

BirdLife comments and input on: the revision of EU State aid rules for agriculture, forestry and fishery sectors

BirdLife is responding to The European Commission invitation to comment the revised State aid rules. The purpose of this consultation is to assess whether this law aligns with EU strategic priorities, notably the Common Agricultural Policy or the European Green Deal Strategy. Even if the Biodiversity Strategy wasn't clearly identified as a priority, we propose to include biodiversity concerns in our comments and inputs.

First, we would like to welcome that the Regulation provides good safeguards for cropped-base biofuels in the Recital (43) and (44) guaranteeing the investment linked to the production on farm-level of biofuels or energy from renewable sources and only where that production does not exceed the average annual consumption of fuel or energy of the farm and excluding from this Regulation in case of aid for investments in connection with the processing of agricultural products.

We also agree on Commission's proposal regarding the aids for improving resilience of forest ecosystems to exclude the use of non-native species.

We praise the support for preventing conflict with predators provided there is sufficient proof of results with the chosen measures. This subsidy should not pay farms putting in place any kind of useless measures.

Moreover, some of the provisions under the draft Commission Regulation could be strengthened such as:

Commissions draft Regulation proposal	BirdLife's comment and input
Article 13, section 11, paragraph (f) point (i): aids for irrigation should provide a river basin management plan	The safeguard provided in this proposition to notify to the Commission that the plan is in accordance with the Directive 2000/60/EC should also include the power for the Commission to not approve the aid if the environment might be affected by the investment.
Article 25 - Aid for the costs of the prevention, control and eradication of animal diseases and plant pests	We think that this article should include specific provision that requires, for each plant protection product use, a proof that no damage will be done to biodiversity and ecosystems. Also, any intervention in Natura 2000 should be compatible with site management objectives. Moreover, the use of some hazardous products should be banned in sensitive areas, in accordance with the Sustainable use of pesticides Law.
Article 33 regarding the aid for afforestation and the creation of woodland, section 8	the <i>section 8</i> could be strengthened because there's no further explanation of the minimum

	<p>environmental requirements of the planted species. We suggest adding the following safeguards: afforestation should not be done in forest areas, unless it targets the restoration of natural forests on plantations, or aims at reintroducing locally depleted species unlikely to rapidly recolonise the area spontaneously. It should not be done on species-rich permanent grassland or on peatlands. Planting must be limited to native species. In addition, monoculture plantations should be avoided, only allowing planting of mixed forest with species composition mimicking natural forest typical to the region.</p>
<p>Article 41 - Aid for investments in infrastructure related to the development, modernisation or adaptation of the forestry sector</p>	<p>Point 4. Aid for land consolidation must include safeguards to avoid damage to biodiversity, in particular aid must not be allowed for consolidation that can lead to removal of landscape features, conversion of natural vegetation to crops, drainage of wetlands or increase in the size of fields.</p> <p>Point 7. MS should ensure these roads do not damage biodiversity and that access on them is tightly regulated so that they can be used by firefighters but not by arsonists , as most fires, both accidental and criminal, start from roads.</p>
<p>Article 42 on investments in forestry technologies and marketing forest products, section 7, set out provision to investments for the use of wood as a raw material or energy source</p>	<p>As this investment may incentivise harmful practices, causing sever damages to forest habitats, the use of wood should follow the cascading principle and be used only as raw material and not for industrial energy purposes. Moreover, the forest should be managed in a biodiversity and climate sensitive way, avoiding harmful practices, notably clear-cuts or dead wood removal</p>