

(English version)

**Priority question for written answer P-003194/25
to the Commission
Ciaran Mullooly (Renew)
(6 August 2025)**

Subject: Legality of GAEC 2 appeals process

Confirmation is sought as to whether the inclusion of ploughing history — either past or planned — as a condition in the appeals process against the designation of land as peat soil under the good agricultural and environmental condition 2 (GAEC 2) in Ireland is legally consistent with EU law.

The Irish Department of Agriculture currently requires farmers to submit a signed declaration stating that the land parcel has never been drained and that drainage works are planned for 2025, supported by contractor quotations and geotagged photographs. This implies that land management history — such as ploughing or drainage intent — may influence the outcome of appeals.

1. Given that peat soil designation under GAEC 2 is expected to rely on scientific criteria only, such as peat content, soil depth and water levels, does the Commission consider the use of ploughing declarations and proposed drainage works as complying with requirements for valid scientific evidence for soil classification?
2. Does the Commission also consider that this practice risks undermining the credibility and objectivity of the designation process by introducing non-scientific, activity-based conditions into what should be a strictly evidence-based assessment?

Submitted: 6.8.2025

**Answer given by Mr Hansen on behalf of the European Commission
(4 September 2025)**

The regulation and compliance aspects of the Good Agricultural and Environmental Condition 2 (GAEC 2) are governed under Regulation (EU) 2021/2115 ⁽¹⁾.

Specifically, Annex III provides the general principles that national authorities must respect when setting up GAEC 2 requirements. In compliance with these principles, Ireland's Common Agricultural Policy (CAP) Strategic Plan defines the specific requirements and acceptable practices for this standard.

The requirements set forth in this plan were extensively discussed with both national authorities and stakeholders, receiving the necessary approval from the Commission.

In accordance with the principle of shared management, the detailed implementation of the CAP Strategic Plan and the related compliance checks, such as seeking administrative information, are competencies of national authorities.

Consequently, the appeal process specificities in Ireland reflect national-level decisions, adhering to the approved framework, but primarily lie within national jurisdiction.

Therefore, considering these factors and the specificity of individual cases, the Commission does not partake in detailed appeal process discussions.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R2115>.