Evaluation of the impact of the CAP on habitats, landscapes, biodiversity

Executive Summary EN

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EXECUTIVE SUMMARY

The objective of the study was to carry out an evaluation of the positive and negative, direct and indirect impacts of the 2014-2020 Common Agricultural Policy (CAP) on biodiversity, habitats and landscapes in areas under the direct influence of the CAP, including protected habitats, using causal analysis and the five evaluation criteria of effectiveness, efficiency, coherence, relevance and EU-added value. It also examined the extent to which the CAP has contributed to the EU Biodiversity Strategy to 2020, especially Target 3, namely to increase the contribution of agriculture and forestry to biodiversity.

The study was carried out in the context of the EU's environmental objectives, which are recognised in one of the CAP's objectives of the sustainable management of natural resources and climate action. Of particular relevance is the headline biodiversity target of '*Halting the loss of biodiversity* [1] *and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss.*' Despite this, and the EU's relatively comprehensive biodiversity policy framework, biodiversity continues to decline, including since 2014, especially in agricultural habitats, and to a lesser extent in forests, as shown by a number of biodiversity indicators (e.g. the conservation status of habitats and species (BHD) targeted by the Nature Directives, and population trends in grassland butterflies and common farmland birds). Over the last few decades, these declines have been primarily due to the effects of agricultural and forest management improvements, specialisation and increasing intensity, although in some areas the abandonment of high nature value farming systems has been the main cause.

The CAP plays an important role in contributing to the EU's biodiversity target, through its influence on agriculture, forests and other wooded land, but also in terms of funding environmental measures including those that aim to conserve biodiversity.

METHODOLOGY

The starting point for the evaluation was the development of an intervention logic for the CAP instruments and measures to identify their potential direct and indirect impacts on biodiversity, habitats and landscapes. A broad selection of CAP instruments and measures were initially examined, and all of those that were considered to have the potential for significant impacts were then evaluated.

The study was carried out between December 2018 and November 2019, with case studies in ten Member States (Germany, Ireland, France, Croatia, Hungary, Latvia, the Netherlands, Portugal, Romania and Slovakia) selected as representing the variety of biodiversity, agricultural and forestry conditions in the EU, carried out in the Spring of 2019. The analysis drew on information submitted to the European Commission by Member States on how they have applied the CAP instruments and measures, the latest available data on uptake, other statistical information (Eurostat and Farm Accountancy Data Network (FADN)), a review of the relevant data and literature on the effects of agriculture and forest management on biodiversity, as well as evidence from case studies, including interviews with government officials and farming and environmental stakeholders.

A significant limitation on the study was the scarcity of evidence of the effects of the CAP instruments and measures on farming and forest systems and practices, and their resulting effects on habitats and landscapes and impacts on biodiversity, especially relating to the 2014-2020 period. Little evidence was available from the biodiversity indicators in the CAP's Common Monitoring and Evaluation Framework (CMEF), as there are no results indicators covering Pillar 1 instruments, and the Pillar 2 results indicators are difficult to interpret and not measure-specific, and the impact indicators do not report on the impact of the CAP itself.

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[1] I.e. diversity within species, between species and of ecosystems.

How Member States have used the CAP measures

All Member States have used the considerable flexibility they have for implementing certain CAP Pillar 1 instruments, all Pillar 2 measures and for determining which areas of land are eligible for CAP support for the 2014-2020 period in a variety of ways.

Of the 179 million hectares of Utilised Agricultural Area (UAA) in 2017, 155 million (86.5%) were in receipt of support under the Basic Payment Scheme/Single Area Payment scheme, 149 million were subject to cross-compliance (83.5%), 139 million were subject to at least one greening obligation (78%) and 48 million hectares in receipt of ANC support (27%). AECM support was in place on 26 million hectares (14.6%) and support for organic farming on 7 million hectares (4%). Voluntary Coupled Support (VCS), which is not area-based, was available for 49.5% of all beef and veal cows and 36.5% of dairy cattle. 484,000 hectares (0.3%) of the EU's forest and other wooded land is under management through the forest non-productive investment measure (M8.5) and 164,000 hectares (0.1%) by the forest-environment climate measure (M15).

At EU level, Member States have taken a variety of approaches to the determination of 'permanent grassland', which has affected the extent to which CAP support is available on some semi-natural habitat, as well as to the protection of landscape features through cross-compliance. In relation to the Pillar 1 greening instrument, Member States have offered farmers a wide range of options with which to fulfil their Ecological Focus Area (EFA) requirements and those most widely taken up have been catch crops and nitrogen fixing crops, although the balance between these two elements has reversed since 2018. Overall, 57% of permanent grassland in Natura 2000 was designated as Environmentally Sensitive Permanent Grassland (ESPG) and therefore protected from ploughing, and five out of 28 Member States also designated ESPG outside Natura 2000 sites. Voluntary Coupled Support has been made widely available to support the beef, veal and dairy sectors in particular.

At EU level, Member States have allocated around 50% of their Rural Development budgets to Priority 4 which covers biodiversity, water and soils. Within priority 4 budget, support for Areas of Natural Constraint (ANC) and the agri-environment climate measure (AECM) account for 35% each, with support for organic farming a further 16%. One or more forest measures are programmed in 24 Member States and receive 5% of Priority 4 funding.

The way in which Rural Development Programme (RDP) measures are structured and implemented varies significantly between the case study Member States, resulting in an array of different approaches to scheme focus, design, content and targeting.

Advice to land managers and knowledge exchange provide important support for those measures, such as the AECM and the greening measures, especially where the choices made directly affect the biodiversity outcomes that can be achieved. Some advice on biodiversity has been provided in some case study Member States through the compulsory Farm Advisory Service (FAS), and some of them provide additional advice and training specifically focussed on biodiversity to support the implementation of rural development measures. There were, however, Member States in which adequate support from advice or training was lacking , such as biodiversity related advice to farmers for agri-environment-climate schemes.

Drivers affecting Implementation Choices

The case studies found that Member States' implementation choices have primarily been driven by socio-economic, financial and administrative factors, with biodiversity and other environmental objectives being often a secondary concern. Improving agricultural competitiveness and maintaining the viability of farming in remote areas were particularly strong drivers. The drivers influencing farmers' decisions about whether or not to engage with biodiversity-focussed measures are a combination of financial factors, policy design and degree of fit with existing land management practices, environmental awareness and market developments.

EFFECTS OF THE CAP ON LAND USE AND MANAGEMENT

Some CAP measures have had an influence on maintaining particular land uses, for example through protecting permanent grassland. The greening ESPG measure bans the ploughing of designated grassland and protects five million hectares (just under one third) of permanent grassland in Natura 2000 areas (based on the proportion of the area designated that is declared by farmers claiming CAP direct payments). A very small proportion of permanent grassland is protected through ESPG designation outside Natura 2000 areas, i.e. 0.32 million hectares (1%). The model suggests that direct payments (basic payments, greening, VCS and ANC) may have supported continued agricultural activity on semi-natural habitats that are at risk of abandonment to some extent (with agricultural activity projected to cease on approximately 6% of all agricultural land in the absence of this support). In relation to arable land use, the EFA and, to a more limited extent, the crop diversification measure have helped to stem the decline of fallow in many Member States and stimulated increases in others.

CAP instruments and measures also influence the intensity of management in all farming systems. Extensive arable and grassland systems on 8.9 million hectares (11.6% of the area estimated to be of High Nature Value) are supported by the AECM which has also contributed to the maintenance and creation of landscape features, with 2.24 million hectares of ecological features under agreement by 2017 (field margins, buffer areas, flower strips alongside hedgerows and trees). The AECM is also used to support less intensive management on permanent crop and arable land through reduced inputs (5% of such land), soil cover and soil management techniques (2.8%) and feed and manure management (1%).

The study also considered whether direct payments might be contributing to agricultural improvements and more intensive land management, which is one of the main drivers of biodiversity declines (although some such agricultural changes can be neutral or beneficial for biodiversity). Academic literature suggests that direct payment support that increases farm incomes might enable additional investments that allow land to be farmed more intensively. However, the study did not find evidence of whether or not this occurs in practice. No data were available to the study team to indicate whether farmers' additional investments directly or indirectly supported by the CAP were contributing to intensification.

EFFECTS OF THE CAP ON BIODIVERSITY AND LANDSCAPES

Overall: Due to information gaps and because the impacts of the instruments and measures vary greatly between Member States depending on their implementation choices it was not straight forward to estimate the overall contribution of the CAP to biodiversity and landscapes. Nevertheless, it can be said with certainty that some CAP instruments and measures are contributing significantly to biodiversity goals, particularly where they maintain semi-natural habitats, and support High Nature Value (HNV) farming systems, as these are threatened and of very high biodiversity and landscape importance, especially for habitats and species that are the focus of the Birds and Habitats Directives. The most effective measures for conserving semi-natural habitats are AECM schemes, particularly tailored and targeted higher level schemes, and the Natura 2000 measure which can compensate land managers for the costs of mandatory conservation protection particularly within Natura 2000 areas. However, the impacts of AECM schemes are often constrained by limited budgets and farmer uptake, and the Natura 2000 measure has been infrequently used by Member States.

ANC payments are also likely to contribute to household income of HNV farming systems, and thereby the continued agricultural use of semi-natural habitats in Natura 2000 sites as there is a high level of overlap between the areas. Other direct payments and VCS may also have similar effects over wider areas, but may also facilitate agricultural improvements and intensification, especially outside ANC areas, with resulting biodiversity impacts that can be detrimental, unless limited through appropriate eligibility conditions. In this respect, the risks of detrimental impacts are highest from VCS as it can incentivise higher production, although no information was found on whether or not this has happened in practice.

The Pillar 1 ESPG greening measure also plays an important role in preventing the ploughing of designated semi-natural permanent grassland habitats (as well as other wetlands and carbon rich

soils which are often of high biodiversity value). Although its added value within Natura 2000 sites is uncertain, given the protection already afforded by the Nature Directives, it probably bolsters protection given evidence of ongoing losses of permanent grassland within the Natura 2000 network. It also has the potential to protect ESPG outside the Natura 2000 network, where the rate of loss of semi-natural grassland is especially high, thereby complementing the Nature Directives. However, this potential is not realised due to very low levels of ESPG designation outside Natura 2000 sites.

For environmentally friendly farm practices, there is good evidence that organic farming, which is widely supported by CAP funding, provides biodiversity benefits, particularly where it occurs in more intensively farmed landscapes. In addition, certain EFA elements, particularly fallow land, multiannual-fodder crops (e.g. alfalfa) and landscape features (e.g. hedgerows, trees and ponds) are known to provide biodiversity benefits within arable landscapes. However, the potential benefits of the EFA measure are not fully realised as the most commonly declared EFA elements (i.e. catch crops, and nitrogen fixing crops), have low biodiversity benefits for most farmland species, other than soil fauna, although they can reduce water pollution with benefits for aquatic ecosystems and biodiversity.

Establishing the contribution made by the CAP's instruments and measures to addressing biodiversity, habitats and landscape objectives in forest areas is particularly difficult as evidence of the biodiversity impacts of the forest measures (M8 and M15) and the afforestation and agroforestry elements of the EFA is lacking as their impacts do not appear to be adequately monitored. However, as they are infrequently used by Member States and, in the case of the RDP measures, only targeted towards very high biodiversity areas in a very few cases in the case study Member States, it is likely that they are having limited overall impacts, although locally these may be more significant.

Co-existence: A wide range of CAP instruments and measures have significant potential to support improved coexistence between farming systems and protected species that can be seen as a threat, such as wild carnivores and geese, as well as to raise awareness among rural communities of the conservation value and potential economic benefits of wild mammals and birds and of agricultural landscapes that are rich in habitats to support beneficial invertebrates.

In the specific areas and farming systems where co-existence is a problem, the focus of the CAP instruments and measures that are used to support co-existence with large carnivores and geese tends to be on targeted investment in damage prevention and on AECM support for associated extensive, low-input management systems (HNV pastoral systems and sacrificial arable crops respectively). In some cases state aid is also used for preventive measures, rather than CAP funding. However the opportunity has not been taken to use a wider range of CAP instruments and measures, for example to provide specialist advisory services, Natura 2000 management plans and compensation payments, promote knowledge transfer via local cooperation initiatives and landscape scale approaches to implementation, and support for marketing local products and developing eco-tourism associated with co-existence efforts.

Member States' CAP support for wild pollinator habitats is mostly provided through targeted AECM schemes to maintain existing semi-natural habitats and landscape features, to create new habitats, and through the new melliferous fallow option for EFAs. However, implementation by Member States and uptake by farmers is insufficient to meet the challenge of supporting recovery of the wild populations. No evidence was found of targeted CAP support for wild biological control agents, but the provision of habitats for wild pollinators is also likely to benefit this group of species.

An increasingly important role in coexistence with large carnivores, geese and pollinators is being played by recently established EU level, national and regional networks that support effective practical co-operation, often bringing stakeholders, farmers and experts together to develop and implement management plans and share best practice.

Alignment with EU, national and regional biodiversity priorities: At a strategic level, in general there is relatively good alignment between the priorities identified by case study Member States during their strategic planning documents for biodiversity (e.g. Prioritised Action Frameworks and National Biodiversity Strategic Action Plans) and those reflected in their RDPs, although a small

number of examples were found where Member States had identified relevant national biodiversity priorities which were not then reflected in their RDPs.

The alignment between how Member States use their CAP horizontal and Pillar 1 instruments and Pillar 2 measures to address these priorities is less complete. Most of the ten case study Member States have not made use of the full range of CAP measures available to meet their priorities. All case study Member States and regions used a wide array of CAP instruments and measures to protect and maintain grassland habitats and species, to protect farmland birds, to preserve and manage plant and animal genetic resources as well as to minimise the impacts of agricultural pollution on biodiversity (for example by reducing chemical inputs). By contrast, despite identifying these issues as priorities in their RDPs, three Member States/regions were not using the forest measures to address pressures on forest habitats and species, three were not using the CAP to support priority restoration of peatlands and wetlands, and five Member States were not using cross-compliance to require action against priority invasive alien species.

***Factors leading to success**:* A range of successful approaches to delivering biodiversity, habitats and landscape outcomes via the CAP instruments and measures were found in the study. An analysis of these identified a number of factors that are particularly important for the success of interventions under the CAP. Of key importance are factors relating to scheme design and implementation. These include:

- Ensuring that biodiversity and landscape objectives are identified and that these are clear, specific and targeted;
- Putting in place science-led approaches to designing, testing, revising and then implementing schemes to achieve those objectives – using other EU funds, such as LIFE programme for the environment and climate action where appropriate, but also the CAP cooperation measure (M16) which can be used to pilot innovative approaches;
- Developing packages of CAP instruments and measures that can be used in a coherent and targeted way at farm, forest and landscape level;
- Ensuring that the eligibility criteria enable all land requiring biodiversity management to receive the necessary support; in the case of HNV farmland this should include eligibility for appropriate support to secure their economic viability and integrity to underpin their beneficial management practices;
- Making sure that schemes are supported by training and on-farm advisory and facilitation support that recognises and develops farmers' knowledge and skills in biodiversity management;
- Working collaboratively to use expertise, data and other resources from a range of organisations and individuals, such as government, farmers, researchers and specialist Non-Governmental Organisations, throughout the design, implementation and evaluation stages of a scheme;
- Ensuring sufficient levels and security of funding, both at programme level (including from sources outside the CAP) to deliver the scale and quality of implementation required to achieve specific biodiversity objectives in the long-term, as well as at scheme level to secure the 'critical mass' of uptake required, with payment rates set at levels that encourage high-quality biodiversity management; and
- Ensuring that mechanisms are in place to monitor and evaluate the biodiversity impacts of schemes, and then use the information to improve scheme design and implementation.

EFFICIENCY AND SIMPLIFICATION

The efficiency with which the CAP has delivered biodiversity benefits has not been optimal because greater benefits could have been secured for the available budget had Member States allocated more of their funding to the measures which deliver benefits for biodiversity most effectively, such as the AECM and Natura 2000 measures, rather than to other measures such as ANC. Low rates of designation of ESPG and the inclusion of EFA options (which were widely taken up) that have few benefits for biodiversity also reduced the efficiency of the greening payment.

The CAP instruments and measures with the greatest benefits for biodiversity are also those with the greatest administrative cost, but the study judged that cost to be generally proportionate to the

expected biodiversity benefits given the inherent complexity of some of the management practices requiring support. Some Member States had increased administrative complexity for themselves by deciding to give farmers EFA options which were already covered by cross-compliance standards for good agricultural and environmental condition of land (GAEC). Considerable simplification took place in 2017, especially of the EU rules relating to the greening EFA instrument.

COHERENCE, RELEVANCE & EU ADDED VALUE

Coherence: The internal coherence of the CAP instruments and measures as a package to support biodiversity, habitats and landscapes is high, with very few conflicts and numerous opportunities for measures to be combined in ways which are synergetic. This is the case, for example, with support for the AECM, the organic farming measure, the Natura 2000 measure and non-productive investments, all of which can be used together and can also benefit from support through the training and advice measures M1 and M2. Although ANC support, direct payments and VCS support HNV systems and their associated semi-natural habitats, species and landscapes, there is a risk that they may lead to agricultural intensification with detrimental biodiversity impacts. VCS can also directly incentivise increases in production, and is therefore incoherent with supporting biodiversity since it does not require Member States to include conditions requiring appropriate management of semi-natural habitats and so could lead to habitat damage, for instance from overstocking. Exempting farmers participating in the Small Farmers Scheme and permanent cropland from all greening requirements is not coherent with supporting biodiversity.

The CAP instruments and measures which support biodiversity, habitats and landscapes are also generally coherent with the CAP's objectives of viable food production and balanced territorial development. The greening obligations have the potential to reduce farm incomes as a result of lost production or constrained production choices but analysis from a previous evaluation shows that this has happened little in practice. Finally, the AECM, Natura 2000 and non-productive investment measures and the forest-environment measures were found to deliver co-benefits with the objective of balanced territorial development as they can create opportunities for improving economies in rural areas through, for example, increased tourism or opportunities to market higher quality products.

Most of the CAP instruments and measures are also theoretically coherent with other related EU and national policies relevant for biodiversity. The CAP could, however, be delivering greater synergies in practice with the EU's Biodiversity Strategy to 2020, in particular the implementation of the Birds and Habitats Directives and Natura 2000 network, had Member States made different implementation choices and had they always used the most effective and efficient measures.

Relevance: The measures of greatest relevance to EU and national biodiversity objectives are the AECM, the Natura 2000, forest ecosystem and forest-environment measures, along with measures to support ecological investment on farm and forest land, as these can be tailored and targeted to the protection and restoration of semi-natural habitats and their species. These are protected through the designation of ESPG, although not against all potential pressures. The relevance of other more general measures that support the economic viability of HNV farming systems, including VCS and ANC, could be increased if suitable environmental conditions were attached to their receipt.

In improved grassland and cropland areas, overall the most relevant CAP instruments and measures are the AECM and the organic farming measure under the EAFRD, and elements of EFA under the Pillar 1 greening measure, mainly the fallow and landscape feature elements. Cross-compliance GAEC 7 can also play an important role in maintaining important habitat features in the landscape, although its actual relevance depends considerably on how Member States define its scope and level of protection.

EU-added value: Overall, the CAP instruments and measures, particularly those programmed under the EAFRD, provide EU added value in relation to biodiversity and landscapes, chiefly by setting a higher level of biodiversity ambition and requiring minimum levels of financial support to be allocated to these objectives than would be likely if Member States were left to design national measures themselves. The EU level networking and knowledge sharing networks that are funded via the CAP (e.g. the European Network for Rural Development Contact Point and the European Innovation

Partnership for Agriculture) also deliver EU added value through helping improve the effectiveness of the way the CAP is used to deliver biodiversity objectives.

KEY CONCLUSIONS AND RECOMMENDATIONS

The study concluded that:

- The presence of the CAP has raised Member States' ambition towards addressing biodiversity objectives as well as the level of funding, although more could be done by Member States to ensure that their biodiversity priorities are reflected in their CAP decisions;
- Member States have not made sufficient use of the available CAP instruments and measures to protect semi-natural features, in particular grassland, or ensured that all semi-natural habitats that have the potential to be farmed are eligible for direct payments;
- The design and funding of AECM support for intensive cropping farms has been insufficiently attractive to bring about the changes in management necessary to improve their biodiversity performance;
- An overall assessment of impact has not been possible due to the absence of suitable monitoring data;
- Member States could have used a wider range of CAP instruments and measures to support the co-existence of agriculture with biodiversity.

It made the following main recommendations:

Given that a high proportion of forest, and especially farmland species are declining and a particularly high number of agricultural habitats and species have an unfavourable status, steps need to be taken to improve the way this is addressed through the way Member States design and implement the CAP's instruments and measures (as well as other EU and national environmental instruments). Based on this study's findings the following key recommendations are made to improve the CAP's contribution towards its objective of a suitable management of natural resources and climate action:

- To maximise the benefits which can be achieved for biodiversity from available CAP funding, a higher priority should be given to focusing CAP instruments and measures that have biodiversity objectives on maintaining the extent and quality of semi-natural habitats that depend on agricultural or forest management (in particular habitats protected by the Birds and Habitats Directives and semi-natural habitats used by species protected under that legislation), where these are at risk, and especially within Natura 2000 areas. In other areas of farmland, CAP instruments and measures should be targeted towards maintaining, restoring and enhancing the extent and quality of semi-natural components in the landscape; and providing other required habitats and landscape features for declining specialist farmland species;
- Member States should be required to ban ploughing/conversion of all permanent grassland in all Natura 2000 sites (unless it has been mapped as grassland of a type which does not require protection under the Habitats Directive) and on all permanent grassland outside the Natura 2000 sites which requires such protection;
- Member States should make CAP support available on all semi-natural grassland, heathland and wood pasture habitats which require agricultural management, by adopting a wider definition of 'permanent grassland;
- Member States should ensure that semi-natural tree and shrub habitats and other landscape features are preserved, by setting rules under cross-compliance or non-CAP legislation, so that they cannot be removed by farmers seeking to maximise their receipt of direct payments;
- In the future, Member States should be required, in their CAP Strategic Plans, to review strategically their use of all relevant CAP instruments and measures against the priorities in their Prioritised Action Frameworks (PAFs) and National Biodiversity Strategies and their Action Plans (NBSAPs). The most effective and efficient instruments and measures (e.g.

tailored and targeted AECM and the Natura 2000 measure) should then be used in appropriate combinations to achieve the identified priority biodiversity objectives;

- The range of options available to farmers to fulfil the 'non-productive area' requirement of environmental conditionality, in the next CAP period, should not include options of low benefit to biodiversity such as catch crops and nitrogen-fixing crops;
- Member States should be required to provide, through their Farm Advisory Service, a basic level of advice to farmers about how to improve biodiversity. They should then ensure that more specific advice and training are available on-farm, as well as promoting knowledge exchange, in particular for those taking up complex but highly beneficial schemes such as some of those available through the AECM.

The study also made recommendations for filling some data gaps, including:

- An additional CMEF impact indicator should be developed that aggregates the results of improved Member State monitoring of the biodiversity impacts of their CAP interventions. This will supplement the useful contextual information provided by the Commission's proposal for a new indicator of the status and trends of biodiversity relevant to agriculture;
- Better mapping of grasslands and other pastoral habitats so that CAP protections can be put in place;
- Academic studies are necessary to establish whether the CAP's direct payments are indirectly leading to investment decisions by farmers which intensify production at the expense of biodiversity. The CAP's investment support measures should also be looked at through this lens.

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