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Conditions for the implementation of the Union support under the Common Agricultural Policy for 2028–2034

**Condizioni per l’attuazione del sostegno dell’Unione
nel quadro della Politica Agricola Comune
per il periodo 2028–2034**

This analysis aims to provide a preliminary evaluation of the proposal for a regulation of the European Parliament and of the Council establishing the conditions for the implementation of the Union support to the Common Agricultural Policy for the period from 2028 to 2034. Both, the rationale behind the legislative proposal and the wording of the draft provisions have been taken into account. When formulating this evaluation, the authors considered the experience gained in implementing the CAP during the current financing period, the challenges facing the European agricultural sector, and the European Commission’s vision for the future of this sector, as set out in the communication “A Vision for Agriculture and Food” to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. This document does not clearly align with the provisions of trade agreements. Further simplification of agricultural policy in the European Union is also needed. Concluding, the submitted proposal introduces many new solutions but also entails new requirements for beneficiaries.

Keywords: agricultural law, European agricultural law, Common Agricultural Policy, CAP objectives, CAP financing

L’obiettivo delle considerazioni è effettuare una valutazione preliminare della proposta di regolamento del Parlamento Europeo e del Consiglio che stabilisce le condizioni per l’attuazione del sostegno dell’Unione alla Politica Agricola Comune per il periodo dal 2028 al 2034. La valutazione tiene conto, da un lato, della motivazione della proposta legislativa e,

dall’altro, del testo delle disposizioni. Nel formulare il giudizio, gli Autori hanno considerato in particolare le esperienze maturate finora nell’attuazione della PAC nell’attuale periodo finanziario, le sfide del settore agricolo europeo e la visione futura delineata nella Comunicazione della Commissione al Parlamento Europeo, al Consiglio, al Comitato Economico e Sociale Europeo e al Comitato delle Regioni, intitolata “Una visione per l’agricoltura e l’alimentazione”. Nelle conclusioni, gli Autori evidenziano, tra l’altro, che il documento manca di una chiara coordinazione con le disposizioni degli accordi commerciali. È inoltre necessaria un’ulteriore semplificazione della politica agricola nell’Unione Europea. La proposta introduce numerose nuove soluzioni che, di conseguenza, comportano ulteriori requisiti per i beneficiari.

Parole chiave: diritto agricolo, diritto agricolo europeo, Politica Agricola Comune, obiettivi della PAC, finanziamento della PAC

Introduction

In July this year, the European Commission announced a proposal for a regulation of the European Parliament and of the Council laying down the conditions for the implementation of the Union support under the Common Agricultural Policy for the period 2028–2034.¹ The proposal explains the rationale behind the regulation and its draft wording, thus specifying the objectives of the CAP for the next financing period and clarifying the conditions for support to achieve them. This opens up room for discussion on the future shape of this extremely important European policy.

Due to the short time since its announcement, the draft regulation has not been discussed much in the literature, also not in Poland. However, many issues have already been addressed in discussions on the current CAP implementation period, which include detailed assessments and conclusions addressed to the EU legislator. Among Polish publications on the subject, noteworthy are those by Izabela Lipińska,² Alina Jurcewicz³ and Magdalena

¹ Proposal for a Regulation of the European Parliament and of the Council establishing the conditions for the implementation of the Union support to the Common Agriculture Policy for the period from 2028 to 2034, COM(2025) 75 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025PC0560> [accessed on 22.11.2025].

² I. Lipińska, *Legal instruments for risk management in agriculture in the new Common Agricultural Policy*, “Przegląd Prawa Rolnego” 2021, no. 1, pp. 203–216.

³ A. Jurcewicz, B. Włodarczyk, E. Tomkiewicz, *Ewolucja zadań Wspólnej Polityki Rolnej – przeszłość, teraźniejszość, przyszłość*, “Przegląd Prawa Rolnego” 2024, no. 1, pp. 91–113.

Jeziernicka.⁴ Opinions expressed by economists are also important.⁵ Foreign literature also focused on certain issues of interest and have addressed them extensively. It is worth mentioning, by way of example, publications pointing to the shortcomings of the Common Agricultural Policy in the current financing period, also in the context of the Green Deal, the need to coordinate climate and agricultural policies, or to strengthen the resilience of European agriculture to crises.⁶

There is no need to explain in detail how important the research topic specified in the title is for the future of European agriculture and EU agricultural law. The European Union faces a variety of challenges, both internal and external, which it must take into account when formulating the conditions for financing the Common Agricultural Policy. Therefore, the aim of these considerations is to make a preliminary assessment of the draft regulation, which may inspire discussion on its future shape. This assessment takes into account, on the one hand, the justification of the legislative proposal and, on the other hand, the wording of the draft provisions. In formulating it, particular account is taken of the experience gained so far in implementing the CAP in the current financing period, the challenges facing the European agricultural sector and the future vision for this sector of the economy set out in the Communication from the European Commission to the European

⁴ M. Jeziernicka, *Prawno-ekonomiczne ujęcie założeń i celów Wspólnej Polityki Rolnej 2023–2027. Próba oceny współzależności, „Ruch Prawniczy, Ekonomiczny i Socjologiczny”* 2024, no. 3, pp. 167–182.

⁵ A. Delivorias, *The EU’s Multiannual Financial Framework 2028–2034: Structure and Innovation*, EPRS Briefing, European Parliament 2025; R. Hansum, J. Lindner, N. Redeker, E. Rubio, *Ripe for Reform – What’s in the EU Budget Proposal and What Comes Next?*, Berlin 2025; J. Swinnen, *Trade, standards and the political economy of the CAP*, “World Economy” 2022, no. 7, pp. 1892–1915.

⁶ F. Moreno Mozo, *Contradictions in the evolution of the CAP*, “Przegląd Prawa Rolnego” 2023, no. 2, in particular p. 108 ff.; D. Carloni, *La “nuova” politica agricola commune sotto accusa: le ragioni degli agricoltori in rivolta*, “Diritto e giurisprudenza agraria, alimentare e dell’ambiente” 2024, no. 1, p. 1 ff.; L. Russo, *La politica agricola comune tra esigenze di sostenibilità economica e l’attuazione del Green Deal a tutela della biodiversità*, “Diritto agroalimentare” 2025, no. 2, p. 329 ff.; D. Bianchi, *Sovranità alimentare: strumenti giuridici e strategie alla luce della recente riforma della PAC e del Green Deal*, “Alimenti” 2022, no. 4, pp. 653–684; M. Alabrese, *Politiche climatiche, politiche agricole e il bisogno di coordinamento*, “Rivista di diritto agrario” 2020, vol. 3, p. 618 ff.; M. Westra, *Integrating climate objectives into the CAP*, “Common Market Law Review” 2023, no. 4, pp. 1021–1050; Ch. Busse, *The new CAP after 2020 – The Brussels Colloquium of the CEDR of 25 October 2022 on the occasion of the 60th anniversary of the CAP and the 65th founding year of the CEDR*, “CEDR Journal of Rural Law” 2022, no. 2, pp. 8–11; B. von Garmissen, *Das gegenwärtige Agrarrecht ist nur bedingt krisentanglit*, “Agrar und Umweltrecht” 2022, no. 12, p. 1.

Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “A Vision for Agriculture and Food” dated 19 February 2025 that shapes the EU’s agricultural and food sector, making it attractive for future generations.⁷

1. Justification for the legislative proposal

The legislative proposal begins with a detailed justification for the proposed regulation. The legal basis provided is based on the provisions of the Treaty on the Functioning of the European Union and Article 39, which sets out the objectives of the CAP. Depending on the financing period, these objectives have been pursued through different legal instruments designed to achieve them. In subsequent financing periods, there is always a discussion on how legal and financial instruments can be changed to help agriculture in the EU.

The legislative proposal sets out several specific objectives that refer to the aforementioned Communication “A Vision for Agriculture and Food.” One of the fundamental ones is to support farmers’ incomes and competitiveness. This objective corresponds to the scope of Article 39 TFEU, but the main emphasis is planned to be placed on supporting those farmers who contribute to food security and environmental protection. Another challenge facing agriculture is generational renewal. The support provided to young farmers to date has not yielded satisfactory results. Therefore, one of the objectives is to make the farming profession more attractive by increasing access for young people through capital incentives.

In the general part of the explanatory memorandum, the drafters emphasise that agriculture remains a sector of strategic importance for the Union, ensuring food security for approximately 450 million citizens, while also being a key element of the socio-economic structure of rural areas. The explanatory memorandum points out that, despite the support provided to date, farmers’ incomes remain relatively low and vulnerable to market fluctuations, with an average of around one-fifth of agricultural income in the

⁷ Komunikat Komisji do Parlamentu Europejskiego, Rady, Europejskiego Komitetu Ekonomiczno-Społecznego i Komitetu Regionów, Wizja dla rolnictwa i żywności. Współne kształtowanie unijnego sektora rolnego i spożywczego, atrakcyjnego dla przyszłych pokoleń, COM(2025) 75 final, <https://eur-lex.europa.eu/legal-content/PL/ALL/?uri=CEL-EX:52025DC0075> [accessed on 22.11.2025]. See the article by A. Niewiadomska, *Agriculture in 2040 according to the European Commission Communication “A Vision for Agriculture and Food”* published in this issue of “Przegląd Prawa Rolnego.”

EU coming from direct payments. In this context, the economic and social objectives of the proposal are, in particular: to increase the “fairness” and “targeting” of income support by giving priority to small and medium-sized farms; to strengthen the position of young farmers and facilitate generational renewal; and ensuring income stability in conditions of increased market volatility and production costs. The explanatory memorandum emphasises that the use of degressive area-based income support (DABIS) instead of the current uniform direct payments is intended to reduce the concentration of subsidies in the largest entities and contribute to the implementation of the principle of material equality between farmers.⁸

Another group of motives are environmental and climate objectives. The drafters point out that agriculture bears significant responsibility for greenhouse gas emissions, biodiversity loss and soil degradation, but at the same time has the potential to provide environmental public goods such as carbon sequestration and landscape protection.⁹ This is even more in line with the EU’s existing climate policy, in particular solutions dedicated to agriculture. The explanatory memorandum emphasises continuity with the existing “green architecture” of the CAP, but proposes to streamline and strengthen it by introducing a single farm stewardship system covering environmental, climate, health and animal welfare requirements as basic conditions. In addition, it envisages the further development of agri-environment-climate actions (AECAs) as voluntary interventions going beyond mandatory standards. The drafters also refer to the obligation to integrate environmental protection requirements under Article 11 TFEU, pointing out that the CAP 2028–2034 is to be one of the main instruments for achieving the EU’s climate objectives.

In budgetary terms, the rationale for the proposal is in line with the vision of a new, “compressed” EU budget for 2028-2034, in which agricultural policy funding remains significant but is subject to stronger fiscal pressure. The Commission documents emphasise that maintaining a high level of support for agriculture requires greater efficiency and better targeting, as well as integration with other policies (cohesion, green transition) within the NRPF.¹⁰ At the institutional level, the guiding principle remains the transition from compliance-based management to performance-based management. The new strategic plans are to include objectives and result indicators, and

⁸ A. Matthews, *The CAP 2028–2034: fairer and better targeted income support?*, CAP Reform, 10 November 2025.

⁹ S. Højte, J. Flatz, *Aligning the CAP with EU’s Climate Policy*, Copenhagen 2024.

¹⁰ R. Hansum et al., *Ripe for Reform...*

the assessment of the effectiveness of interventions, including the CAP, is to be based on the results achieved and not solely on the formal compliance of expenditure with the rules.¹¹

As part of the budget package, the Commission proposes integrating the CAP, cohesion policy and selected sectoral policies into the National and Regional Partnership Fund (NRPF), managed on the basis of a single set of rules and National and Regional Partnership Plans (NRPP) prepared by Member States.¹² CAP funds are to be formally ring-fenced within the fund – according to the proposal, at least approximately EUR 293–296 billion to support farmers' incomes in 2028–2034, as part of the overall NRPF pool of approximately EUR 865 billion.¹³

2. Draft regulation – detailed analysis

The draft regulation of the European Parliament and of the Council laying down the conditions for the implementation of the Union support under the Common Agricultural Policy for the period 2028–2034 sets out the rules for financing the CAP. This draft is part of the legislative package on the Union's multiannual financial framework (MFF) for 2028–2034, which includes, among other things, proposals for regulations on the new National and Regional Partnership Fund (NRPF) and implementing acts on performance-based governance in EU policies.¹⁴ In material terms, the horizontal proposal defines the CAP intervention catalogue, the conditions for access to support and the framework for conditionality and control, while in institutional terms it defines the relationship between the EU and national levels in the agricultural policy implementation system.

As already mentioned, the main objectives set out in the explanatory memorandum to the proposal are to create more targeted support for farmers' incomes and their long-term competitiveness by directing support to farmers

¹¹ R. Pastor Carretero, B. Casares Guillén, *Multi-level governance at the breaking point: are Member States prepared for the new CAP integration?*, Brussels 2025.

¹² Commission information, The 2028–2034 EU budget for a stronger Europe, https://commission.europa.eu/strategy-and-policy/eu-budget/long-term-eu-budget/eu-budget-2028-2034_en [accessed on 22.11.2025].

¹³ Directorate-General for Agriculture and Rural Development, The CAP 2028–2034 proposal explained: fairer, better targeted income support for farmers, https://agriculture.ec.europa.eu/media/news/cap-2028-2034-proposal-explained-fairer-better-targeted-income-support-farmers-2025-11-10_en [accessed on 22.11.2025].

¹⁴ C. Mendez, J. Bachtler, F. Wishlade, *Cohesion Policy on the Rocks?*, EoRPA Report 25/3, Glasgow – Delft 2025.

who actively contribute to food security, the economic viability of farms and specific sectors, and the protection of the environment, while enabling them to access complementary sources of income.¹⁵ As an example of such challenges, Article 3(1) of the draft regulation introduces the requirement of responsible farm management. This new concept consists of basic requirements for farm management. These requirements appear complex at first glance and are set out in Annex I to the draft regulation.¹⁶ They can be divided into three main areas: legal, social¹⁷ and climate. The inclusion of the social factor is new here and will certainly require numerous clarifications as to the extent to which it is to cover the functioning of agriculture.

Key aspects of this new approach may include: strict compliance with legal provisions – farmers are required to comply with applicable legal regulations in the areas of the environment, public health, food safety and animal welfare. This is, of course, nothing new, but Annex I lists the specific regulations that farmers will need to comply with in order to be eligible for aid. Their interpretation and scale of application in different countries may affect the internal and external competitiveness of agriculture. An important aspect of the new approach is resource management – the efficient use of natural resources such as water, soil and energy in a way that minimises negative impacts on the environment. This means increasing the emphasis on compliance with climate rules, and their clarification will have to be much more closely monitored.¹⁸

This concept is based on the principle of “do no significant harm” as set out in Regulation (EU, Euratom) 2024/2509 of the European Parliament and

¹⁵ Draft Regulation COM(2025) 75 final, <https://eur-lex.europa.eu/legal-content/PL/TXT/HTML/?uri=CELEX:52025PC0560> [accessed on 22.11.2025].

¹⁶ Annex I to the draft (COM(2025)560) introduces a detailed farm stewardship system – a set of management requirements (Statutory Management Requirements, practices relating to soil, water, biodiversity, public health and animal welfare), integrated with a system of controls and sanctions. Compared to the existing cross-compliance system, the following changes can be observed: greater systemicity – a uniform system covering key environmental and health areas; a stronger link to climate and biodiversity objectives; better linkage with payments – failure to meet the requirements may result in a reduction in payments from a wide range of interventions. From a legal perspective, this raises questions about the proportionality of sanctions and transparency for beneficiaries (whether farmers will be able to predict the consequences of violations), which is important in light of the principle of legal certainty.

¹⁷ D. Łobos-Kotowska, A. Doliwa, *Sprawiedliwość społeczna i solidarność w prawie rolnym (na przykładzie wspierania rozwoju obszarów wiejskich)*, “*Studia Iuridica Lublinensia*” 2021, no. 30, pp. 429–444.

¹⁸ W. Ziętara, Z. Mirkowska, *Zielony Ład – w kierunku rolnictwa ekologicznego czy ekologizacji rolnictwa?*, “*Zagadnienia Ekonomiki Rolnej*” 2021, no. 3, pp. 29–54.

of the Council. According to recital 8 of the draft regulation, responsible farming should take into account minimum environmental and social conditionality requirements, as well as protective practices developed by Member States to achieve key objectives such as protecting soil and rivers from pollution. Member States should be able to adapt such protective practices flexibly to their specific geographical and climatic context and production systems, including by establishing exemptions. In order to promote socially sustainable agriculture, certain CAP payments require compliance with standards relating to working and employment conditions and health and safety at work. The new approach attaches great importance to planning and documentation. Requirements for keeping records of agricultural activities and management strategies enable the monitoring and evaluation of farm performance. The increased use of IT tools and satellites may prove to be a challenge not only for Polish agricultural law, but also for real estate management. Due to the rather diverse distribution of land holdings, monitoring appropriate agrotechnical activities may prove difficult to implement, for example in Polish conditions.

Innovation is an important issue for the new CAP and responsible farm management. The draft regulation provides, among other things, for the promotion of investment in new technologies and methods that increase the sustainability and efficiency of production. It also provides for support for farmers in terms of training and education, which will enable them to better manage their farms and adapt to changing requirements. A new and legally difficult factor will be involvement in local communities. Here, responsible farms should engage in local initiatives and cooperate with other entities within the farming community. The draft regulation also aims to increase the attractiveness of the profession and promote generational renewal, supporting access for young people and those starting out in the profession, among others by promoting skills development, better access to capital and better working conditions. In this regard, an increase in educational activities is envisaged.

First and foremost, the draft enumerates the types of support that can be offered under the CAP. In accordance with Article 5(1), these include: degressive area-based income support;¹⁹ production-related income support;

¹⁹ DABIS replaces the existing system of linear direct payments. Its main features are: Agriculture and rural development degression – higher level of support for the first hectares, gradual reduction of payments as the size of the farm increases; payment range – the average rate in each Member State is to be between EUR 130 and EUR 240 per hectare; capping – maximum amount of support per farm at EUR 100,000 per year; possibility of additional reductions above thresholds (e.g. EUR 20,000, 50,000, 75,000), in line with budget proposals

specific payment for cotton; payment for areas with natural or other specific constraints; support for losses resulting from certain mandatory requirements; agri-environment-climate measures; payments for small farms; support for risk management tools;²⁰ support for investments for farmers and forest holders; support for the setting up of young farmers and new farmers, the establishment of rural businesses and the development of small farms; support for farm replacement services; LEADER; support for knowledge sharing and innovation in agriculture, forestry and rural areas; territorial and local cooperation initiatives; interventions in the outermost regions; interventions in the smaller Aegean islands; the EU school scheme referred to in Title I of Part II, Chapter II of Regulation (EU) No 1308/2013 of the European Parliament and of the Council 13; interventions in certain sectors referred to in Part II, Title I, Chapter II of Regulation (EU) No 1308/2013; crisis payments to farmers.

One of the objectives is also to increase the role of the agricultural and forestry sector in climate action, in the provision of ecosystem services, the protection of biodiversity and natural resources by rewarding farmers who work in harmony with nature and encouraging them to switch to more sustainable production methods adapted to local conditions, and ensuring an appropriate balance between investments, incentives and requirements.²¹ In addition, the need to improve resilience, crisis and risk management capacity, provide stronger and more targeted incentives for farmers to reduce their vulnerability and exposure to risks, including through adaptation at farm level and diversification of production, promoting more ambitious changes during the transition in places where existing activities are not sustainable in the long term, and strengthening the link between prevention and crisis management. However, there was no response to questions related to co-ordinating this aid with the market behaviour of third countries with which the EU has advanced free trade agreements.

and expert analyses. In legal terms, DABIS combines the features of classic direct payments with redistributive elements, which is intended to implement the principle of equal treatment in a material sense – through greater support for smaller farms, which are statistically in a worse income situation.

²⁰ I. Lipińska, *Producent rolny wobec nieuczciwych praktyk handlowych – wybrane zagadnienia prawne*, "Przegląd Prawa Rolnego" 2017, no. 2, p. 61 ff.

²¹ M.A. Król, *Rola gospodarstw rodzinnych w prawnej ochronie zasobów środowiska i różnorodności biologicznej*, in: P. Litwinik (ed.), *Prawne mechanizmy wspierania i ochrony rolnictwa rodzinnego w Polsce i innych państwach Unii Europejskiej*, Warszawa 2015, p. 155 ff.

With regard to risk management in agriculture, in accordance with the proposed Article 12 of the draft regulation, Member States shall provide support to farmers for participating in risk management tools. Support in this regard should only be granted to cover losses exceeding a threshold of at least 20% of the farmer's average annual production or average annual income over the previous three years, or the average of three years calculated on the basis of the previous five years, excluding the highest and lowest values. This means that strict accounting records must be kept and losses incurred in this regard must be determined.

In accordance with paragraph 2 of this provision, sectoral risk management tools allow losses to be calculated at farm level, at the level of the farm's activity in a given sector, or in relation to a specific insured area. In the case of permanent crops and in other justified cases where the calculation methods referred to in the first subparagraph are not appropriate, Member States may adopt a method of calculating losses based on the farmer's average annual production or income over a period not exceeding eight years, excluding the highest and lowest values. The draft regulation also provides for accelerating innovation, increasing access to knowledge and accelerating digital transformation²² and, as a result, the development of a prosperous agricultural sector by strengthening knowledge and innovation systems in agriculture,²³ including access to impartial and professional advisory services, targeted training, and support for the wider use of digital solutions.²⁴

The digital solutions introduced under Agriculture 4.0 may prove insufficient. A new legal approach is needed, both in civil and criminal law, as well as in administrative law, to implement innovative solutions in agriculture. The current CAP, which focuses largely on the market and agricultural products, must be reoriented to put farmers at the centre of attention. The draft regulation is based on the assumption that the objectives of the CAP – food security, market stability and a high level of environmental protection – cannot be effectively achieved at Member State level, which traditionally

²² A. Schaffner, *Digitisation: top value for farmers*, "Agrifuture" 2017, vol. 4, pp. 24–25.

²³ S. Oleiro Araújo, R. Silva Peres, J. Barata, F. Lidon, J. Cochicho Ramalho, *Characterising the Agriculture 4.0 Landscape – Emerging Trends, Challenges and Opportunities*, "Agronomy" 2021, no. 4, 667; S. Monteleone, E. Alves de Moraes, B. Tondato de Faria, P.T. Aquino Junior, R. Filev Maia, A. Torre Neto, A. Toscano, *Exploring the adoption of precision agriculture for irrigation in the context of Agriculture 4.0: The key role of the Internet of Things*, "Sensors" 2020, no. 20(24), 7091.

²⁴ M. de Clercq, A. Vats, A. Biel, *Agriculture 4.0: The Future of Farming Technology*, World Government Summit, 2018, p. 11.

justifies maintaining a common policy in this area. At the same time, through the NRPP, a significant part of the decisions is decentralised.

3. Poland's position on the draft regulation

Poland opposes the abolition of the two-pillar CAP, believing that only this formula can ensure production stability, food security and fair competition in the EU.²⁵ The Ministry emphasises that agriculture and food production are key pillars of national security, especially in the context of geopolitical turbulence. Therefore, when negotiating the CAP after 2027, the priority should be to ensure operation of mechanisms that guarantee food production.

The Communication from the Ministry of Agriculture and Rural Development points out that the CAP proposals offer the possibility of continuing the existing forms of support, including direct payments, climate and environmental measures, support for small farms, farms in less-favoured areas and investments in rural areas. At the same time, the Ministry declares that it is particularly keen to ensure that funds are distributed effectively, taking into account the needs of Polish agriculture.²⁶ Poland welcomes the fact that under the new CAP, some decisions, such as the form and scope of support, can be taken at national level. This makes it possible to adapt to the conditions of Polish agriculture better. In EU talks, Poland is demanding effective protective mechanisms to prevent the EU market, including the Polish market, from being flooded with cheaper food from outside the EU. Poland opposes liberalisation that could harm Polish producers.

Although the new perspective is to maintain the CAP budget, analyses (and some circles) indicate that there may be less support, which could mean a decline in agricultural profitability. Poland has expressed concerns that the proposed budget does not meet fully the farmers' expectations.²⁷ As a result, the Ministry of Agriculture and Rural Development emphasises that adequate measures must be taken to ensure that the CAP effectively protects the agri-

²⁵ Communication Common Agricultural Policy after 2027 once again the subject of debate in Brussels, <https://www.gov.pl/web/rolnictwo/wspolna-polityka-rolna-po-roku-2027-once-again-the-subject-of-debate-in-Brussels> [accessed on 22.11.2025].

²⁶ Position of the Ministry of Agriculture and Rural Development on the CAP budget for 2028–2034, <https://www.gov.pl/web/rolnictwo/stanowisko-mirw-w-sprawie-budzetu-w-prz-na-lata-2028-2034> [accessed on 22.11.2025].

²⁷ G. Psujek, *Budżet UE rośnie, ale rolnicy dostaną mniej niż dotąd*, 17.07.2025, <https://businessinsider.com.pl/gospodarka/budzet-ue-20282034-co-oznacza-dla-polskiego-rolnictwa/8sxesw7> [accessed on 22.11.2025].

cultural sector.²⁸ Poland fears that the integration of the CAP with other EU funds may weaken support for agriculture, which is why it insists that the CAP remain an autonomous policy with its own budget.²⁹ With imports on the rise, e.g. from Ukraine and Mercosur countries, the government is demanding safeguard clauses to protect Polish farmers from unfair competition.

Based on its experience with the current CAP, including eco-schemes, Poland warns against placing excessive environmental burdens on farmers if this leads to a decline in the competitiveness of production. In short, the CAP cannot be merely a tool for transformation – it must also protect production and farmers' incomes.³⁰ Poland wants the CAP to remain a strong, well-funded, autonomous EU instrument that ensures stability, food security and real support for farmers. At the same time, it demands that the new policy be flexible – adapted to Polish conditions, protecting producers from dumping and supporting the further development of rural areas.

Conclusions

The draft regulation of the European Parliament and of the Council establishing the conditions for the implementation of the Union support under the Common Agricultural Policy for the period 2028–2034, presented by the European Commission, requires a discussion on the future of agriculture in the European Union. At this stage, without other documents clarifying and detailing it, it cannot be unequivocally critically assessed. It introduces many new requirements for farmers and shifts the focus of the CAP to climate protection and innovation. It also implements a new system of degressive income support.

Furthermore, it should be noted that the new CAP is part of a whole system of changes to other legislative acts and is part of the transformation of the entire EU economy. The main principles of this system are to be based on results that will be difficult to measure in agriculture. The pace of digitalisation will certainly vary from country to country, and with it the availability

²⁸ M. Szpyrka, *Przyszłość Wspólnej Polityki Rolnej: oszczędności, centralizacja i pytania bez odpowiedzi*, 1.09.2025, <https://euractiv.pl/section/rolnictwopr/news/przyszlosc-wspolnej-polityki-rolnej-oszczednosci-centralizacja-i-pytania-bez-odpowiedzi/> [accessed on 22.11.2025].

²⁹ A. Molenda, *Silna WPR czy cięcia? Polska nie ustępuje*, 18.11.2025, <https://agronews.com.pl/artykul/silna-wpr-czy-ciecia-polska-nie-ustepuje/> [accessed on 22.11.2025].

³⁰ Wielkopolska Izba Rolnicza, *Wspólna Polityka Rolna 2028–2034: ambitna wizja czy kontynuacja błędów?*, <https://wir.org.pl/asp/wspolna-polityka-rolna-2028-2034-ambitna-wizja-czy-kontynuacja-bledow-1,artykul,1,5650> [accessed on 22.11.2025].

of new aid measures. Even at this preliminary stage, there is a clear need to coordinate the adopted assumptions with changes in international law and to take into account the possible enlargement of the European Union in the proposed regulations. This is particularly important from the point of view of countries such as Poland.

The proposed regulation only touches on the issues of food security and maintaining the competitiveness of European agriculture *vis-à-vis* other countries, particularly those outside the EU. There is also a lack of legal mechanisms that would enable a fairly rapid response to market changes, including price changes. This was a demand made during the farmers' protests and in the literature cited in the introduction.

The proposed legal solutions also need to be analysed in terms of their impact on the competitiveness³¹ of agriculture and the possibilities for implementing modern solutions, including those related to artificial intelligence.³² There is a lack of specific legislative proposals related to the possibilities of responding to the challenges associated with this new approach in agriculture. The activities of EIP-AGRI which supports cooperation projects for innovation through operational groups based on an “interactive innovation model” appear to be insufficient. In addition, it links scientific research with agricultural and forestry practices and informs the scientific community about the needs related to these practices; it connects innovation actors and innovation projects, in particular through EU and national CAP networks; it promotes the use of innovative solutions by disseminating information and knowledge, including among farmers. There is a need for a coordinated plan for innovation that would define the framework for the functioning of new technical solutions in agriculture.

Financial issues should not be forgotten either. The regulation itself does not contain a clear statement on the level of CAP funding in the future. The proposal itself mentions only two amounts related to the future CAP and the Competitiveness Fund. However, agriculture requires a stable approach and a specific funding framework. There have been many interesting initiatives in the past, such as the greening policy,³³ which have not been sufficiently

³¹ A. Niewiadomska, *Konkurencyjność jako determinanta prawa europejskiej polityki rolnej*, “*Studia Iuridica*” 2018, vol. 72, pp. 267–278.

³² P. Popadowski, *Reguły konkurencji w rolnictwie w prawodawstwie Unii Europejskiej*, Warszawa 2019.

³³ B. Włodarczyk, *Prawne instrumenty ochrony środowiska i przeciwdziałania zmianom klimatu we Wspólnej Polityce Rolnej na lata 2023–2027*, “*Przegląd Prawa Rolnego*” 2022, no. 2, pp. 11–26.

implemented due to insufficient funding and a lack of economic incentives for farmers. The question arises as to whether the new CAP, without strong economic support, will be capable of meeting the requirements of the free market.

Member States should have their say in the discussion on this regulation, as it is a document that will shape the future of agriculture in Europe for the next dozen or so years. This requires well-considered and research-based decisions. The document presented does not clearly coordinate these provisions with trade agreement regulations. Nor does it provide legal solutions to price fluctuations or the demands made in farmers' protests. It also fails to create incentives for short supply chains. The Regulation of the European Parliament and of the Council on the Common Agricultural Policy for the period 2028–2034 is an important step towards the sustainable development of the agricultural sector in the EU. By introducing basic requirements and support mechanisms, the EU has an opportunity to improve the quality of life in rural areas and protect natural resources for future generations. It will be crucial to maintain a balance between economic development and environmental protection and the social needs of rural residents.

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