



FUTURE-PROOFING THE CAP: REBALANCING EU SUBSIDIES TOWARD PLANT-BASED PRODUCTION

A Legal Assessment
and Policy Proposal
for the Post-2027
CAP

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EXECUTIVE SUMMARY

The Common Agricultural Policy (CAP) is one of the largest components of the European Union budget, representing approximately **EUR 386.6 billion for the 2021-2027 programming period**. As the Union's primary agricultural spending framework, the CAP plays a central role in shaping farm structures, land markets and agricultural production systems across Europe.

The design of its financial instruments therefore has far-reaching implications for environmental outcomes and **core policy objectives such as generational renewal, farm resilience and long-term food security**.

Within the current CAP architecture, direct payments constitute the structural backbone of public agricultural support. The Basic Income Support for Sustainability (BISS) alone represents approximately EUR 96.7 billion, accounting for around 51% of the direct payments' envelope.

Because these payments are **largely allocated on the basis of land area** rather than income vulnerability or structural constraints, their distribution plays a **decisive role in shaping land ownership patterns, farm consolidation and the economic organisation** of agricultural production across the Union.

Indeed, by linking public support primarily to land area, this structural model may contribute to **land concentration and rising land prices**, potentially complicating access to land for new entrants and younger farmers. These dynamics raise broader questions regarding the CAP's capacity to **support generational renewal and the long-term resilience** of the European farming sector, both recognised priorities of EU agricultural policy.

The interaction between CAP financial instruments and existing agricultural structures also influences the **orientation of agricultural production**.

Livestock production represents approximately 40-45% of the total value of EU agricultural output, and European crop production remains closely integrated with livestock supply chains.

Around **two-thirds of EU cereal production is used for animal feed rather than direct human consumption**. Empirical research further suggests that approximately **82% of EU agricultural subsidies are linked to the production of animal products**, either directly through livestock production (38%) or indirectly through the production of feed crops (44%).

Through these structural interactions, public financial support may contribute to stabilising livestock-oriented production systems across significant parts of the European agricultural sector.

These structural dynamics also have implications for the European Union's **food security and strategic autonomy**, as the strong integration between crop production and livestock systems generates a high demand for protein crops used in animal feed.

As a result, the European Union remains **structurally dependent on external suppliers for a large share of its protein needs**: estimates indicate that **the EU imports around 70% of the high protein crops used for animal feed**, particularly soybeans and soy meal.

Despite longstanding policy discussions on strengthening domestic protein production, support for plant-based protein systems intended for **human consumption remains comparatively limited** within the current CAP architecture (only 4-5% of coupled income support).

This imbalance raises **broader questions about the Union's capacity to reduce external dependencies, strengthen food sovereignty and diversify agricultural production systems** in a context of increasing geopolitical and supply chain uncertainties.

These developments also raise important questions in light of the European Union's environmental and climate commitments.

Agriculture accounts for approximately **11% of total EU greenhouse gas emissions**, with emissions heavily **concentrated in livestock production systems**. At the same time, Regulation (EU) 2021/1119 (the European Climate Law) establishes a legally binding objective of climate neutrality by 2050 and a target of at least 55% net greenhouse gas emission reductions by 2030 compared with 1990 levels.

Under the EU Treaties, Union policies must be **implemented in a manner consistent with principles such as environmental integration, policy coherence and sound financial management**.

Where major public expenditure programmes interact with sectors associated with significant environmental and climate impacts, **questions may arise as to whether the design of those financial instruments remains fully aligned with the Union's broader legal commitments**.

This report examines these issues through **four complementary perspectives**.

Part 1 provides a **diagnostic of the CAP's current financial architecture and its structural effects**, examining how the allocation logic of its main instruments influences land markets, farm structures, generational renewal and the orientation of agricultural production.

Part 2 examines the **main legal vulnerabilities arising from these structural dynamics**. It considers whether the design and effects of key CAP instruments may give rise to concerns in light of EU obligations relating to **environmental integration, climate commitments, animal welfare, policy coherence and sound financial management**.

Part 3 explores the **main litigation pathways through which these issues could be brought under judicial or institutional scrutiny**.

Recent developments in climate and environmental litigation illustrate the growing willingness of courts and oversight bodies to examine whether public policies and economic activities remain consistent with evolving legal commitments.

Part 4 outlines a **policy option aimed at reducing these structural risks while strengthening the CAP's contribution to long-term agricultural resilience, food sovereignty and policy coherence**.

It proposes a targeted rebalancing of support, by **reallocating 20% of the support that currently benefits livestock** and feed-dependent production systems, **towards the production of plant-based proteins for direct human consumption** within the post-2027 reform framework.

KEY FINDINGS



The CAP's current allocation model structurally **locks in animal-based protein systems**, through land-based payments, coupled support and entrenched production infrastructures.



The CAP contributes to **EU dependence on imported protein feed**, while under-supporting plant-protein production for human consumption, weakening food sovereignty and strategic autonomy.



A significant share of EU agricultural expenditure sustains emissions-intensive, feed-dependent systems, reinforcing **climate, environmental and animal welfare pressures**.



This allocation pattern is increasingly **misaligned with EU law and policy frameworks**, including Article 11 TFEU (environmental integration), Article 13 TFEU (animal welfare), the EU Climate Law, as well as the European Green Deal, the Farm to Fork Strategy, and the EU objective of strengthening plant-protein autonomy.



CAP spending is now subject to **growing judicial scrutiny**, with recent litigation signalling a shift toward enforceable accountability.



20% of the support that currently benefits livestock and feed-dependent production systems should be reallocated towards the production of plant-based proteins for direct human consumption, as a fiscally neutral, structurally transformative lever to realign incentives and improve policy coherence.



Without **demand-side measures** (public procurement, market incentives, dietary guidelines etc), CAP reform alone will not deliver a sustainable food transition.

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Introduction

About Food Forward Europe

Food Forward Europe (FFE) is a nonprofit organisation dedicated to **aligning European food systems with long-term economic resilience, environmental sustainability, and legal coherence under EU law**. FFE operates at the intersection of agricultural policy, environmental law and public finance. Its work focuses on the Common Agricultural Policy, which represents one of the largest components of the EU budget and plays a central role in shaping agricultural production systems across Member States.



Food Forward Europe engages with **EU institutions, policymakers and civil society actors** to promote **evidence-based reforms of agricultural subsidy allocation**. Its activities combine legal analysis, policy research and institutional engagement.

The organisation's work is grounded in the premise that **public expenditure within the CAP must be consistent with the Union's binding legal framework and long-term sustainability objectives**.

Scope and Methodology

This report focuses on the current CAP framework (2021–2027) and the design trajectory of the post-2027 reform cycle.

The analysis draws on:

- Official European Commission budgetary data
- European Parliament fact sheets
- European Court of Auditors findings
- European Environment Agency emissions data
- Peer-reviewed academic research
- Independent policy analyses
- Relevant EU legislative instruments

All references cited in the report are listed in full in the References Section at the end of the document.

The report adopts a combined **economic and legal methodology** through a structured analytical framework integrating quantitative budgetary analysis, sectoral production assessment and legal compliance review.

On the economic side, it **evaluates allocation patterns, sectoral dependency, climate efficiency, structural distribution effects and broader environmental impacts**, based on publicly available EU datasets and peer-reviewed research.

On the legal side, it **assesses the compatibility of CAP instruments with binding obligations under EU primary and secondary law**, and identifies potential **entry points for judicial scrutiny** before the Court of Justice of the European Union (CJEU) and national courts.

The analysis does not assume bad faith or regulatory failure, but **examines whether the current architecture, as designed and implemented, remains coherent with evolving EU primary and secondary law**.

The report adopts a systemic perspective, examining both direct and indirect effects of CAP expenditure on production structures and food systems.

While the analysis is based on the most recent available data and policy documents, it reflects the inherent limitations of aggregate-level assessments and evolving policy implementation across Member States.

Against this background, the next section sets out the main features and consequences of the current CAP allocation model. It examines the distribution of support across sectors and instruments, as well as its implications for food security, strategic autonomy, generational renewal, climate objectives and animal welfare.

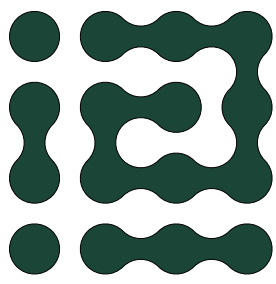
PART 1

A diagnostic of CAP budget allocation and its consequences

The CAP is often presented as a neutral income-support mechanism. In practice, however, the way its main financial instruments are designed plays a decisive role in shaping who receives public support, which production systems are maintained, and how agricultural land is used across the European Union. Because the largest share of CAP expenditure remains linked to land area, its allocation effects extend far beyond farm income alone.

The following section therefore examines the structural consequences of the current CAP allocation model. It analyses how the design of direct payments influences subsidy concentration, land markets and generational renewal, before considering the broader implications of this model for livestock production, protein dependency, climate objectives and animal welfare outcomes. Together, these dynamics help explain why the current CAP architecture may increasingly come into tension with the legal and policy issues examined in the following Parts.





Preliminary point: How the CAP is Financed and Spent

Before examining the structural effects of CAP expenditure, it is useful to briefly recall how the Common Agricultural Policy budget is allocated. Because the CAP is organised through several distinct financial instruments and support schemes, understanding how these funds are distributed is necessary in order to identify which parts of the policy drive its main structural effects. The following overview therefore provides a brief reminder of the CAP's overall budgetary architecture and allocation of expenditure.

Total CAP Envelope (2021-2027)

Total CAP funding available for the 2021–2027 period:

EUR 386.6 billion.

EUR 378.5 billion are available for CAP-related expenditure under Natural Resources and Environment



EUR 8.1 billion were also allocated to rural development measures under the NextGenerationEU programme in 2021 and 2022 to support economic and social recovery following the COVID-19 crisis.

CAP Expenditures Breakdown

(Percentages below refer to the share of the total CAP budget)

Pillar I

Support through the European Agricultural Guarantee Fund (EAGF)
EUR 291,1 billion

DIRECT PAYMENTS - 270 Bn

fully financed by the EU (no national co-financing)

- BISS – Basic income support for sustainability: 36.7%
- CIS – Coupled income support: 8.6%
- CIS-YF – Complementary income support for young farmers: 1.4%
- CRISS – Complementary redistributive income support for sustainability: 7.2%
- Eco-scheme – for the climate, the environment and animal welfare: 17.3%
- Cotton: 0.7%

SECTORAL SUPPORT - 21.1 Bn

Sectoral support measures mainly concern wine, fruit and vegetables, olive, hops and apiculture. They are generally financed entirely by the EU, except for apiculture.

Pillar II

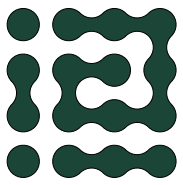
Support through the European Agricultural Fund for Rural Development (EAFRD)
EUR 95.5 billion

These measures are co-financed by Member States (MS), with the EU covering on average around 60% of expenditure and national authorities around 40%, although rates vary depending on the measure, region and MS. The EU contribution amounts to EUR 95.5 billion, including the 8.1 billion from the COVID-19 recovery instrument.

- AECC – Environmental, climate and animal welfare-related measures
- ANC – Support for areas with natural constraints
- ASD – Support for areas with specific disadvantages
- INV – Investments
- INSTAL – Setting up of farmers and rural start-ups
- RISK – Risk management tools
- COOP – Cooperation
- KNOW – Knowledge and information
- Technical assistance

Source: the European Commission

(Figures are expressed in current prices, following the European Commission's presentation of CAP funding for 2021–2027.)



Inefficient Targeting of Income Support

As illustrated, direct payments remain the structural backbone of the Common Agricultural Policy. Within the envelope of direct payments, the Basic Income Support for Sustainability alone accounts for approximately 51%, or EUR 96.69 billion.¹ The way they are allocated thus determines not only who benefits from EU agricultural expenditure, but also influences land markets, farm structures and generational renewal. The evidence indicates that the prevailing allocation logic prioritises land control over income vulnerability, contributing to concentration and structural lock-in.

Subsidy Concentration and Structural Inequality

The design of BISS is explicitly area-based. It is defined as an annual decoupled payment **granted per eligible hectare**.² The European Commission confirms that payments are calculated primarily according to the amount of agricultural land controlled by the beneficiary.³ As a structural feature, this model ties public income support directly to land surface **rather than to income need, productivity constraints, or social vulnerability**.

“A Payment Model That Rewards Scale Over Need”

The European Commission’s own distribution data illustrate the effect. In 2022:⁴

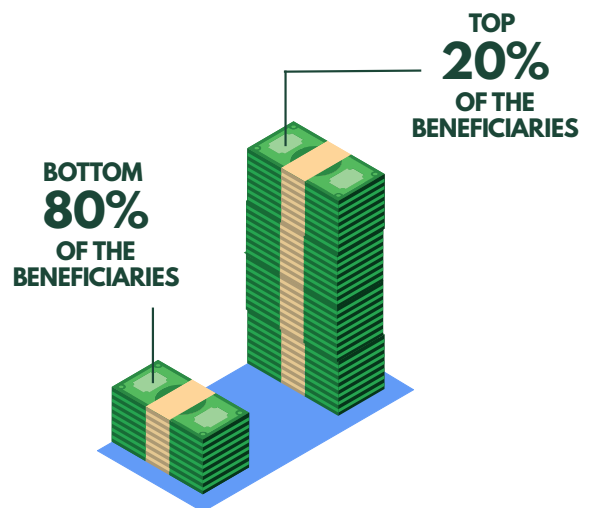
- Farms < 5 hectares represented **nearly 50%** of beneficiaries, farmed **5%** of agricultural land and received **6%** of direct payments
- Farms > 250 hectares represented **just over 1%** of beneficiaries, farmed **27%** of EU agricultural land and received **23%** of payments.

The Independent analysis *Who CAPtures the Cash* confirms the concentration pattern. Based on an examination of six Member States, it finds:⁵

- The top 1% of beneficiaries receive **27%** of payments.
- The top 10% receive **63%**.
- The top 20% receive **78%**.
- The bottom 80% receive **22%**

In some MS, the top 1% even receive approximately 40% of total subsidies.⁶ This reflects a broader distribution pattern in which a relatively small group of large landholders captures a disproportionate share of public support.

PERCENTAGE OF PAYMENTS RECEIVED



“Evidence of Reinforced Inequality Within the Sector”

The Institute for European Environmental Policy’s (IEEP) analysis also finds that direct payments are not distributed in a way that systematically favours lower-income farmers.⁷

Because most payments are allocated on a per-hectare basis, farms controlling larger areas of land receive higher total transfers regardless of their income level.

Empirical analysis of the 2014-2020 CAP period shows that **many regions receiving substantial payments already had farm incomes at or above the EU median**, while a large share of agricultural employment was concentrated in lower-income regions.⁸

CAP payments tended to raise incomes further in wealthier farming regions, while **transfers to the poorest regions were often insufficient to bring farm income up to the EU median level**. As a result, the distribution of direct payments can **reinforce existing disparities** within the agricultural sector rather than reduce them.

“Redistribution Mechanisms with Limited Structural Impact”

Corrective mechanisms exist but remain too limited in scale. MS are required to allocate at least 10% of their direct payments’ envelope to redistributive income support for smaller farms.⁹ The Commission estimates that this represents approximately EUR 4 billion annually.¹⁰

However, Complementary Redistributive Income Support for Sustainability (CRISS) represents only around 7% of total direct payments, which **remains modest relative** to the total EUR 96.69 billion BISS envelope.¹¹

Therefore, by tying income support to hectares rather than need, the CAP results in a structurally stable distribution model in which:

- **land concentration translates into payment concentration**
- **large beneficiaries receive the highest aggregate transfers,**
- **redistribution operates only at the margins.**

Capitalisation Effects and Generational Lock-In

Beyond distributional concentration, the hectare-based design of direct payments produces **structural economic effects** through capitalisation into land values and rental markets.

The stability and predictability of direct payments, embedded in multi-annual financial frameworks, mean that **expected future transfers are incorporated into land prices**. When support is attached to hectares rather than to transformation objectives, it becomes an asset-linked entitlement.

“Generational Renewal: a Challenge”

Generational renewal is one of the most **pressing structural challenges** facing EU agriculture.

The European Commission acknowledges that the farming population is ageing and that **demographic renewal remains insufficient**. A majority (57.6%) of EU farm managers are aged 55 or over, while only 11.9% are under 40.¹²

This demographic imbalance is not occurring in isolation. It coincides with a **long-term decline in the number of farms and an increase in average farm size**. Over recent decades, the total number of agricultural holdings in the EU has fallen significantly, while larger holdings have expanded their share of land.¹³

Structural consolidation is therefore an ongoing trend, occurring alongside a growing imbalance between older and younger farmers: in 2020, 33.2% of EU farms were managed by farmers above retirement age, compared with only 12% managed by farmers under 40.¹⁴

FARM MANAGERS AGE





1 out of 3

farmers is
above
retirement
age

“Subsidies Embedded into Land Values”

The architecture of income support interacts directly with these dynamics. As explained, the BISS represents approximately EUR 96.69 billion and is distributed per hectare.¹⁵ Because payments are stable, predictable and linked to land area, they generate a **recurring public revenue stream attached to land control**. From an economic perspective, predictable area-based subsidies are partially capitalized into land values.

The expected stream of future payments increases the present value of land assets: buyers incorporate anticipated subsidy flows into purchase prices and landlords adjust rental prices accordingly. IEEP notes that direct payments influence land markets and may contribute to structural consolidation.¹⁶ As payments are stable and largely guaranteed, the land markets internalize them.



Demographic pressure reinforces this mechanism. With more than half of farm managers aged 55 or over,¹⁸ **succession is increasingly shaped by the high capital value of agricultural assets, itself driven by capitalised area-based payments**. Rising land prices restrict market entry for young farmers without family holdings or substantial capital. Intergenerational renewal therefore tends to occur mainly through inheritance or intra-family transfer,

A This reflects a broader distribution pattern in which a relatively small group of large landholders captures a disproportionate share of public support.. The result is that part of the public transfer intended to stabilise farm income is absorbed into asset valuation.

“Rising Entry Barriers for New Farmers”

For young entrants, this translates into higher entry costs. New farmers must either acquire land at prices that reflect capitalised public transfers or enter rental contracts where part of the subsidy is effectively transferred to landowners. At the same time, payment concentration reinforces expansion capacity among larger holdings.

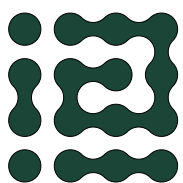
As shown previously, in the studied Member States, the top 20% of beneficiaries capture 78% of payments, while the top 1% capture 27%.¹⁷ Larger farms therefore receive higher aggregate public transfers, **strengthening their ability to reinvest in land acquisition, capital equipment, and vertical integration**.

“Structural Inertia”

This produces a consolidation cycle:

or through acquisition by already capitalised operators.

It results in **structural inertia**. The sector evolves toward fewer, larger, more capital-intensive holdings, as stable area-based payments embed public transfers into land assets, increase entry costs, reinforce consolidation, and structurally constrain generational renewal.



Policy Bias Toward Livestock Production

Because direct payments are primarily allocated on the basis of land area, they tend to favour larger landholdings and established production systems. In many parts of the European Union, these systems remain closely associated with livestock production, meaning that the current distribution of public support may indirectly contribute to stabilising livestock-oriented agricultural models.

“Area-Based Income Support Perpetuates Livestock Systems”

Because the BISS is allocated per eligible hectare, it primarily supports farms controlling agricultural land rather than specific types of production.¹⁹ As discussed, this model links income support directly to land area rather than to structural transformation or sectoral diversification.

Permanent grassland, which constitutes a significant share of agricultural land in several Member States, is **fully eligible** for direct payments under CAP rules. They are generally used for grazing livestock or producing animal fodder and are largely utilised by ruminants in the EU.²⁰

In practice, this means that grazing systems can receive **significant levels of public support** through hectare-based payments. The eligibility of permanent grassland therefore contributes to maintaining land uses closely associated with animal production.

Thus, in regions where livestock farming dominates land use, this hectare-based support provides stable financial transfers to farms whose economic activity is centered on animal production. Although formally decoupled from production decisions, the payment structure interacts with existing agricultural systems. In Member States where livestock production already represents a dominant component of regional agriculture, area-based income support contributes to maintaining those livestock-oriented farm structures

“Coupled Support Continues to Target Livestock Sectors”

In addition to decoupled income support, Member States can choose to offer other payments that focus on specific sectors or types of farming.²¹

Unlike BISS, these payments remain directly linked to production levels. Member States may therefore direct them toward particular agricultural sectors.

Member States may allocate up to 13% of their direct payments envelope to voluntary coupled support. Across the EU, these payments represent approximately EUR 23 billion during the 2023-2027 CAP period.²³ In practice, **livestock sectors account for a substantial share of these allocations**. Analysis of CAP Strategic Plans shows that approximately 70% of Coupled Income Support (CIS) is directed towards livestock sectors, notably beef and veal, sheep and goat meat, and milk and dairy products.

≈ 70% of Coupled Income Support is targeted towards livestock

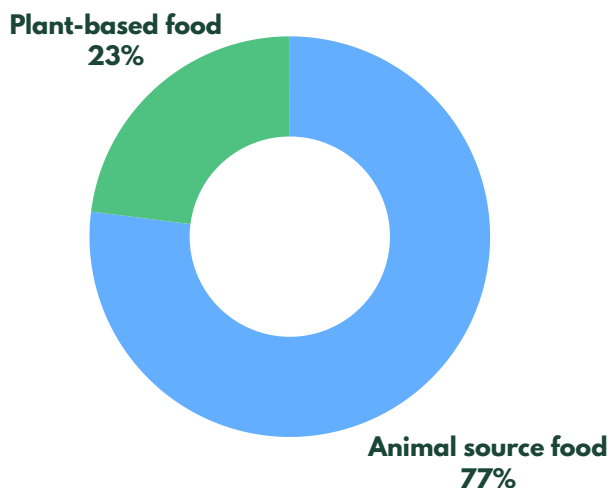
Examples include support directed to bovine sectors in France, beef and sheep production in Spain, cattle production in Poland, and bovine-oriented production systems in Ireland.²⁵

For example, according to Foodrise, in 2020:

- **beef and lamb received** approximately EUR 8 billion in CAP subsidies, compared with only EUR 14 million for legumes, meaning that beef and lamb received **more than 580 times more support than legumes**;
- **pork received nearly 240 times more than legumes**; and
- **dairy received EUR 16 billion, or 554 times more than nuts and seeds**.

Overall, 77% of CAP subsidies linked to food production supported animal-sourced foods, compared with only 23% for plant-based foods.²⁶

SHARE OF CAP FOOD-RELATED SUBSIDIES ALLOCATED TO ANIMAL AND PLANT-BASED PRODUCTION



In contrast, protein crops for human consumption remain a marginal component of EU agriculture. Legumes and other plant-based protein crops account for only 3% of EU arable land.²⁷ Although the CAP allows Member States to allocate an additional 2% of direct payments specifically to protein crops, this instrument remains comparatively small relative to the financial flows supporting animal production.²⁸

“EU Agricultural Structures Remain Strongly Livestock-Oriented”

Beyond individual policy instruments, the structure of EU agriculture itself remains closely linked to livestock production. In 2020, approximately 4.1 million agricultural holdings in the EU kept livestock, representing around 44.9% of all farms.²⁹

The scale of animal production across the Union is also considerable. In 2024, EU agriculture includes approximately 132 million pigs, 72 million cattle, and 67 million sheep and goats.³⁰



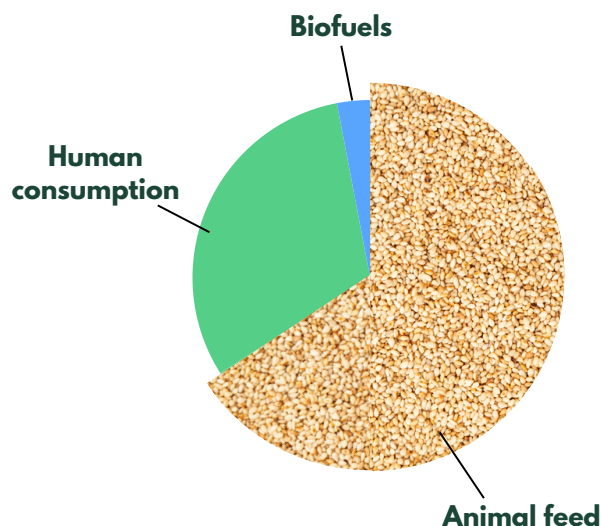
These livestock populations underpin extensive production systems across several regions of the Union.

Livestock systems also shape agricultural land use. Estimates indicate that more than 70% of EU agricultural land is linked to livestock production, either through grazing systems or the cultivation of feed crops.³¹

70% of EU agricultural land is linked to livestock production

Crop production itself remains closely integrated with livestock systems. Approximately two-thirds of EU cereal production is used for animal feed rather than direct human consumption.³²

EU'S CROPS CONSUMPTIONS



Within this broader economic structure, livestock production remains a major component of EU agriculture, representing approximately 40-45% of the total value of EU agricultural output.³³

In livestock-intensive regions, the interaction between CAP investment support, processing infrastructure and feed supply chains therefore contributes to stabilising existing production systems.

Once production networks, infrastructure and processing capacity are established around animal production, structural change toward alternative agricultural models becomes more complex.

“Policy Support for Plant Protein Remains Limited”

While EU policy discussions increasingly emphasise protein crop diversification and the development of plant-based food systems, CAP Strategic Plans implementation suggests that plant-protein objectives remain only partially integrated into operational support mechanisms.³⁴ Rather than constituting a distinct policy priority for food-oriented plant-protein development, such measures remain embedded within broader agricultural support frameworks that are primarily structured around existing production systems.

This contributes to a persistent gap between the strategic emphasis placed on plant-based transitions at EU level and their more limited translation into targeted policy instruments at Member State level.

A central structural imbalance lies in the allocation of public support between plant-protein production for animal feed and plant-protein production for direct human consumption. While a significant share of CAP support contributes, directly or indirectly, to feed production for livestock systems, support specifically targeting plant-protein crops for human food markets remains comparatively limited.



As a result, public funding contributes more to sustaining protein flows through livestock supply chains than to developing plant-based food systems for direct human consumption.

“Conclusion: A Structural Gap”

Empirical research examining the allocation of all type of agricultural subsidies across the European Union indicates that a large proportion of public support is structurally linked to livestock supply chains. One study estimates that:

≈ 82% of EU agricultural subsidies support the production of animal products

either directly through livestock production or indirectly through feed systems. Of this total, **approximately 38% supports animal products directly, while around 44% supports the production of feed crops used in livestock farming.**³⁵ Collectively, these data highlight the extent to which public support mechanisms reinforce the structural integration between crop production and animal agriculture within European food systems.

This pattern of allocation further consolidates livestock-oriented production systems and, as the following section will show, contributes directly to the Union’s structural dependence on imported protein crops for animal feed.

Dependence on Imported Protein Crops

As discussed in the previous section, several CAP instruments contribute to stabilising livestock-oriented production systems. One of the structural consequences of this configuration is the large demand for protein-rich feed crops required to sustain animal production.

“A Feed-Oriented Agricultural System”

The structure of the European agricultural system is closely linked to livestock production, which drives a very large share of the Union’s demand for plant proteins. According to the European Commission, the EU livestock sector uses approximately **72 million tonnes of protein annually in animal feed**.³⁶

Feed markets therefore dominate protein demand within the European agricultural system. The Commission estimates that

≈ 67% of crude protein from crops produced and consumed in the EU is used for animal feed

illustrating the central role of livestock production in shaping agricultural output and land use across the Union.³⁷

Within this feed market, compound feed production is primarily driven by livestock sectors with high protein requirements. According to the Commission:

- pig production accounts for around 34% of industrial compound feed production;
- poultry and eggs for 33%;
- and cattle for 28%.³⁸

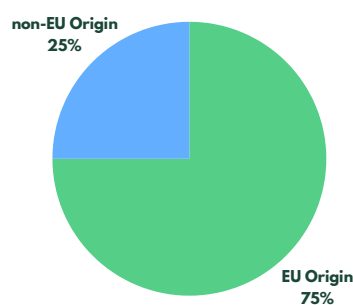
Soybean meal occupies a particularly important role in this system. The Commission notes that soybean meal alone represents around 16% of total protein intake in livestock feed, reflecting its essential role in compound feed formulation across the EU livestock sector.³⁹

“Structural Dependence on Imported Protein Crops”

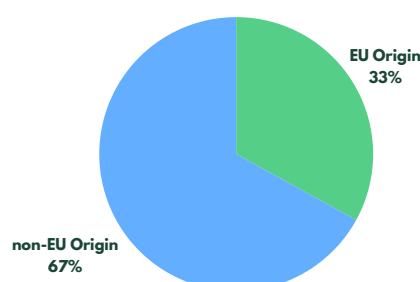
Despite the scale of European agricultural production, domestic protein crop output remains **insufficient** to meet the demand generated by livestock feed markets.

The European Union therefore **relies heavily on imports** of plant proteins. According to the European Commission, around 18.1 million tonnes of protein used in livestock feed originate from outside the EU (approximately 25% of total protein use), while reliance on imports rises to 67% in the case of high-protein feed used in the EU.⁴⁰

SHARE OF IMPORTED PROTEIN IN EU LIVESTOCK FEED (SOURCE EUROPEAN COMMISSION)



SHARE OF EU-PRODUCED HIGH-PROTEIN FEED (SOURCE EUROPEAN COMMISSION)



A large share of these imports consists of soy products. The Commission reports that soybean and soybean meal protein dominate EU protein imports, representing approximately **11.3 million tonnes annually**.⁴¹

This reflects a high level of dependency on external supply: according to the Commission,

94% of soy protein used by EU livestock is imported

highlighting the structural reliance of the European livestock sector on global feed markets.⁴²

Most of these imports originate from major agricultural exporters outside the Union, particularly Brazil, Argentina and the United States, linking European livestock production directly to global agricultural commodity markets and international feed supply chains.⁴³

Also, these import patterns may be affected by the implementation of the EU Deforestation Regulation (EUDR), which will require soy imported into the EU to be demonstrably deforestation-free and fully traceable.



This reliance on imported feed proteins exposes the European food system to external supply risks, price volatility and geopolitical disruptions, as the scale of livestock production within the EU food system is closely linked to a structural dependence on external protein suppliers.

Strengthening domestic protein production has therefore become a recurring objective in EU agricultural policy debates.

Although the European Union produces certain protein crops domestically, including rapeseed, peas, beans and other legumes, these crops remain comparatively limited in scale relative to the demand generated by livestock production.

For example, dry pulses produced in the EU represent around 1.1 million tonnes of protein, a relatively modest volume compared with the scale of protein demand in livestock feed.⁴⁴

Overall, as illustrated above, the Commission estimates that only around 33% of high-protein feed used in the EU originates from EU production, highlighting the continued reliance of the livestock sector on imported protein sources.⁴⁵

This structural imbalance illustrates the scale of the challenge facing efforts to diversify protein sources within European agriculture. While domestic production of certain protein crops has increased in recent years, it continues to cover only a fraction of the total demand generated by livestock feed markets.

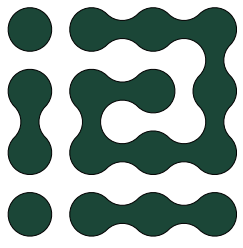
“A Structural Feature of the European Food System”

These dynamics highlight a structural feature of the European agricultural system. Livestock production occupies a central position within the EU agri-food economy and supports extensive value chains, including feed manufacturing, meat processing, dairy production and export-oriented food industries.

The protein inputs sustaining these sectors therefore constitute a critical component of the broader European food system.

However, a large share of these inputs is sourced from outside the Union. As a result, the **European livestock sector is deeply integrated into global agricultural commodity markets and international feed supply chains.**





Climate Implications of Livestock-Oriented Agricultural Systems

The climate implications of the European agricultural system are closely linked to the central role played by livestock production. Animal production systems require large quantities of feed, land and biological inputs, and generate substantial methane and nitrous oxide emissions. As a result, livestock production is one of the main structural drivers of greenhouse gas emissions in EU agriculture.

Understanding the climate impact of the Common Agricultural Policy therefore requires examining the relationship between livestock production, agricultural emissions and the broader structure of EU food systems.

“Livestock Production as the Main Source of Agricultural Emissions”

Agriculture represents a significant share of the European Union’s greenhouse gas emissions. According to the European Environment Agency (EEA), the agricultural sector accounted for approximately 11% of total EU greenhouse gas emissions.⁴⁶

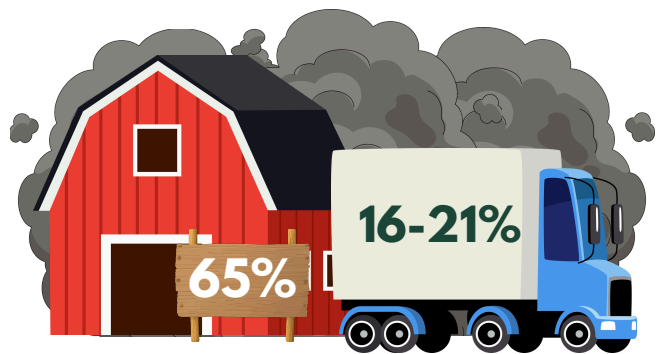
Within the agricultural sector, emissions are heavily concentrated in livestock production systems. According to the EEA, methane emissions from enteric fermentation account for around 48-49% of agricultural greenhouse gas emissions, while emissions from manure management represent about 17%. Livestock-related sources therefore account for roughly two thirds of total agricultural emissions in the EU. This figure does not include emissions from agricultural soils, which account for around 30% of agricultural emissions and are partly linked to the cultivation of feed crops for livestock.⁴⁷

More recent policy analyses reach similar conclusions. A 2025 study by the IEEP estimates that livestock farming is responsible for around 65% of agricultural greenhouse gas emissions in the EU.⁴⁸

When emissions associated with the production, processing and transport of livestock feed are also taken into account, the European Commission estimates that the livestock sector may account for up to around 81–86% of total agricultural greenhouse gas emissions in the EU.⁴⁹

These emissions are directly linked to livestock production systems and reflect the biological processes associated with animal digestion, manure storage and the fertilisation of agricultural soils used to produce animal feed.

LIVESTOCK SECTOR ACCOUNTS FOR 81–86% OF EU AGRICULTURAL GHG EMISSIONS



“Structural Inefficiencies of Animal-Based Food Production”

The climate impact of livestock production is also linked to the biological inefficiencies inherent in animal production systems. Producing meat, dairy and eggs requires converting large quantities of plant-based biomass into animal products before they reach the human food chain.

Recent research comparing different food products within the European food system illustrates this imbalance. A peer study estimates that animal-based foods account for approximately 84% of the greenhouse gas emissions embodied in EU food production, while supplying only around 35% of total calories consumed in the European Union.⁵⁰

This imbalance reflects the biological conversion losses inherent in livestock systems. Crops such as cereals and soy are first used as feed before being converted into animal protein, which requires significantly more land, energy and inputs than producing plant-based food directly for human consumption.

As a result, livestock production amplifies the climate footprint of the agricultural system by increasing demand for feed crops, fertiliser use and land resources.

“Emissions Are Declining Only Slowly”

Despite the central role of agriculture in the EU emissions profile, progress in reducing emissions in the sector has remained limited over the past two decades. According to the EEA, **agricultural greenhouse gas emissions in the EU declined by only around 6% between 2005 and 2023.**⁵¹

Current projections suggest that reductions will remain modest in the coming years. Based on existing policies and measures, agricultural emissions are projected to reach only around 10% below 2005 levels by 2030. Even with additional planned measures, the reduction would reach approximately 13% below the 2005 baseline.⁵²

These figures highlight the structural difficulty of reducing emissions in agriculture compared with other sectors of the economy. This difficulty largely stems from the fact that many agricultural emissions are inherently linked to biological processes that are difficult to eliminate entirely, in particular methane emissions from ruminants and nitrous oxide emissions associated with manure and fertilised soils.

“Methane Emissions: a Key Climate Challenge”

Livestock emissions are particularly important from a climate perspective because they include large quantities of methane, a greenhouse gas with a much higher warming potential than carbon dioxide over shorter time horizons.

According to the European Commission, agriculture accounts for approximately 53% of anthropogenic methane emissions in the European Union, making it the largest single source of methane emissions within the EU.⁵³ These considerations are reinforced by broader international climate commitments. Under the Global Methane Pledge, **the European Union has committed to contribute to a global reduction of methane emissions of at least 30% by 2030**, highlighting the importance of addressing methane sources such as livestock production.⁵⁴

Reducing methane emissions is therefore considered one of the fastest ways to slow global warming in the short term. The Intergovernmental Panel on Climate Change (IPCC) has emphasized that rapid reductions in methane emissions can significantly reduce near-term warming and contribute to limiting global temperature increases.⁵⁵

“Limited Climate Impact of Current CAP Implementation”

Despite the scale of this emissions and the central role of livestock production, several studies indicate that current CAP implementation remains only partially aligned with the EU’s climate objectives.⁵⁶

An assessment of national CAP Strategic Plans conducted by the IEEP found that **between 55% and 69% of CAP funding continues to support economic objectives, while only 20-30% is directed toward environmental and climate objectives.** In addition, relatively few CAP instruments directly target emissions from livestock production systems, despite the sector representing the majority of agricultural greenhouse gas emissions. Evaluations of CAP Strategic Plans also suggest that many policy instruments continue to support livestock production systems without necessarily incentivising emission reductions.⁵⁷

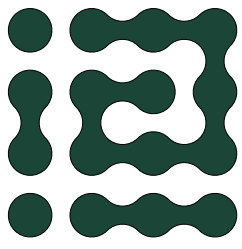
“Persistent Concerns Raised by the ECA”

The limited climate impact of the CAP has also been highlighted by the European Court of Auditors (ECA). In a major assessment of EU climate spending, the Court concluded that although the CAP accounted for more than a quarter of the EU’s climate-related expenditure during the 2014-2020 period, agricultural greenhouse gas emissions did not decrease significantly over that period.⁵⁸ The report also concluded that many **CAP measures had limited impact on emissions associated with livestock production**, particularly methane emissions from cattle and emissions linked to fertiliser use. More recently, the ECA observed that the new CAP Strategic Plans adopted for the 2023-2027 period are greener than previous CAP frameworks, but still do not fully match the EU’s climate and environmental ambitions.⁵⁹

“Implications for EU Climate Objectives”

Taken together, these indicators highlight a structural challenge for EU climate policy. Livestock production is the dominant source of greenhouse gas emissions in EU agriculture, and many of the biological processes associated with animal production generate emissions that are difficult to eliminate through technological improvements alone. At the same time, current agricultural policies continue to support production systems that are closely linked to these emissions.

As a result, the climate trajectory of EU agriculture will depend largely on how future reforms of the Common Agricultural Policy address emissions associated with livestock production, feed systems and land use. The following section therefore examines another dimension of this debate by analysing how livestock production systems interact with broader societal concerns, particularly with regard to animal welfare outcomes.



Insufficient Welfare Outcomes Despite CAP Support

The structure of European livestock production also raises important questions regarding animal welfare outcomes. While the Common Agricultural Policy includes several instruments that can potentially support improvements in animal welfare, evidence suggests that the overall impact of these measures remains limited and uneven across Member States and livestock sectors.

Animal welfare is widely recognised as an important societal concern and policy objective within the European Union. Improving the health and welfare of farmed animals is also increasingly seen as necessary to reduce the occurrence and spread of infectious diseases in farming systems. Yet within the CAP's spending architecture, animal welfare remains a secondary and highly variable component, with limited capacity to structurally redirect production incentives.

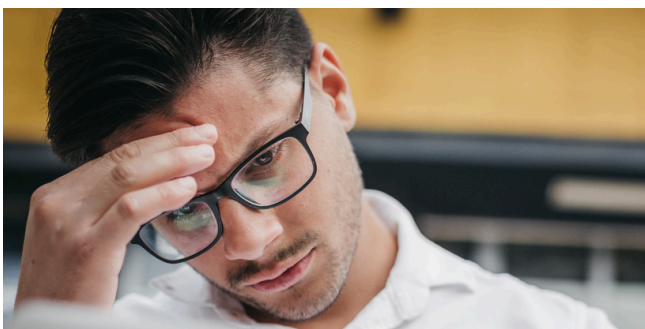
“Strong Public Expectations for Higher Animal Welfare Standards”

Public opinion surveys consistently show strong support for improving animal welfare in agriculture across the European Union. According to the European Commission's Special Eurobarometer on animal welfare, 91% of European citizens consider protecting the welfare of farmed animals important, while⁶⁰

84% believe the welfare of farm animals should be better protected than it is today

Support for concrete policy action is also strong:

- 83% support limiting transport times for live animals,
- 88% consider it important to improve welfare conditions in slaughterhouses, and
- 60% say they would be willing to pay more for products sourced from higher-welfare farming systems.⁶¹



These numbers clearly show that improving farm animal welfare is not a marginal concern, but a deeply shared priority that resonates strongly with citizens across the European Union.

“Welfare is Recognized but Structurally Peripheral in CAP Spending”

At the policy level, animal welfare is increasingly recognised within the EU's broader food policy framework.

The Farm to Fork Strategy calls on the European Union to **strengthening animal welfare standards and revising the relevant legislative framework.**⁶²

At implementation level, CAP Strategic Plans provide several instruments that can potentially support welfare improvements, including eco-schemes, agri-environment-climate commitments, investment support, and cooperation measures.

A comprehensive EU-wide review conducted by the IEEP identifies **136 CAP support schemes across the European Union that are relevant to animal welfare**, including eco-schemes, investment measures and agri-environment-climate commitments.⁶³

Taken together, these measures represent a sizable financial envelope. IEEP estimates that more than EUR 35 billion is earmarked for schemes related to animal welfare and animal health.

This includes approximately:

- EUR 27 billion in EU funding,
- EUR 8 billion in national co-financing,

distributed across:

- EUR 14.5 billion in eco-schemes,
- EUR 14.5 billion in agri-environment-climate measures,
- EUR 5.3 billion in investment support, and
- around EUR 130 million in cooperation measures.⁶⁴

However, IEEP explicitly warns that “it would be inaccurate to state that EUR 35 billion are contributing directly to animal welfare”, because many of these measures pursue **multiple objectives** or provide only **limited additional welfare benefits**.⁶⁵

This highlights a structural challenge: although welfare-related spending exists on paper, a significant share of this funding does not necessarily translate into measurable improvements in animal welfare outcomes.

“Eco-Schemes: A Major Budgetary Instrument with Limited Welfare Uptake”

The current CAP introduced eco-schemes as a flagship reform instrument intended to support environmental and potentially welfare improvements within Pillar I. In this regard, eco-schemes account for at least 25% of the direct payments envelope, representing approximately EUR44.71 billion, or 23.64% of total direct payments.⁶⁶

This reform created, for the first time, a guaranteed share of direct payments that could potentially support environmental and animal welfare improvements. However, the EU-wide review conducted by IEEP shows that **only 18 eco-schemes across the European Union are explicitly dedicated to improving animal welfare**.⁶⁷

Despite the scale of the eco-scheme budget, **animal welfare therefore remains underrepresented relative to other environmental priorities**. Where welfare-related eco-schemes do exist, several recurring limitations have been identified:

- Grazing support is widely implemented and can have positive welfare effects, but may provide **limited additional benefits in regions where grazing is already common practice**.⁶⁸
- Measures increasing space allowances or reducing stocking densities are sometimes supported but **often only marginally exceed minimum legal requirements**.⁶⁹
- Enrichment materials for pigs and poultry are supported in **only a small number of schemes and frequently lack detailed specifications**.⁷⁰

- Support for phasing out cages remains extremely limited, with **only five CAP Strategic Plans** including specific measures for cage phase-out, covering 198 investment operations and approximately EUR 37.7 million EU-wide.⁷¹
- Structural welfare reforms such as eliminating farrowing crates, ending long-term tethering or addressing welfare impacts of rapid growth rates through breed selection remain rare.⁷²

The issue is therefore not a lack of legal possibility within the CAP framework, but rather the limited scale and structural design of the measures currently implemented.

“Uneven Coverage Across Livestock Sectors”

The distribution of welfare-related measures across livestock sectors is also uneven. IEEP’s analysis shows that cattle systems are the most frequently targeted livestock category in CAP-supported welfare measures, particularly through grazing schemes and improvements in housing conditions.⁷³

By contrast, **poultry and pig production systems receive significantly less targeted support, despite the fact that these sectors often operate under highly intensive indoor production systems**.

Many pigs and poultry in the EU are raised in large-scale indoor facilities where animals have limited opportunities to express natural behaviours. Yet CAP-supported welfare measures frequently **focus on animal health or housing improvements rather than addressing broader behavioural welfare conditions**.

As a result, livestock sectors associated with some of the most intensive production systems are not always the primary targets of CAP-supported welfare improvements.

“Conditionality and Structural Limitations”

The CAP’s conditionality framework (formerly cross-compliance) requires farmers receiving direct payments to respect a set of baseline regulatory standards, including certain animal welfare requirements.

However, the effectiveness of this mechanism is **limited** by the structure of CAP payments. Conditionality only applies to farms receiving CAP direct payments. In some cases, livestock systems that rely less on eligible agricultural land, particularly intensive indoor production systems, may receive limited direct payments, meaning that conditionality may not fully capture all livestock production systems.

This structural feature can reduce the potential leverage of CAP payments to influence welfare practices in certain intensive livestock sectors.

“Concrete Examples from CAP Strategic Plans”

Case studies of national CAP Strategic Plans further illustrate the **variability in ambition and structural impact across Member States**.



Poland provides a particularly illustrative example. According to IEEP, **80%** of poultry animals in Poland were raised in cages in 2020, compared with an EU average of approximately 50%.⁷⁴

Although Poland has introduced animal welfare eco-schemes and related investment support within its CAP Strategic Plan, **the scale of intensive production systems remains substantial relative to the financial envelope dedicated to welfare reforms**.

This example illustrates a broader structural point:

welfare measures can exist within CAP Strategic Plans without necessarily transforming dominant production systems where intensive models remain economically dominant.

IEEP also highlights that **many welfare improvements require significant capital investments, such as pasture infrastructure or free-farrowing systems for pigs, which are not consistently prioritised within national CAP allocations.**⁷⁵

“Weak Monitoring and Limited Evidence of Welfare Outcomes”

The effectiveness of CAP-supported welfare measures is also constrained by weaknesses in monitoring and evaluation systems.

The European Commission’s evaluation of CAP measures promoting animal welfare finds that it remains difficult to measure the welfare outcomes generated by CAP interventions, partly because **existing indicators are not sufficiently detailed to capture changes in animal housing conditions or behavioural welfare.**⁷⁶

In many Member States:

- there are no dedicated monitoring systems tracking welfare improvements resulting from CAP measures,
- it is often unclear how many animals benefit from funded practices, and
- existing indicators are insufficient to assess whether funded practices actually improve welfare conditions.

As a result, assessing the real impact of CAP-funded measures on animal welfare outcomes remains challenging.

“Economic Considerations and Structural Constraints”

Animal welfare improvements can also require **significant adjustments in farming systems**. Some reforms involve additional investment costs, changes in housing systems or modifications in production practices.

However, studies assessing the economic impacts of certain welfare reforms suggest that **higher welfare standards do not necessarily reduce farm profitability in all cases, particularly when supported by targeted policy measures or when integrated into differentiated market segments.**⁷⁷

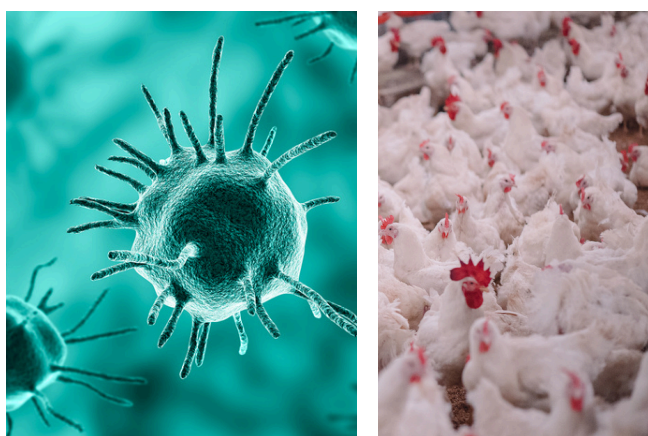
Nonetheless, the scale of financial incentives currently dedicated to welfare improvements within the CAP remains relatively limited compared with the overall CAP budget.

“Animal Welfare as a Public Health and One Health Issue”

Animal welfare is increasingly recognised not only as an ethical and agricultural concern, but also as a **public health issue**. The One Health approach, endorsed by both EU institutions and recent scientific literature, emphasises that **human health, animal health and environmental health are closely interconnected**. Within this framework, conditions in livestock production systems can have consequences extending beyond animals themselves, including for **infectious disease risks and public health resilience.**⁷⁸

A 2021 study, “The relation between different zoonotic pandemics and the livestock sector” commissioned by the European Parliament’s Committee on the Environment, Public Health and Food Safety examined the **links between livestock production systems and zoonotic disease risks**.

The study finds that **certain characteristics commonly associated with intensive livestock systems**, including high stocking densities, confinement and the concentration of large numbers of animals in enclosed spaces, **can facilitate the circulation of pathogens** by increasing physical proximity between animals, the accumulation of waste and exposure through shared ventilation systems. It concludes that **such conditions may increase both the likelihood and the speed of infectious disease outbreaks within farms**.⁷⁹



The European Food Safety Authority also explains that stress factors and poor welfare conditions can increase animals’ susceptibility to transmissible diseases. According to the European Food Safety Authority (EFSA), inadequate **housing, crowding, poor management and chronic stress may weaken animals’ resistance to infection and facilitate the spread of disease within farms**.⁸⁰

Scientific literature has also highlighted **links between intensive livestock systems, animal welfare problems and the emergence of zoonotic diseases transmissible to humans**. According to the World Health Organization (WHO),⁸¹

around 60% of known human infectious diseases are zoonotic, and over 30 new human pathogens have been detected in the last 3 decades, 75% of which have originated in animals.

In addition, many important, if not most, **food-borne pathogens are associated with the food production chain and with conditions in which animals are reared**.⁸²

Concerns are particularly significant in relation to **antimicrobial resistance**. Intensive farming systems characterised by high animal densities and elevated disease pressure have historically been associated with **greater use of antibiotics**.

Scientific and institutional sources, along with the EEA, increasingly recognise that **improving animal health and welfare can help reduce the need for antimicrobial treatments** and thereby contribute to **limiting the development of antimicrobial resistance**, which is considered one of the **major public health threats in Europe**.⁸³ Recent EU One Health reports continue to identify zoonotic diseases linked to livestock production and food systems, including salmonella, campylobacter and certain forms of bovine tuberculosis, as ongoing public health concerns.

More broadly, the One Health approach suggests that policies aimed at improving farm animal welfare may generate benefits extending beyond animals themselves, by **contributing to disease prevention, food safety and public health resilience**.⁸⁴

“Broader Institutional Assessments”

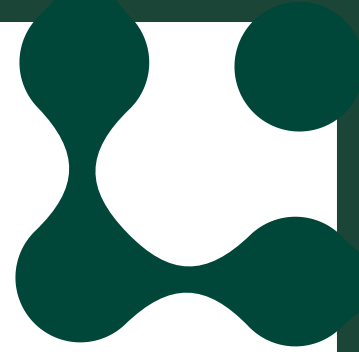
Institutional evaluations have highlighted **persistent gaps between EU policy ambitions and the practical implementation of animal welfare improvements**, a finding echoed by the European Court of Auditors, which concluded that **enforcement mechanisms and monitoring systems could be strengthened** across Member States.⁸⁵

Similarly, the European Commission’s Fitness Check of EU animal welfare legislation concluded that **several elements of the EU regulatory framework are outdated and not fully aligned with current scientific knowledge or societal expectations**.⁸⁶

Considered together, the analysis shows that the Common Agricultural Policy provides instruments supporting farm animal welfare, but these remain **fragmented, uneven and of limited** practical impact, resulting in a constrained capacity to drive structural change in livestock systems. While animal welfare is increasingly recognised in EU policy and strongly supported by public opinion, this is not fully reflected in the CAP’s implementation framework, where persistent misalignment between objectives, funding choices and sectoral coverage remains. This gap is reinforced by the growing recognition of animal welfare as a One Health issue, linking welfare conditions to animal and public health outcomes.

Overall, the CAP’s contribution to improving animal welfare remains structurally limited within a system where welfare is acknowledged but not yet a central driver of agricultural transformation.

Case Study: CAP Subsidies and Intensive Foie Gras Production in France



The foie gras sector in France provides a particularly clear example of how CAP and related public funds can reinforce intensive livestock production while accelerating the concentration of agricultural support in the hands of the largest operators, exacerbating animal welfare concerns and contributing to environmental harm.

According to a 2025 study by the Observatoire des Subventions et Aides Agricoles (OBSAF), Nouvelle-Aquitaine, which accounts for 56% of French foie gras production, received at least EUR 13.8 million in public support between 2022 and 2025.

Nearly 60% of this amount, around EUR 8.3 million, came directly from CAP instruments:

- approximately EUR 5.5 million from the FEADER Recovery Fund financed through REACT-EU
- EUR 2.8 million from the standard FEADER programme.

More than two thirds of total support, over 9.2 million, was used to **maintain and modernise foie gras farms**. OBSAF notes that these figures do not include direct payments under Pillar I of the CAP, meaning that the real level of CAP support is likely to be even higher.⁸⁷

These subsidies largely financed **new fattening buildings, enclosed sheds, automated feeding and ventilation systems and other infrastructure** designed to maintain production after repeated avian influenza outbreaks.

According to OBSAF, more than EUR 5.5 million was channelled through the “Plan de Modernisation des Élevages” into 127 foie gras projects between 2022 and 2025.

In practice, the projects most likely to receive support were those requiring major capital expenditure and co-financing, favouring the largest and most integrated operators.⁸⁸

At the same time, smaller farms have disappeared. Between 2010 and 2020, the number of foie gras farms in Nouvelle-Aquitaine fell by 47%, while the number of ducks declined by only 3%.

The average farm size almost doubled, from 2,158 ducks to more than 4,000. In 2010, 60% of farms kept fewer than 1,000 ducks; by 2020, more than one quarter of the remaining farms kept over 5,000 ducks. **Three major groups, Lur-Berri, Maïsadour and Euralis, now account for 75% of foie gras production in France.**⁸⁹

The concentration of public support has reinforced a model with **significant environmental and animal welfare costs**. According to OBSAF, **feed accounts for between 50% and 85% of the climate footprint of foie gras production**, while intensive duck farms also generate substantial manure and ammonia emissions. Yet none of the subsidies identified by OBSAF were conditioned on reducing emissions, feed dependence or stocking density.

The same is true for animal welfare: public support continued to flow toward farms increasing in size and intensity, **without any conditions relating to force-feeding, confinement or stocking density, despite the fact that force-feeding is now prohibited in 22 EU Member States.**⁹⁰

This case study illustrates how CAP support can contribute to **locking in intensive livestock systems rather than supporting a more balanced distribution of public funds and a more diverse agricultural model**. In the foie gras sector, CAP funds have primarily benefited the largest operators, accelerated the disappearance of smaller farms and reinforced an increasingly concentrated production model.

At the same time, these subsidies have been granted without meaningful conditions relating to environmental performance or animal welfare. **Rather than supporting generational renewal, resilience and better farming practices, public money has helped entrench a system associated with growing environmental pressures and significant animal welfare concerns.**

Full report available at:

<https://obsaf.fr/nos-rapports/filiere-foie-gras/>



OBSERVATOIRE DES SUBVENTIONS ET AIDES AGRICOLES EN FRANCE

CONCLUSION

A DISCONNECT BETWEEN CAP OBJECTIVES AND BUDGET ALLOCATION

The CAP articulates a clear set of objectives. These include:⁹¹

- **income stability**
- **generational renewal**
- **climate action**
- **environmental protection**
- **food security**
- **improved animal welfare standards**

The analysis above suggests that a **structural gap exists between these objectives and the dominant allocation logic of CAP expenditure.**

A central element of this gap lies in the **interaction between CAP financial instruments and the structure of European livestock production systems.** Although the CAP does not explicitly prioritise livestock production, a significant share of CAP funding flows toward agricultural systems closely linked to livestock production, grazing land and feed crop supply chains.

In other words, CAP payments do not directly subsidize livestock production in all cases; however, their structure, particularly land-based payments and certain coupled supports, tends to stabilise and indirectly reinforce livestock-oriented production systems across many regions of the EU.

This disconnect can be illustrated through several structural dynamics identified in the preceding sections:

- **Income support remains primarily linked to land ownership rather than income vulnerability.** Because livestock-oriented regions often control large areas of agricultural land, hectare-based payments can channel substantial public transfers toward livestock-based production systems, reinforcing subsidy concentration and structural inequalities within the sector.
- **Area-based payments tend to stabilise existing livestock-oriented production systems.** Permanent grassland, grazing systems and feed crop production remain fully eligible for direct payments, meaning that substantial CAP transfers continue to support land uses closely associated with cattle, sheep and dairy production.

- **The structure of EU agriculture remains strongly oriented toward livestock production.** Large areas of agricultural land are used either for grazing or for the production of feed crops, generating a structural demand for protein imports used in animal feed and reinforcing the central role of livestock within the European agri-food system.

- **Livestock production is also a major source of greenhouse gas emissions within the agricultural sector.** Enteric fermentation and manure management account for a large share of agricultural emissions, while current CAP spending patterns provide limited incentives to reduce livestock-related emissions.

- **Animal welfare measures exist within the CAP framework but remain comparatively limited in scale,** while the largest share of CAP expenditure remains linked to income support instruments that are largely neutral with respect to welfare outcomes.

These observations suggest that the current allocation of CAP expenditure tends to perpetuate livestock-oriented production systems, even where these systems are associated with

- **environmental pressures**
- **climate impacts**
- **animal welfare concerns**
- **dependence on imported protein crops,**
- **persistent structural weaknesses for European farmers, including subsidy concentration, the decline in the number of farms and difficulties for younger farmers to enter the sector**

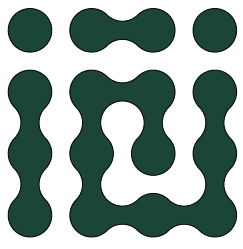
This structural orientation raises broader questions regarding the compatibility of current CAP spending patterns with the Union's legal obligations.

The following section therefore examines the potential legal implications of this disconnect and the ways in which current CAP implementation may conflict with existing EU legal commitments.

Part 2

Legal exposure of the current CAP allocation architecture

In light of the diagnosis set out above, the consequences resulting from current CAP allocation choices now have to be assessed in light of the broader legal framework within which the CAP operates. The concentration of support on livestock-oriented systems, with their well-documented impacts, may be increasingly difficult to reconcile with the objectives and requirements of EU law. Considered together, the structural features identified above may even raise broader questions as to the overall legal coherence of the current CAP architecture.



Risk of Breach of the Principle of Sound Financial Management

Article 317 TFEU requires the European Commission to implement the Union budget in accordance with the principle of sound financial management. This principle is defined in **Article 33 of the Financial Regulation (Regulation (EU, Euratom) 2018/1046)** as encompassing economy, efficiency and effectiveness.

These principles require that EU expenditure be allocated and implemented in a manner that uses resources prudently and contributes effectively to the objectives for which funds are authorized. In particular, the principle of effectiveness requires that budgetary instruments be reasonably capable of achieving their stated policy objectives.

For the 2021-2027 programming period, the Common Agricultural Policy represents approximately EU386,6 billion, making it one of the largest components of the EU budget.⁹²

Within this framework, according to the Commission, the CAP is expected to contribute around 40% of its budget to climate action.⁹³ Climate contribution is calculated through predefined coefficients assigned to categories of expenditure rather than through direct measurement of mitigation outcomes.⁹⁴



At the same time, EU policy frameworks such as the European Green Deal and the Farm to Fork Strategy identify the CAP as a key instrument for delivering agricultural emission reductions and broader sustainability objectives.⁹⁵

The structural characteristics of CAP expenditure identified in Part I raise questions as to whether the allocation architecture of the policy is fully aligned with the effectiveness requirement of sound financial management.

First, the CAP's dominant income support instrument distributes funds primarily per hectare of agricultural land, without systematic differentiation according to emission intensity or environmental performance. Given that livestock production accounts for a large share of agricultural greenhouse gas emissions, this allocation model may stabilise emission-intensive production systems while providing limited incentives for mitigation.

Second, the structure of CAP payments may generate economic effects that run counter to certain policy objectives. Because hectare-based payments tend to capitalise into land values, they can reinforce land concentration and increase entry barriers for new farmers, potentially undermining the CAP objective of generational renewal.

Third, significant structural challenges identified within the agricultural system, including dependency on imported protein crops for livestock feed and the environmental pressures associated with livestock production, are not systematically addressed through the main CAP expenditure instruments.

The analysis in Part I indicates that a substantial share of CAP expenditure may operate primarily as a mechanism stabilising existing production systems rather than as a targeted instrument designed to achieve the Union's climate, environmental and structural objectives.

Thus, where large budgetary envelopes are formally associated with policy objectives but remain only weakly connected to measurable outcomes, questions may arise as to whether the effectiveness requirement of the principle of sound financial management has been fully satisfied under Article 317 TFEU.



Incompatibility with the EU Climate Law

Regulation (EU) 2021/1119, the European Climate Law, establishes a legally binding objective of climate neutrality by 2050 and a binding intermediate target of at least 55% net greenhouse gas emission reduction by 2030 compared to 1990 levels (Articles 2 and 4). Empirical assessments of CAP climate spending reinforce this concern.

The European Court of Auditors found that approximately EUR 100 billion of CAP expenditure labelled as climate action had little measurable impact on agricultural greenhouse gas emissions, which have remained broadly stable since 2010, largely because CAP instruments do not meaningfully target major emission sources such as livestock production or drained peatlands.⁹⁶

Although agriculture is not currently covered by the EU Emissions Trading System (EU ETS), the Union's cap-and-trade carbon market regulating emissions from sectors such as power generation, heavy industry and aviation, this does not exclude the sector from the Union's overall climate objectives.

Article 4(1) provides that Union institutions shall take the necessary measures to enable the achievement of the climate neutrality objective. This provision imposes a duty of conduct on EU institutions: sectoral policies must be designed and implemented in a manner compatible with the Union's decarbonisation trajectory.

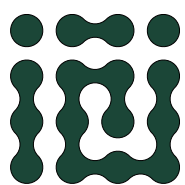
As previously explained, agriculture is recognised within EU policy frameworks as a key sector in achieving climate neutrality. Given the scale of CAP expenditure and its influence on agricultural production systems, the design and implementation of CAP instruments therefore play a significant role in determining whether the agricultural sector's trajectory remains compatible with the objectives established by **Regulation 2021/1119**.

The structural characteristics of CAP expenditure identified in Part 1 raise questions as to whether current allocation patterns fully reflect the decarbonization trajectory established by the Climate Law, as the dominant income support instrument distributes funds primarily per hectare of agricultural land, without systematic differentiation according to emission intensity or mitigation performance.

Specifically, a significant share of agricultural emissions originates from livestock production systems, and such allocation mechanisms may stabilise production structures associated with relatively high greenhouse gas emissions.

This may cast doubt on whether the Commission, when designing and approving CAP instruments and Strategic Plans, has adequately ensured compatibility with the Union's legally binding climate trajectory.

In such circumstances, **Regulation 2021/1119** may serve as a legal benchmark against which the compatibility of CAP implementation with the Union's climate obligations could be assessed.



Failure of Environmental Integration

Article 11 TFEU establishes the principle of environmental integration, requiring that environmental protection requirements be integrated into the definition and implementation of Union policies and activities, particularly with a view to promoting sustainable development.

Similarly, **Article 37 of the Charter of Fundamental Rights of the European Union** provides that a high level of environmental protection and the improvement of the quality of the environment must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development.

These provisions constitute horizontal obligations applicable across all areas of EU action, including agricultural policy and EU budgetary instruments.

The environmental integration principle does not require that every Union policy pursue environmental protection. However, it requires that environmental considerations be meaningfully embedded in the design and implementation of EU policies. Environmental protection must therefore be integrated into the core architecture of policy instruments, rather than addressed solely through secondary or supplementary measures.

As the CAP represents one of the largest areas of EU expenditure, it plays a central role in shaping land use, production structures and agricultural incentives across the Union.

As identified in Part 1, the dominant financial instrument of the CAP remains hectare-based income support, which distributes funds primarily according to the amount of eligible agricultural land.

This mechanism operates largely independently of environmental performance or emission intensity. At the same time, livestock production systems, which account for a significant share of environmental pressures within the agricultural sector, continue to receive substantial stabilising transfers through this area-based payment structure.

Environmental considerations are addressed within the CAP primarily through conditionality requirements, eco-schemes and agri-environment-climate measures. However, these instruments operate alongside a much larger envelope of income support that remains largely neutral with respect to environmental outcomes.

The principal financial mechanisms of the CAP operate largely independently of environmental differentiation, while environmental objectives are pursued mainly through secondary instruments.

This may call into question whether environmental protection requirements are effectively integrated into the policy framework, as required by [Article 11 TFEU](#) and [Article 37 of the Charter](#). The CAP may therefore give rise to legal vulnerability under the environmental integration principle, where agricultural spending structures fail to adequately integrate environmental protection objectives into policy design and implementation. These questions are no longer purely theoretical, as recent litigation has begun to challenge the compatibility of CAP Strategic Plans with environmental integration requirements (as discussed further below).



Failure to Reflect the Objectives of Article 191(1) TFEU

[Article 191\(1\) TFEU](#) defines the objectives of Union environmental policy. It provides that Union action shall contribute to:

- preserving, protecting and improving the quality of the environment;
- protecting human health;
- the prudent and rational utilisation of natural resources;
- promoting measures at international level to address regional or global environmental problems.

Among these objectives, the requirement of prudent and rational utilisation of natural resources is particularly relevant to agricultural policy, and agriculture directly determines the use of key natural resources, including land, water, soil and biodiversity. Policies that shape agricultural production systems therefore influence resource utilisation patterns at continental scale.

The objective of prudent and rational utilisation implies that **resource use should be consistent with sustainability constraints and should avoid structural inefficiencies that generate disproportionate environmental pressures.**

As shown in Part 1, several structural features of the current agricultural system are relevant in this regard, including:

- the **high share of agricultural land linked to livestock production and feed cultivation;**
- the significant resource **intensity of livestock systems** compared with plant-based production;
- the **reliance of European livestock production on imported protein crops.**

Allocation mechanisms may stabilise production systems associated with comparatively high resource demand without systematic differentiation in financial incentives.

In such circumstances, the extent to which the objective of rational resource use is reflected in the design of agricultural expenditure may warrant examination.

Article 191 also requires the Union to **promote measures addressing environmental problems at international level.** Agricultural production systems can generate environmental pressures beyond the Union's borders through global supply chains. In particular, the large-scale import of protein crops used in livestock feed links European agricultural production to land-use dynamics in exporting regions.

Although agriculture is governed by a distinct policy framework under **Article 38 TFEU**, the Common Agricultural Policy operates within the broader constitutional architecture of the Treaties.

Environmental objectives defined in **Article 191** therefore form part of the legal context within which agricultural policy must be interpreted and implemented.

Article 191 TFEU establishes the Union's environmental objectives and guiding principles for environmental policy. **As a major Union policy instrument influencing land use, production patterns and resource allocation across the agricultural sector, the CAP makes the integration of environmental considerations into its design legally relevant.** If the dominant financial mechanisms of the CAP operate largely independently of resource-use intensity or environmental performance, environmental objectives may remain secondary within the policy's allocation architecture.

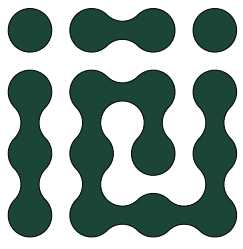
Its relevance here arises primarily through **systemic interpretation of the Treaties.** Interpreted together with **Article 11 TFEU** (environmental integration), **Article 3(3) TEU** (sustainable development), **Article 37 of the Charter of Fundamental Rights and Regulation (EU) 2021/1119 on climate neutrality**, **Article 191** supports the requirement that Union policies remain consistent with environmental protection and sustainable resource management. Structural disconnection between the financial architecture of a major policy and these objectives may therefore raise issues of legal compatibility in the context of judicial review.

Finally, the reference in **Article 191(1) TFEU** to **the protection of human** health is also relevant in the agricultural context. As discussed in Part 1, **certain structural features of intensive livestock production may contribute to zoonotic risks, infectious disease transmission and antimicrobial resistance.** To the extent that CAP expenditure contributes to maintaining such production systems without differentiating according to the health risks they generate, the extent to which the objective of protecting human health is effectively reflected in the design and allocation of agricultural expenditure may warrant examination.

More broadly, the CAP's financial architecture may be relevant not only to the prudent and rational utilisation of natural resources, but also to the Union's broader obligation under **Article 191(1) TFEU** to contribute to the protection of human health. Interpreted in light of the One Health approach increasingly endorsed by EU institutions, this objective suggests that agricultural expenditure should not remain structurally disconnected from the health implications associated with different production systems.

The evidence suggests that the current allocation of CAP expenditure may only imperfectly reflect the objectives of prudent resource use, environmental protection and human health laid down in **Article 191 TFEU.**





Failure to Give Full Regard to Animal Welfare Requirements

Article 13 TFEU provides that, in formulating and implementing the Union’s agricultural and other policies, the Union and the Member States shall, since animals are sentient beings, **pay full regard to the welfare requirements of animals**. This provision forms part of EU primary law and applies directly to the design and implementation of the Common Agricultural Policy. Two elements are significant.

- First, **animals are explicitly recognised as sentient beings** within the EU legal order.
- Second, **EU institutions must pay full regard to animal welfare requirements** when formulating and implementing agricultural policy.

This wording establishes a **positive obligation** of integration. Animal welfare considerations must therefore be meaningfully taken into account in the design of EU agricultural policy instruments.

The Court of Justice has also recognised that animal welfare constitutes a legitimate objective of general interest within EU law (Case C-219/07 *Nationale Raad van Dierenkwekers*).

Article 13 TFEU does not require that animal welfare become the main objective of agricultural policy, however, it **requires that welfare considerations be integrated into policy design in a manner proportionate to the scale of the policy’s impact on animals**. The obligation applies both to policy formulation and implementation, including the design of financial instruments and payment mechanisms under the CAP.

Given the scale of livestock production in the European Union and the magnitude of CAP expenditure affecting agricultural production systems, the requirement to pay “full regard” to animal welfare acquires particular structural relevance.



As identified in Part 1, the current CAP financial architecture distributes a large share of support through area-based income payments, which operate largely **independently of animal welfare performance**. At the same time, livestock production systems account for a significant share of agricultural land use and receive substantial stabilising transfers through these income support mechanisms.

Animal welfare considerations are addressed within the CAP primarily through:

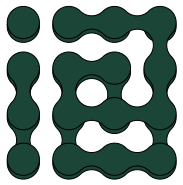
- conditionality requirements,
- eco-schemes, and
- rural development measures.

However, **these instruments operate alongside a much larger envelope of income support that remains largely neutral with respect to welfare outcomes**. The principal financial mechanisms of the CAP operate without differentiation based on animal welfare performance, while welfare considerations are addressed primarily through voluntary or secondary instruments. This institutional configuration raises the question whether the obligation to pay “full regard” to animal welfare requirements has been fully operationalised.

In particular, if substantial public transfers continue to stabilise production systems associated with well-documented welfare concerns without structural incentives for improved welfare conditions, the integration of animal welfare considerations into the CAP may remain limited in practice.

As a result, the current CAP framework casts doubt on whether sufficient consideration has been given to the animal welfare requirements recognised in **Article 13 TFEU** when designing and allocating agricultural support mechanisms.

Because current CAP expenditure structurally sustains livestock-intensive production and feed dependence, it also perpetuates systems associated with higher animal-welfare risks, making a partial reallocation toward plant proteins not only environmentally justified but also more consistent with **Article 13 TFEU**.



Failure to Ensure Policy Coherence

Article 7 TFEU provides that: “*The Union shall ensure consistency between its policies and activities, taking all of its objectives into account.*”

This provision establishes a structural requirement of the EU legal order: **Union policies must operate coherently within the broader framework of Treaty objectives.**

Agriculture constitutes a distinct policy area under **Article 38 TFEU**.

However, the CAP must be interpreted and implemented in a manner that remains consistent with other Union objectives, including environmental protection, climate action and sustainable development.

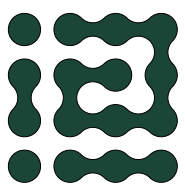
The requirement of policy consistency becomes particularly relevant where major budgetary instruments shape production systems and economic incentives across the Union.

As shown in the diagnostic in Part. 1, the allocation architecture of the CAP stabilises production systems in which livestock plays a central role. As largely discussed, these systems are associated with a significant share of agricultural greenhouse gas emissions and resource use.

Substantial financial transfers may support production systems associated with relatively high emission intensity, while the Union simultaneously pursues binding climate objectives. Such a configuration may affect the coherence of the overall policy framework within the meaning of **Article 7 TFEU**.

Article 7 TFEU does not normally operate as an autonomous ground of annulment but plays an important interpretative role within the Treaties. Read together with **Article 11 TFEU** (environmental integration), **Article 317 TFEU** (sound financial management), and **Regulation (EU) 2021/1119** establishing binding climate objectives, **the principle of policy coherence supports the expectation that Union policies and expenditure remain consistent with the Union’s climate and environmental framework.**

Substantial financial flows that stabilise production systems associated with significant greenhouse gas emissions, alongside binding Union obligations requiring their progressive reduction, may thus place the coherence of the overall policy framework under scrutiny.



Risk of Disproportionate Policy Design

Article 5(4) TEU provides: “*Under the principle of proportionality, the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties.*” The proportionality principle governs all Union action. It requires that **Union measures be suitable to achieve legitimate objectives, necessary in light of those objectives, and balanced in their effects.**

The CAP pursues multiple objectives, including income stability, sustainable development, environmental protection and climate mitigation.

Where a financial instrument produces foreseeable structural effects, such as subsidy concentration, capitalisation into land values and the stabilisation of production systems associated with significant environmental pressures, proportionality analysis may examine whether the design of the measure remains appropriately aligned with the objectives it is intended to support.⁹⁷

Several independent audits by the ECA indicate that CAP climate instruments tend to prioritize measures with relatively low mitigation potential, while largely avoiding the structural drivers of agricultural emissions, including livestock production levels and feed systems.

Also, in a legal framework that now includes binding climate commitments under [Regulation \(EU\) 2021/1119](#), maintaining large-scale agricultural transfers without structural mitigation differentiation may raise questions as to whether the current allocation model remains proportionate to the objectives of environmental protection and sustainable development.

Proportionality constitutes a general principle of Union law applicable to all Union measures. Structural characteristics of a policy instrument that risk undermining the objectives it is intended to pursue may therefore affect the assessment of the suitability and necessity of its design.

In this context, proportionality arguments may complement other grounds of review relating to environmental integration, climate obligations and sound financial management, particularly where the allocation architecture of the CAP appears insufficiently aligned with the Union's binding environmental commitments.

CONCLUSION: CUMULATIVE LEGAL EXPOSURE AND INSTITUTIONAL RISK

The analysis above indicates that the structural effects of the CAP's financial architecture create **tensions with several principles and obligations under EU law.**

All considered, these dynamics raise **concerns regarding the consistency of Union agricultural expenditure with its environmental, climate and sustainability objectives.** More specifically, the preceding sections suggest that the current design and allocation of CAP expenditure may raise questions as to whether it:

- **complies with the principle of sound financial management**
- **is compatible with the binding EU climate law**
- **ensures sufficient environmental integration**
- **adequately reflects the objectives of article 191(1) TFEU**
- **gives full regard to animal welfare requirements**
- **ensures overall policy coherence within the EU framework**
- **respects the requirement of proportionality in policy design**

These provisions must also be read in light of the broader requirement of policy coherence within the Union legal order, particularly where multiple Treaty objectives apply to a single policy such as the CAP.

The combined effect of this elements suggests potential **structural misalignment between CAP expenditure and the Union's legal commitments.** The limited differentiation of support according to environmental performance, resource use or externalities may contribute to maintaining production patterns not fully aligned with these objectives.

The issue therefore concerns not only compliance of individual measures, but the **overall coherence of the CAP's allocation logic with the Union's constitutional framework.**

These issues may be linked to specific CAP instruments, national Strategic Plans or implementing measures, and could form the basis for litigation before EU and national courts.

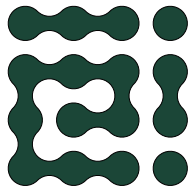
Part 3

Litigation pathways: A multi-channel exposure framework

Having identified several potential tensions between current CAP allocation patterns and the Union's environmental and climate obligations, the following section examines the principal litigation pathways through which these issues may be challenged.

While these avenues do not all present the same degree of practical exposure, several of them create a credible risk of judicial scrutiny, particularly where CAP measures directly support environmentally harmful production systems or where approval decisions fail adequately to explain their compatibility with EU law. The analysis below therefore considers not only the existence of these litigation pathways, but also their respective strengths, limitations and likely prospects of success.





Direct Judicial Review of CAP Measures

Article 263 TFEU empowers the Court of Justice to review the legality of acts adopted by Union institutions that produce binding legal effects.

In the CAP context, this includes not only the legislative framework itself, but also delegated and implementing acts, as well as Commission decisions approving national CAP Strategic Plans. In principle, allocation choices that give rise to the structural tensions identified in Part 2 may therefore be subject to annulment proceedings.

In practice, however, direct annulment actions face a significant **admissibility obstacle**. Commission decisions approving CAP Strategic Plans are addressed to Member States, not to individual farmers, companies or NGOs. Under the settled case law beginning with *Plaumann*, **private applicants must therefore demonstrate that they are both directly and individually concerned by the contested measure**.

This remains a demanding threshold. However, **recent case law suggests a degree of softening** where environmental organisations challenge measures producing broad but concrete environmental effects, indicating that actions directed against Strategic Plan approval decisions may increasingly become admissible in certain circumstances.

The standing problem does not arise in the same way for institutional applicants or Member States. **Member States may challenge Commission approval decisions directly, while the European Parliament, the Council and the Commission may also bring actions without needing to establish individual concern**. For private applicants, however, broad challenges to the CAP architecture as a whole are unlikely to satisfy the *Plaumann* test.

An action may nevertheless be grounded on **infringement of the Treaties or of any rule of law relating to their application**. CAP allocation mechanisms may therefore be examined against several relevant obligations, including the environmental integration requirement under **Article 11 TFEU**, the obligation to pay full regard to animal welfare under **Article 13 TFEU**, the framework established by **Regulation (EU) 2021/1119**, and the principle of proportionality under **Article 5 TEU**.

A challenge based on manifest error of assessment would, however, face a high threshold. In fields involving complex economic and technical choices, particularly agricultural policy, the Court accords the institutions a broad margin of discretion and limits its review to whether they committed a manifest error, misused their powers, or manifestly exceeded the bounds of that discretion. It is therefore unlikely to be sufficient merely to show that stronger environmental considerations could have been adopted.

Applicants would instead **need to demonstrate that the Commission disregarded, misunderstood, or inadequately examined robust and readily available evidence concerning the environmental and climate effects of the measure**.



This could arise, for example, where a Strategic Plan approval decision fails to engage with clear evidence concerning the environmental effects of emissions-intensive coupled support, where climate contribution methodologies disregard relevant data, or where no explanation is provided for maintaining a measure despite acknowledged environmental harm.

The strongest litigation ground may lie not in challenging the substance of CAP allocation choices directly, but in challenging the adequacy of the reasoning supporting them. Under **Article 296 TFEU**, Union institutions must state the reasons on which their acts are based with sufficient clarity to permit effective judicial review.

In practice, this ground may represent one of the **most immediately actionable and procedurally accessible avenues for challenging CAP-related decisions**, particularly where the Commission's reasoning does not sufficiently demonstrate compliance with environmental, climate or animal welfare obligations.



In the context of CAP Strategic Plans, this may require the Commission to **explain**, at a minimum:

- how the approved measures are consistent with [Article 11 TFEU](#),
- how climate and biodiversity impacts were assessed,
- why potentially harmful coupled support schemes were nevertheless considered justified, and
- how the plan contributes to the objectives of [Regulation \(EU\) 2021/1119](#).

Approval decisions may merely assert compatibility in general terms, without identifying the factual and analytical basis for that conclusion. In such circumstances, **an argument based on insufficient reasoning may be significantly easier to sustain than a broader challenge to the substantive legality of the policy.**

Direct judicial review therefore remains a meaningful source of litigation risk. Although broad attacks against the CAP architecture may face greater difficulties, focused challenges to specific approval decisions or implementing measures appear considerably more likely to succeed, particularly where they combine arguments based on insufficient reasoning and, where appropriate, manifest error.

Constitutional Escalation Through National Courts

Direct annulment before the Court of Justice is not the only way in which CAP allocation choices may be judicially examined. Because the CAP is implemented through national administrations, its practical effects materialise in **thousands of individual decisions adopted by Member State authorities**. Subsidy eligibility, compliance conditions, environmental authorisations linked to livestock expansion, and sector-specific support schemes are all administered at domestic level.

Disputes before national courts may raise questions concerning **the interpretation or validity of EU law**. In such circumstances, [Article 267 TFEU](#) enables those courts to refer such questions to the ECJ.

This preliminary reference mechanism plays a **constitutional role in ensuring the uniform interpretation of Union law** and does not require private applicants to satisfy the restrictive standing conditions applicable under [Article 263 TFEU](#).

In practice, **disputes concerning environmental permits for intensive livestock operations supported by CAP funds, challenges to domestic implementation of coupled support schemes, or litigation concerning environmental conditions attached to subsidies may all generate questions concerning the scope of Article 11 TFEU, the consistency of allocation patterns with climate commitments, or the limits of institutional discretion**

Preliminary references do not, however, enable the Court of Justice to redesign the CAP or replace institutional policy choices with its own assessment. Their role is more limited: to clarify the meaning of Treaty obligations and the limits of institutional discretion. National courts also retain discretion over whether to refer a question, except where they are courts of last instance.

Although this pathway depends on the willingness of national courts to refer questions, it nevertheless creates a significant source of uncertainty. Repeated references arising from disputes concerning similar support measures may progressively narrow the range of acceptable allocation choices and shape the legal framework within which future CAP decisions are taken.



Environmental Oversight and NGO Access

In addition to judicial review through [Articles 263 and 267 TFEU](#), the CAP may be scrutinised through the **environmental review mechanism** established under [Regulation \(EC\) No 1367/2006](#) (the “Aarhus Regulation”), adopted to implement the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters within the EU legal order and amended in 2021 to strengthen access to justice in environmental matters.

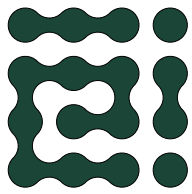
The revised framework allows qualified environmental organisations to **request internal review of EU acts alleged to contravene environmental law, provided those acts produce legally binding and external effects**. In practice, this may provide the most accessible route for environmental organisations seeking to challenge CAP-related measures. Unlike [Article 263 TFEU](#), it does not require applicants to demonstrate individual concern in the Plaumann sense.

This mechanism is particularly relevant in the CAP context because **many allocation instruments, including implementing acts and Commission decisions approving national Strategic Plans, directly shape environmental outcomes**. Where environmental integration obligations or climate consistency requirements are implicated, such acts may fall within the scope of internal review.

The procedure operates in **two stages**. *First*, the institution concerned must reconsider the contested act in light of the alleged environmental breach. *If the response is unsatisfactory*, only then the applicant may subsequently bring the matter before the Court of Justice.

By extending the availability of internal review to a broader range of EU acts, the 2021 amendment to the Aarhus Regulation significantly alters the procedural landscape. Environmental compliance in the CAP is no longer examined solely through the lens of institutional or intergovernmental litigation. It may also be triggered by targeted review requests focusing on specific allocation decisions or implementing measures. This creates an additional layer of scrutiny that is particularly adapted to environmental and climate-related arguments.

While internal review does not automatically result in annulment, **it can lead to judicial clarification and requires institutions to articulate and defend the environmental rationale underpinning allocation choices**. In a policy field where environmental integration is explicitly mandated by the Treaties, this mechanism substantially reduces the practical significance of the standing barriers that would otherwise arise under Plaumann and considerably increases the exposure of CAP-related measures to challenge.



Targeted Vulnerability: Coupled Support

Not all components of the CAP present the same degree of legal sensitivity. Among the various instruments, coupled income support appears to present the **clearest and most concentrated litigation risk**.

Unlike decoupled payments, which are formally detached from specific production decisions, coupled support links financial transfers directly to identified sectors. **Support that disproportionately benefits emissions-intensive or environmentally burdensome production systems makes the link between public expenditure and sectoral outcomes significantly easier to establish.**



Because coupled support directly links public funding to specific sectors, it is **easier both to demonstrate a failure of environmental integration and to identify the reasoning that the Commission should have provided when approving the measure**. Arguments relating to [Article 11 TFEU](#), proportionality, and consistency with [Regulation \(EU\) 2021/1119](#) may therefore crystallise more clearly than in challenges directed at the CAP framework as a whole.

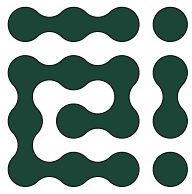
From a litigation perspective, such measures present more **concentrated exposure**. They require narrower evidentiary demonstrations, involve more circumscribed balancing exercises, and reduce the need to contest the complex policy trade-offs embedded in the broader allocation structure. A focused challenge to a specific coupled support scheme may therefore prove procedurally more manageable and strategically more impactful than an attempt to invalidate core regulatory pillars.

The strongest claims in this context are likely to concern **insufficient reasoning**. Where the Commission approves a coupled support scheme with significant environmental consequences, it may be required to **explain why** the measure remains justified despite those effects, how environmental impacts were assessed, and why less harmful alternatives were not preferred. The absence of such reasoning may expose the measure to challenge under [Article 296 TFEU](#).

A successful challenge to a specific coupled support measure would not necessarily require the invalidation of the CAP framework as a whole, **the Court could annul the relevant implementing act or approval decision only insofar as it concerns the contested support scheme**. However, the practical consequences of such a judgment may remain limited. In order to preserve legal certainty and avoid disruption to existing payment systems, the Court may decide to maintain the effects of the annulled measure temporarily or to limit the temporal consequences of its judgment.

Even where the immediate effects of annulment are limited, nevertheless, a successful challenge could significantly affect future Strategic Plans, **require the Commission to revisit its reasoning, and create substantial pressure to redesign sector-specific support instruments**. Even where the temporal effects of annulment are limited, such a judgment could require the Commission to reassess the contested support scheme, provide fuller reasoning, or modify future Strategic Plans and implementing acts. The practical impact of a successful challenge would therefore lie less in the immediate suspension of payments than in the obligation to redesign the measure going forward.





Layered Institutional Pressure

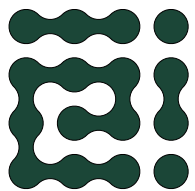
Judicial review is not the only mechanism through which allocation choices may be questioned. The CAP also operates under **continuous institutional scrutiny**, and this oversight contributes to a broader environment of accountability.

Under **Article 287 TFEU**, the **European Court of Auditors** examines the **legality, regularity, and sound financial management of Union expenditure**. Given the scale of CAP funding, audit assessments of performance, coherence and objective alignment carry significant weight. Where discrepancies emerge between stated objectives and measurable outcomes, audit findings may influence legislative revision and inform subsequent litigation.

The **European Parliament's** discharge procedure adds a further layer of political scrutiny. Through this process, Parliament assesses whether budget implementation reflects the objectives for which funds were allocated. Persistent concerns regarding environmental or climate alignment may therefore shape future reform discussions.

In addition, the **European Ombudsman** may examine complaints alleging maladministration, including insufficient reasoning, inadequate oversight, or procedural shortcomings in the approval and monitoring of Strategic Plans.

Although these mechanisms do not themselves result in annulment, they **reinforce the evidentiary and political context within which litigation may occur, and may increase pressure on the Commission and Member States to justify and revise contested allocation choices**.



Recent Developments

Recent developments suggest that environmental and climate arguments are **increasingly being brought before courts in relation to public policy**, even if the degree of relevance of recent climate litigation to the CAP varies depending on the specific context.



While *Carvalho and Others v. Parliament and Council* sought to challenge the adequacy of EU climate policy, the action was declared inadmissible because the applicants were not individually concerned. The case thus illustrates, rather than overcomes, the continuing restrictiveness of standing requirements in EU environmental litigation.

A more directly relevant development concerns the pending action brought by ClientEarth and Collectif Nourrir against the Commission's approval of the French CAP Strategic Plan.

The applicants argue that the Commission approved the French CAP Strategic Plan without adequately demonstrating how the plan complied with Article 11 TFEU and Regulation (EU) 2021/1119.⁹⁸

This case is significant because **it directly tests the legality of a Commission approval decision under the CAP framework.** It also appears procedurally stronger than a conventional Article 263 action because it relies on the Aarhus review mechanism rather than on establishing individual concern under Plaumann, as previously discussed.

Substantively, the most promising arguments appear likely to concern the **adequacy of the Commission's reasoning and the extent to which the approval decision genuinely examined compliance with environmental and climate obligations.**

By contrast, a broader attempt to argue that the Commission should simply have adopted a different agricultural policy may face the usual deference accorded to complex policy choices.

At the European level, environmental litigation before the EU CJ has **nevertheless demonstrated that public authorities may be subject to strict scrutiny where environmental obligations are at stake,** as illustrated by *Commission v. Poland (Białowieża Forest)*. These developments suggest that the principal litigation risk surrounding the CAP lies in focused challenges to specific approval decisions and support instruments, particularly where environmental reasoning is weak or absent.

As scrutiny intensifies, the failure to justify environmentally harmful allocation choices may increasingly expose CAP measures to judicial review. These developments should be understood as evidence of increasing legal contestation rather than as confirmation of established judicial outcomes, as several proceedings remain ongoing.

CONCLUSION: A GROWING RISK OF LITIGATION

Taken together, these different avenues create a layered and increasingly credible risk of litigation surrounding current CAP allocation choices.

Direct annulment under Article 263 TFEU remains available, particularly where specific approval decisions or support measures can be isolated, even if standing continues to limit broad challenges to the CAP architecture as a whole.

At the same time, preliminary references before national courts may progressively clarify the limits imposed by Article 11 TFEU and the Union's climate obligations.

The most significant exposure, however, is likely to arise from the expansion of the Aarhus review mechanism and from targeted challenges to specific coupled support schemes.

By reducing standing barriers and focusing scrutiny on measures whose environmental effects are readily identifiable, these avenues make it increasingly possible to contest CAP decisions that continue to support emissions-intensive or environmentally harmful sectors without adequately explaining their compatibility with EU law.

In this context, the principal vulnerability may therefore lie less in the substance of the CAP itself than in the reasoning underpinning it. Strategic Plans and support measures that are approved without clearly demonstrating how environmental integration, climate commitments and proportionality requirements have been taken into account may become increasingly exposed to challenge under Article 296 TFEU.

PART 4

Policy Recommendation

Reallocating 20% of CAP Support Benefiting Livestock Towards Plant-Based Proteins for Human Consumption

The CAP now stands at a crossroads. Maintaining an allocation model that continues overwhelmingly to favour livestock production and the cultivation of feed crops risks not only deepening the environmental, economic and legal tensions identified above, but also increasing the exposure of the CAP to future litigation.

The post-2027 reform therefore offers an opportunity not only to improve the environmental and economic coherence of the CAP, but also to reduce the legal vulnerability of its current allocation model by rebalancing support towards systems that are more consistent with the Union's climate, environmental and food security objectives.

To achieve this, Food Forward Europe suggests that 20% of the support currently directed towards livestock and feed-dependent production systems should instead be reallocated, within the post-2027 CAP framework, to the production of plant-based proteins for direct human consumption.

Several elements of the emerging post-2027 CAP framework already point in this direction. The draft proposal for a Regulation establishing the conditions for the implementation of Union support under the Common Agricultural Policy for the period 2028-2034 expressly refers to animal welfare among the CAP's objectives and envisages a stronger role for agri-environmental and climate actions, transition support and a dedicated sector for protein crops.⁹⁹

The parallel proposal amending the Common Market Organisation Regulation would moreover create a specific protein crops sector and allow the adoption of marketing standards intended to improve transparency and strengthen European protein supply chains.¹⁰⁰

Beyond the proposals set out above, several Member States, including Austria, France, Germany and the Netherlands, have already adopted dedicated national protein strategies centered on strategic autonomy, domestic production and protein diversification.¹⁰¹

This confirms that plant-based proteins are increasingly regarded as a strategic priority within the future CAP, even if the current proposal still fails to distinguish sufficiently between protein crops destined for human consumption and those intended for feed.





CORE RECOMMENDATION



WHY 20%?

As discussed, recent research estimates that **82% of CAP support currently benefits animal products and feed-dependent production systems.**¹⁰²

Redirecting 20% of this support would therefore correspond to approximately 16% of the total CAP budget. On the basis of the current CAP budget under Natural Resources and Environment being approximately EUR 378 billion for 2021-2027 (without the exceptional 8.1 billion allocated following the COVID-19 crisis), this would only represent around EUR 60 billion over seven years, or approximately EUR **8.5 billion per year.**¹⁰³

A budget of this scale would make it possible simultaneously to:

- **provide dedicated coupled support for protein crops for human consumption**
- **finance eco-schemes supporting the transition away from feed and livestock dependency**
- **support farmers during the first years of conversion**
- **invest in storage, processing and local value chains**

- **create stable outlets and markets for European-grown plant proteins**
- **reduce Europe's dependence on imported soy and feed**

Importantly, FFE does not propose that the full 20% be shifted immediately. A **gradual reallocation** over the course of the next CAP programming period would allow farmers, supply chains and Member States to adapt.

FFE therefore proposes a **phased target**, requiring that at least:

- **5% of relevant CAP support be redirected by 2030**
- **10% by 2032**
- **and 20% by the end of the programming period**

This gradual approach would make the transition more manageable while still providing a clear long-term direction and a credible market signal for farmers and investors.



HOW: A SIX-ACTION PLAN FOR STRATEGIC REALLOCATION

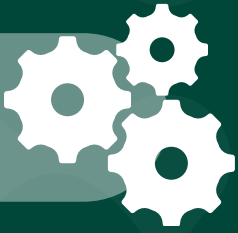
FFE does not propose increasing the overall CAP budget. The objective is to **use existing CAP resources more effectively and more consistently with the Union's stated goals** on food security, strategic autonomy, generational renewal, climate resilience and public health.

As such, a reallocation of 20% of the support currently flowing to animal products and feed would represent a major but **realistic shift**. It would still **leave the majority of CAP support directed towards livestock and feed systems, while finally giving plant-based proteins for human consumption a level of support proportionate to their strategic importance.**

The most effective way to achieve this shift is to **reform the CAP instruments** that currently favour livestock production and feed-dependent systems, with the combined effect of these changes amounting to a reallocation of 20%.

This report therefore proposes a six-action implementation plan to deliver this reallocation, together with a set of complementary measures recommended intended to facilitate and support the transition.

A SIX-ACTION PLAN FOR IMPLEMENTATION



Action 1 Reorienting Coupled Support

Coupled support is the only CAP payment that is explicitly linked to a specific type of production. Member States may allocate up to 13% of their direct payments envelope to voluntary coupled support. Across the EU, these payments represent approximately E23 billion during the 2023-2027 CAP period.

In practice, as discussed in Part 1, livestock sectors account for a substantial share of these allocations. Analysis of CAP Strategic Plans shows that approximately 70% of Coupled Income Support is targeted to livestock sectors. In contrast, protein crops remain a marginal component of EU agriculture, as legumes and other plant-based protein crops account for only 3% of EU arable land. Although the CAP allows Member States to allocate an additional 2% of direct payments specifically to protein crops, this instrument remains comparatively small relative to the financial flows supporting animal production.

Moreover, protein crops already receive a significant share of existing coupled support in several Member States, in some cases representing more than 10% of the national coupled support envelope. However, this support is directed primarily towards crops intended for animal feed rather than direct human consumption. The issue is therefore not the absence of support for protein crops as such, but the fact that current CAP instruments do little to distinguish between feed and food uses.

The post-2027 CAP proposal would significantly increase the potential importance of coupled support by allowing Member States to increasingly devote up to 20% of their direct payment envelope to coupled support, with an additional 5% possible for sectors considered particularly vulnerable.

Without reform, there is therefore a serious risk that the future CAP could further reinforce livestock dependency.

FFE therefore calls for a reduction in livestock-related coupled support and its replacement with a dedicated coupled support scheme for plant-based proteins intended for direct human consumption.

This new support should:

→ **prioritise legumes and other crops used in plant-based food production, including peas, beans, lentils, chickpeas, fava beans, soy and other protein-rich crops intended for human consumption**

→ **provide higher support rates during the first years of conversion, in order to compensate for transition risks**

→ **apply primarily to crops intended and marketed for human food, while preserving the possibility for harvests that, under control, do not meet food-grade standards to be redirected to feed or other secondary markets**

→ **include a clear legal definition of “protein crops for human consumption” so that Member States cannot count feed crops towards the target**

FFE recognises that, in practice, it is not always possible to determine in advance whether a given harvest will ultimately be sold for food or feed. The objective is therefore **not to impose a rigid end-use requirement, but to orient support towards production primarily intended for human consumption**. A more flexible system of incentives, verification and possible redirection to secondary markets is set out further below in Action 6.

FFE proposes that a minimum share of each Member State’s coupled support envelope should be ring-fenced for these crops. A mandatory allocation would be far more effective than merely allowing Member States to support protein crops if they wish.

FFE further considers that this support should be subject to **clear environmental and social safeguards**. Priority should be given to diversified, agroecological and low-input production systems, including organic farming, crop rotations, reduced pesticide use, high soil and biodiversity standards, and fair working conditions. The objective is not to replace one environmentally harmful model with another, but to support forms of plant-based production that are genuinely more sustainable and resilient.



Action 2

Creating a Dedicated CAP Window for Plant-Based Proteins

The future CMO proposal already envisages the possibility of creating a new sector dedicated to **protein crops**.¹⁰⁴ This should be transformed into a fully-fledged CAP instrument.

FFE therefore proposes the creation of a dedicated European support window for plant-based proteins for human consumption.

This new instrument should finance:

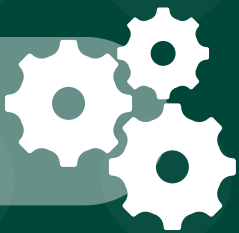
- **the production of plant proteins**
- **producer organisations and cooperatives**
- **local processing and storage facilities**
- **drying, cleaning and sorting infrastructure**

→ **contracts between producers and food manufacturers**

→ **research, innovation and market development**

The current CAP often supports the production of raw agricultural commodities while leaving the rest of the value chain underdeveloped. Yet plant-based proteins cannot compete if farmers have no nearby processing facilities, no stable buyers and no organised market.

Supporting production alone is therefore not enough. Europe must also support the creation of a complete value chain capable of supplying domestic food markets.



Action 3: Using Agri-Environmental and Climate Actions to Support Protein Diversification

As the future CAP is likely to replace the current “eco-schemes” with a broader category of “agri-environmental and climate actions”, FFE considers that this instrument, whatever its final name, should play a central role in supporting protein diversification.

The current draft post-2027 CAP proposal already identifies animal welfare and environmental protection among the priorities of these actions. However, while animal welfare is expressly recognised as a CAP objective, no equivalent mandatory welfare conditions are currently attached to livestock-related coupled support. This reinforces the need to redirect support towards systems that are more consistent with the CAP’s stated objectives: the production of plant-based proteins.

Agri-environmental and climate actions (currently “eco-schemes”) already represent one of the largest and fastest-growing components of CAP direct payments. They are therefore a major opportunity to accelerate the shift towards plant-based proteins. Especially as the Commission has already proposed making crop diversification support mandatory in areas affected by nitrate surpluses. This proposal is an important first step, but its scope should be broadened.

Support for protein diversification should also be available in areas at risk of future nitrate surpluses, in order to prevent environmental degradation before it occurs and reduce structural dependence on livestock-intensive systems.

FFE calls for MS to use these agri-environmental and climate actions to reward farmers who:

- **replace feed crops with legumes and protein crops destined for human consumption**
- **introduce human-edible pulses into crop rotations**
- **diversify away from livestock-dependent production systems**
- **reduce their dependence on imported soy & feed**

Such measures would not only support the production of plant proteins for human consumption. They would also help redirect CAP support away from livestock-dependent systems and towards farming models that are more consistent with the EU’s objectives on strategic autonomy, environmental protection and long-term resilience.

FFE considers that these agri-environmental and climate actions are particularly suitable because they reward transition rather than simply maintaining the status quo.



Action 4: Redirecting Investment Support

A significant share of CAP support currently contributes to locking in livestock production through investment aid. Public money continues to finance new livestock buildings, animal housing, machinery, feeding systems and other infrastructure that prolong the economic life of intensive livestock systems for decades.

FFE considers that future CAP investment support should instead prioritise the infrastructure needed for a plant-based food transition.

Investment aid should therefore be redirected towards:

- **food-grade sorting, drying and packaging equipment**
- **processing facilities for legumes and plant proteins**

- **local supply chains and storage infrastructure**
- **facilities for small and medium-sized legumes producers**
- **cooperative projects linking farmers with processors and retailers**

This would allow farmers to diversify and access higher-value markets rather than remaining dependent on volatile livestock sectors.

FFE recognises that some continued investment support may remain necessary for certain livestock farms, particularly in disadvantaged or extensive systems. However, support that expands or entrenches highly intensive livestock production should no longer be considered compatible with the CAP's long-term objectives.



Action 5: Making Human Consumption the Priority

One of the main weaknesses of current EU policy is that “protein crops” are often treated as a single category, regardless of whether they are ultimately used to feed people or animals. This creates a risk: public money can be presented as supporting protein diversification while continuing in practice to finance feed production for livestock.

FFE therefore insists that any future CAP target or support measure for protein crops must apply specifically to plant-based proteins for direct human consumption.

This distinction is essential: supporting protein crops for feed does not reduce Europe's dependence on livestock systems. It simply changes the origin of feed.

By contrast, supporting plant proteins for food contributes directly to:

- **healthier diets**
- **lower agricultural emissions**
- **reduced land use pressure**
- **lower dependence on imported soy**
- **strategic plant-protein autonomy**
- **greater European food sovereignty**

Future CAP legislation should therefore explicitly exclude feed uses from counting towards any protein diversification objective.

Action 6

Creating a Structured Transition Instrument: Supporting Farmers Through Diversification



Effective policy-driven transitions require **dedicated instruments that support the economic actors undertaking the change.**

The European Union has already established the principle that policy-driven economic transitions require targeted public support. The **Just Transition Mechanism**, adopted under the European Green Deal, provides **financial and technical assistance to regions and workers affected by the transition away from fossil fuel-dependent economic activities.**¹⁰⁵ The underlying logic, that public policy should not redirect an economic sector without supporting those who depend on it, is **directly transferable to the agricultural context.**

The Strategic Dialogue on the Future of EU Agriculture reached similar conclusions, recognising that farmers require adequate support, planning horizons and economic instruments to navigate structural transitions within the food system.¹⁰⁶

This logic is already partly reflected in Article 10 of the proposed post-2027 CAP Regulation on agri-environmental and climate actions, which introduces a transition payment intended to support farmers during the shift toward more sustainable production models.

This mechanism should be explicitly mobilised to support farmers moving from livestock production or feed crops toward plant-based proteins intended for human consumption, including through temporary compensation for conversion costs and short-term income losses during the first years of transition.

However, Article 10 is primarily designed to support individual farmers at farm level. Applying the same principle to the CAP reallocation therefore also requires a broader Agricultural Transition Instrument addressing the collective and territorial dimensions of the transition. This instrument could be structured around **three complementary components.**

**TRANSITIONAL
INCOME SUPPORT**

**INFRASTRUCTURE
INVESTMENT**

**TRAINING AND
ADVISORY SERVICES**





Transitional income support

Farmers shifting land use from feed crop cultivation toward plant-protein crops for human consumption would receive **transitional payments** designed to bridge the income gap during conversion years. This component would operate through a **differentiated incentive structure**.

→ A **base payment rate** would apply to all **eligible plant-protein crop production**, with a premium tier available for production demonstrably oriented toward human food markets. Importantly, this structure does not mandate the end-use of harvested crops.

→ Particular attention should be given to **first-time adopters**, including through **temporary bonus payments for farmers introducing plant-protein crops for human consumption for the first time**, as proposed by Rachel Gifford in her analysis of EU protein strategies.¹⁰⁷

→ Where production does not meet food-grade quality standards in a given year due to agronomic, climatic or processing constraints, **farmers would retain full access to feed and other secondary markets**. To safeguard the integrity of this flexibility, where the proportion of subsidised production redirected to feed markets exceeds a defined threshold within a given Member State or region, **national authorities should be required to carry out targeted audits to verify that downgrades are supported by objective agronomic, climatic or processing justifications**.

The incentive design therefore steers production toward human consumption through financial signals rather than legal obligation, avoiding the risk of food waste that a rigid end-use mandate would create.



Infrastructure investment

A significant barrier to scaling plant-protein production for human consumption in the European Union is the limited availability of both on-farm and downstream infrastructure.

The transition instrument would therefore include a **dedicated investment component supporting not only regional processing, storage and market access infrastructure, but also the equipment needed at farm level to enable conversion**.

This could include on-farm storage, cleaning, drying and sorting facilities, adapted harvesting equipment and other investments required for pulses, legumes and other protein-rich crops. At regional level, support would cover food-grade processing capacity, including milling, packaging, food-safety certification and cold chain logistics. By strengthening both farm-level and downstream infrastructure, this component would **help structurally orient supply chains toward human consumption without restricting farmers' market options**.



Training and advisory services

Producing plant-protein crops to food-grade standards **requires specific agronomic knowledge, including variety selection, harvesting techniques, storage conditions and quality management practices that differ from feed-crop production**.

The instrument would therefore include a **dedicated advisory and training component**, delivered through national agricultural extension services and integrated into CAP Strategic Plan implementation.

The European Vegetarian Union (EVU) has proposed that farmers should have access, free of charge, to a “diversification check”, modelled on the organic conversion checks already available in several Member States.¹⁰⁸

This mechanism would allow farmers to assess, with technical support, whether and how their farm could diversify toward plant-protein production for human consumption, taking into account local soils, climate, existing infrastructure and market opportunities.

The instrument should also address **structural barriers** that may prevent farmers from diversifying, including long-term contractual dependencies, limited access to suitable land, and the organisation of existing supply chains. National authorities should therefore be **encouraged to provide legal, technical and financial support** to farmers wishing to exit or diversify away from livestock-dependent contractual arrangements.


The instrument would then **support farmers in acquiring the technical capacity to produce for human food markets**, thereby reinforcing the incentive structure through knowledge and skills development.

The Implementation of the Structured Transition Instrument would operate through national CAP Strategic Plans, allowing Member States to **adapt the instrument's design to their specific agricultural structures, regional conditions and transition needs**. This approach preserves the flexibility inherent in the Strategic Plan model while embedding the transition within a common EU-level framework and objective.

The detailed calibration of payment levels, premium structures, eligibility criteria and verification mechanisms should be developed through **targeted technical consultation with agricultural stakeholders, producer organisations and research institutions during the post-2027 legislative preparatory phase**.


CONSEQUENCES: THE STRUCTURAL EFFECTS OF REBALANCING

Strengthening Food Sovereignty and Strategic Autonomy




Redirecting 20% of CAP support toward plant-based proteins for human consumption would help rebalance EU agriculture away from a system in which a large share of agricultural land and crop production is currently used to sustain livestock and feed production. By increasing the domestic production of legumes, lentils, peas, chickpeas and other protein-rich crops for human consumption, the Union could reduce its dependence on imported protein crops and strengthen the resilience of its food system.

Supporting Fairer Distribution and Generational Renewal




Reallocating part of CAP support away from the current concentration on large, livestock-oriented and feed-dependent systems would also help address some of the structural inequalities identified in Part I. Because support for plant-based proteins for human consumption is more likely to benefit smaller and more diversified holdings, a partial rebalancing could contribute to a more even distribution of CAP expenditure. By reducing the extent to which public support is tied to existing land concentration and livestock-oriented structures, such a shift could also help create better opportunities for new entrants and younger farmers, and improve the CAP's contribution to generational renewal.

Reducing Environmental and Animal Welfare Pressures



Rebalancing CAP support would also reduce the structural incentives that currently favour emissions-intensive livestock systems. Redirecting support toward lower-impact plant-based production would improve the consistency of CAP expenditure with the Union's climate and environmental objectives. At the same time, gradually reducing livestock-linked support would ease the economic pressure toward high-density production systems and create more favourable conditions for improved animal welfare, in line with Article 13 TFEU.

Improving Legal and Institutional Coherence



A partial reallocation of CAP support within the current framework would strengthen the alignment between CAP spending and the objectives set out in the Treaties and the European Climate Law. Better aligning expenditure with environmental, animal welfare and strategic autonomy objectives would reduce the CAP's exposure to legal challenges based on environmental integration, proportionality and sound financial management.



COMPLEMENTARY MEASURES

FROM FEED TO FOOD: ADDRESSING THE DEMAND SIDE OF THE FOOD SYSTEM

A shift in consumer demand is already underway across Europe. Consumer demand for plant-based proteins is increasing steadily, and according to the EU-funded Smart Protein project, **the value of plant-based food sales in Europe increased by 49% between 2018 and 2020.**¹⁰⁹ The Commission has likewise recognised the growing importance of plant proteins and the need to strengthen domestic production in order to reduce the EU's protein deficit and respond to changing consumption patterns.¹¹⁰

Europe does not need to choose between supporting livestock and a food transition. The CAP can do both. Reallocating 20% of support that currently benefits livestock and feed towards plant-based proteins for human consumption would be a pragmatic and achievable first step. It would still leave the majority of CAP support directed towards livestock/feed systems, while giving plant-based proteins for human consumption a level of support proportionate to their strategic importance.

A reallocation of 20% represents a fiscally neutral yet structurally transformative lever to **reduce systemic risks, improve distributive fairness and enhance policy coherence.** However, **CAP reform alone will not be sufficient** to drive a just and effective food system transition. Unless the Union also addresses the demand side of the food system, producers and consumers will continue to face structural barriers.

→ **First**, the Union should **address market distortions** that disadvantage plant-based protein foods. Today, these products often remain relatively expensive and insufficiently accessible, not because they are more costly to produce, but because market prices do not reflect the economic reality of food systems. Animal-based products continue to benefit from indirect subsidies, the externalisation of environmental and health costs, and long-established value chains. As a result, studies show that products with higher greenhouse gas emissions, land use and public costs may still appear artificially cheap, while plant-based protein foods remain at a disadvantage.¹¹¹ This distorted price signal undermines both consumer choice and policy coherence. The EU should therefore complement CAP reform with measures aimed at reducing structural cost disadvantages for plant-protein producers, strengthening value chains and improving affordability, including through fiscal incentives, targeted market support and public procurement.

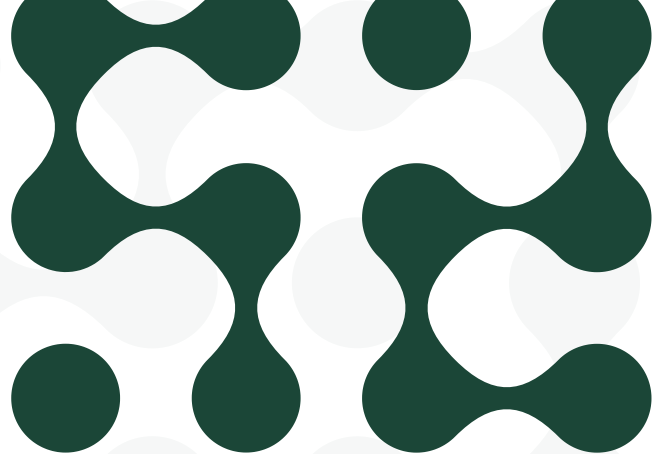
→ **Second**, future CAP objectives should more clearly **reflect the need for protein diversification and healthier diets.** In this respect, the EVU has proposed the introduction of a “healthy and sustainable diet” objective within the future CAP and within National and Regional Partnership Plans. EVU recommends integrating protein diversification and healthier dietary patterns directly into CAP objectives, MS plans and performance monitoring, so that CAP support is no longer assessed only in terms of agricultural output, but also in terms of its contribution to food security, public health and protein diversification. This would help ensure that the reallocation of CAP support toward plant-based proteins is accompanied by clear political targets, monitoring requirements and a coherent long-term direction across the whole food system.¹¹²

→ **Third**, existing **EU instruments could already be mobilised to support this transition.** The EU School Scheme could serve as an important transitional tool by gradually increasing support for fruit, vegetables and plant-based proteins intended for human consumption in schools. Because the scheme already finances both food distribution and educational activities, it could simultaneously create stable demand for these products and familiarise younger generations with more sustainable dietary patterns.

In the longer term, additional complementary measures could also be envisaged, including binding public procurement standards aligned with sustainability objectives and other targeted market incentives.

Considered together, these measures would ensure that the proposed reallocation is not an isolated budgetary adjustment, but part of a broader and more coherent transition. Combined with a reallocation of CAP support, they would strengthen EU's strategic autonomy, reduce dependence on imported feed, support new opportunities for farmers and align CAP spending more closely with the Union's environmental, food security and public health objectives. **The future CAP should no longer merely support the food system of the past. It should help build the food system Europe will need in the decades ahead.**

REPORT'S CONCLUSION



The Common Agricultural Policy remains one of the European Union's most influential public spending frameworks. Through its financial architecture, it shapes land markets, production incentives and the organisation of agricultural systems across the Union.

As this report has shown, these structural effects extend well beyond agricultural economics. They influence **food security**, the Union's **dependence on imported feed proteins**, the **distribution of support across farm structures**, and the **capacity of the CAP to support generational renewal**, while also interacting with **climate commitments**, **environmental integration requirements** and **animal welfare obligations** embedded in the EU Treaties.

This interaction creates areas of **growing tension** between the allocation logic of certain support mechanisms and the objectives that EU law requires the Union to pursue. Recent developments in climate and environmental litigation demonstrate that courts are increasingly willing to examine whether public policies and economic frameworks remain consistent with evolving legal commitments.

Rebalancing CAP support toward plant-protein crops for human consumption represents not only an environmental or ethical adjustment, but also a **strategic economic and geopolitical investment in the resilience of the European food system**. Redirecting part of the support that currently benefits livestock and feed-dependent systems would help **reduce the Union's dependence on imported protein commodities**, **rebalance support away from the most concentrated production structures**, and **create better opportunities for more diversified farms and generational renewal**.

By **strengthening domestic production capacity** and **aligning agricultural policy with evolving dietary patterns**, the European Union could **enhance its food sovereignty, climate resilience and policy coherence**.

Combined with **complementary measures** in public procurement, dietary guidance and food system financing, such a shift would enable a more balanced, sustainable and accessible food system for European citizens, while maintaining **fairness and transition opportunities for farmers**.

The central question is therefore no longer whether change is possible, but whether it will occur proactively through policy reform or reactively through judicial and institutional pressure. If the CAP continues to support the same allocation model, the legal and political pressures identified in this report are likely to intensify.

Ensuring that the CAP remains economically resilient, legally robust and environmentally coherent therefore requires that this adjustment begins now.

*Food Forward
Europe*

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List of abbreviations

BISS — Basic Income Support for Sustainability	EVU — European Vegetarian Union
CAP — Common Agricultural Policy	FAO — Food and Agriculture Organization of the United Nations
CIS — Coupled Income Support	FFE — Food Forward Europe
CJEU — Court of Justice of the European Union	GHG — Greenhouse Gas
COM — Commission Document	IIEP — Institute for European Environmental Policy
CRISS — Complementary Redistributive Income Support for Sustainability	IPCC — Intergovernmental Panel on Climate Change
DG AGRI — Directorate-General for Agriculture and Rural Development	MS — Member State
EAFRD — European Agricultural Fund for Rural Development	NGO — Non-Governmental Organisation
EAGF — European Agricultural Guarantee Fund	ObSAF — Observatoire des Subventions et Aides Agricoles en France
EEA — European Environment Agency	OECD — Organisation for Economic Co-operation and Development
ECA — European Court of Auditors	OJ — Official Journal of the European Union
ECHR — European Convention on Human Rights	SWD — Staff Working Document
EEA — European Environment Agency	TEU — Treaty on European Union
EESC — European Economic and Social Committee	TFEU — Treaty on the Functioning of the European Union
EFSA — European Food Safety Authority	UN — United Nations
EPRS — European Parliamentary Research Service	WHO — World Health Organization
EU — European Union	
EU ETS — European Union Emissions Trading System	