	
a)	Whole state level.
b)	Regional level.
	Comments

IV. Cross – compliance – Good agricultural and environmental condition (Annex IV) – control

13) What kind of organizations are involved into the control of GAEC?	
a)	Just the state fiscal agency.
b)	Fiscal agency + possibility of ordering external expert controls.
c)	Fiscal agency + other state organisation (give details).
d)	Others
	Comments

14) How is the government involved in the mechanism of GAEC control in the area of observing the environmental legislation?	
a)	The environment protection sector is involved (describe briefly the role of the subject in the control mechanism).
b)	The control system is covered just by the subject from the area of agricultural resort.
c)	Others
	Comments

V. Cross-compliance – Good agricultural and environmental condition (Annex IV) – consultancy

15) What kind of information system is being proposed to inform the farmers?	
a)	Press
b)	Seminars, courses.
c)	Consulting, advising to the individual farmers.
d)	Others

		Comments

Annex II: Seminar Program

Block I: Agriculture and Environment Interactions

- Pražan, Jaroslav (Research Institute for Agricultural Economics, Czech Republic) – Agriculture and Environment in EU „accession“ countries
- Bennett, Harriet (Institute for European Environmental Policy, UK) – Agriculture and the environment in the UK
- Nitsch, Heike – Osterburg, Bernhard (Federal Agriculture Research Centre, Germany) – Agriculture and Environment – Country report Germany
- Primdahl, Jorgen (Danish Centre for Forest, Landscape and Planning, Denmark) – Danish Agriculture and Environmental Issues
- Verschuur, Gerwin (CLM, Netherlands) – Agriculture systems and environmental problems in the Netherlands

Block II: GAEC – Implementation in CEECs

- Zdenek Postulka (Ministry of the Environment, CR), Abraham Hofhanzl (Agency for Nature Conservation and Landscape Protection of the Czech Republic) – Cross-compliance in CEECs – Summary of the Questionnaire
- **Country Reports:**
 - Karolina Dobihalova (Ministry of Agriculture, Czech Republic) – Cross-compliance – GAEC in the Czech Republic
 - Gabriela Matecna (Agricultural Paying Agency, Slovakia) – GAEC (Good Agricultural and Environmental Condition)
 - Marek Jobda (Ministry of Agriculture and Rural Development, Poland) – Good Agricultural and Environmental Condition
 - Katalin Balazs (Institute of Environmental and Landscape Management, Szent Istvan University, Hungary) – Good Agricultural and Environmental Condition in Hungary
 - Peter Nagode (Ministry of Agriculture, Forestry and Food, Slovenia) – Cross-compliance and Good Farming Practice
 - Saulius Jasius (Lithuanian Ministry of Agriculture, Lithuania) – Romualdas Zemeckis (Lithuanian Institute of Agrarian Economics, Lithuania) – Good Agricultural and Environmental Condition in Lithuania
 - Eike Lepmets (Ministry of Agriculture, Estonia) – cross-compliance – GAEC: Implementation in Estonia
 - Andris Orlovskis (Ministry of Agriculture, Latvia) – Good Agriculture and Environmental Condition in Latvia for 2004

Block III: GAEC – the Progress With Implementation in ‘old’ Member States

- Vicki Swales (Institute for European Environmental Policy, UK) – Cross-compliance in England: Good Agricultural and Environmental Condition
- Carlo Prinz (Federal Ministry of Consumer Protection, Food and Agriculture, Germany) – GAEC: Progress in implementation in Germany
- Gerwin Verschuur (CLM, Netherlands) – GAEC Development in Netherlands
- George Vlahos (Agricultural University of Athens) – Good Agricultural and Environmental Conditions standards in Greece
- Andrea Povellato (Istituto Nazionale di Economia Agraria, Italy) – The Implementation Process of Cross-Compliance in Italy
- Lone Kristensen (Danish Centre for Forest, Landscape and Planning, Denmark) – The Danish Rules of Good Agricultural and Environmental Condition
- Laurent Mary (Ministry of Agriculture, Food, Fisheries and Rural Affairs, France) – Implementation of GAEC in France

Block IV: GAEC – Obligatory Management Requirements Perspectives

- Michal Hejcman (Czech University of Agriculture in Prague, Czech Republic) – Grasslands in the Czech Republic

Materials from the seminar (presentations, questionnaires, etc.) are available on <http://www.ireas.cz/index.php?pg=detail&id=16?=cz>.

Annex III: List of participants

SEMINAR: "CROSS-COMPLIANCE IN CENTRAL AND EASTERN EUROPEAN COUNTRIES"

LIST OF PARTICIPANTS

SEMINAR "CROSS-COMPLIANCE IN CENTRAL AND EASTERN EUROPEAN COUNTRIES" (CEECs')
21-21 September 2004 Prague, Czech Republic

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Annex IV: References

IEEP Reports within the Cross-Compliance Project

EU Cross-compliance newsletter, Issue 1: September 2003

EU Cross-compliance newsletter, Issue 2: December 2003

EU Cross-compliance newsletter, Issue 3: February 2004

EU Cross-compliance newsletter, Issue 4: November 2004

<http://www.ieep.org.uk/research/Cross%20Compliance/Project%20outputs%20and%20available%20documents.htm>

Other relevant studies and sources

Baldock, D., Dwyer, J., Lowe, P., Petersen, J-E. & Ward, N. (2001). *The Nature of Rural Development: Towards a Sustainable Integrated Rural Policy in Europe*. Synthesis report. IEEP, London.

<http://www.ieep.org.uk>

Bennett, H. (2003). *Good Farming Practice in Central and Eastern European Countries*. Seminar report. IEEP, London.

<http://www.ieep.org.uk>

Cacanoski M., Dogkaki A., Postulka Z., Tarnawska A., Vetma N.: *Benchmarking the ecological performance on agricultural enterprises in Europe* (Report CLM)

European Environment Agency (2004) *Agriculture and the environment in the EU accession countries- Implications of applying the EU common agricultural policy*. EEA, Copenhagen

http://reports.eea.eu.int/environmental_issue_report_2004_37/en

European Environment Agency, David Baldock, Ferenc Tar, Andrew Farmer, Harriet Bennett: *Agriculture and the environment in the EU accession countries*

<http://www.eea.eu.int>

Primdahl J, Peco B, Schramek J, Andersen E & Onate (2003). Environmental effects of agri-environmental schemes in Western Europe. *Journal of Environmental Management*, **67**, pp129-138.

Webster P & Williams N (2002) *Environmental cross-compliance – Panacea or Placebo?* A paper presented at the 13th Congress of the International Farm Management Association (IFMA), July 7 - July 12, 2002.

<http://www.ifma.nl/files/papersandposters/PDF/Papers/Webster%20&%20Williams.pdf>

Internet resources

IEEP London

<http://www.ieep.org.uk/>

European Environment Agency

<http://www.eea.eu.int>

Farming and Wildlife Advisory Group (2003)

www.fwag.org.uk

Guidelines for Qualification of Agricultural Land in Wildlife Management Use (2002)

<http://www.window.state.tx.us/taxinfo/proptax/agrland/>

Massachusetts Audubon Society (2000). Managing Agricultural Lands for Grassland Birds.

http://www.massaudubon.org/Birds_&_Beyond/Grassland_Birds/index.html

The Public Sector Benchmarking Service (2003)

<http://www.benchmarking.gov.uk/default1.asp>

The University of Reading ICIFM (2003). Farming and habitats, Farming and wildlife species, Field margins and conservation strips.

<http://www.ecifm.rdg.ac.uk>