



Brussels, 13.9.2022
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COMMISSION IMPLEMENTING DECISION

of 13.9.2022

**approving the 2023-2027 CAP Strategic Plan of Luxembourg for Union support
financed by the European Agricultural Guarantee Fund and the European Agricultural
Fund for Rural Development**

CCI: 2023LÜ06AFSP001

(Only the French text is authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013¹ and (EU) No 1307/2013, and in particular Article 118(6) thereof,

Whereas:

- (1) On 21 January 2022, Luxembourg submitted to the Commission a proposal for its strategic plan under the common agricultural policy for Union support to be financed by the European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD) for the period from 1 January 2023 to 31 December 2027 ('2023-2027 CAP Strategic Plan').
- (2) In accordance with Article 118(2) of Regulation (EU) 2021/2115, the Commission has assessed the proposed 2023-2027 CAP Strategic Plan of Luxembourg and made observations, including on upscaling the production of sustainable biomethane, as provided for in paragraph 3, first subparagraph, of that Article on 7 April 2022². In accordance with paragraph 3, second subparagraph, of that Article, Luxembourg provided to the Commission the additional information necessary to follow up the Commission's observations and submitted a revised version of its 2023-2027 CAP Strategic Plan on 30 August 2022.
- (3) The revised 2023-2027 CAP Strategic Plan has been prepared in accordance with the requirements on the content of the 2023-2027 CAP Strategic Plans laid down in Articles 107 to 115 of Regulation (EU) 2021/2115 and in Annex I to Commission Implementing Regulation (EU) 2021/2289³. It has been drawn up by Luxembourg

¹ OJ L 435, 6.12.2021, p. 1.

² The observations of the Commission were sent to the Member State on 7 April 2022. The observations have been published on https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/cap-strategic-plans/obervation-letters_en.

³ Commission Implementing Regulation (EU) 2021/2289 of 21 December 2021 laying down rules for the application of Regulation (EU) 2021/2115 of the European Parliament and of the Council on the

with the involvement of the partners referred to in Article 106(3) of Regulation (EU) 2021/2115, and in cooperation with the Commission.

- (4) The revised 2023-2027 CAP Strategic Plan proposed by Luxembourg complies with the requirements laid down in Article 118(4) of Regulation (EU) 2021/2115.
- (5) According to Article 29(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council⁴, this Decision constitutes a financing decision within the meaning of Article 110(1) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁵ in respect to the EAFRD. The elements required for the financing decision are contained in the 2023-2027 CAP Strategic Plan, except the budget line, which is specified in this Decision. For reasons of transparency, the total EAFRD contribution for each type of intervention, the EAFRD contribution per year and the maximum EAFRD contribution, which are constituted by the adjusted allocations after the transfers set out in the 2023-2027 CAP Strategic Plan in accordance with Article 103 of Regulation (EU) 2021/2115, are taken into account in the overview table of the 2023-2027 CAP Strategic Plan provided for in Article 112(2) of that Regulation: the overview table should also be included in the Annexes to this Decision. The additional national financing for interventions in rural development in accordance with Article 146 of Regulation (EU) 2021/2115 should also be included in the Annexes to this Decision.
- (6) For reasons of transparency and clarity, this Decision should also summarise all elements, other than the adjusted allocations for the EAFRD, which are specified in the overview table laid out in Article 112(2) of Regulation (EU) 2021/2115, including the adjusted allocations for direct payments after the transfers, indicated in the 2023-2027 CAP Strategic Plan in accordance with Articles 17(5), 88(5) and (6) and 103 of that Regulation, which constitute the maximum financial allocations for direct payments.
- (7) According to Articles 92(2), 93(3), 95(3), (4) and (5), 97(10) and (11) and 98(2) of Regulation (EU) 2021/2115, the respective financial ceilings for LEADER, interventions addressing environmental and climate-related specific objectives, young farmers, eco-schemes and for redistributive income support should be approved by the Commission in accordance with Article 118 of that Regulation as a financial ceiling established in Union law. Therefore, those reverse financial ceilings should be specified in this Decision.
- (8) This Decision should not cover information on the control systems and penalties set up by Luxembourg or the information included in Annexes I to IV of the 2023-2027 CAP Strategic Plan. It should also not cover State aid within the meaning of Articles 107, 108 and 109 of the Treaty on the Functioning of the European Union ('TFEU') falling outside the scope of Article 42 TFEU, which has not been approved by the Commission according to the relevant State aid procedures,

presentation of the content of the CAP Strategic Plans and on the electronic system for the secure exchange of information (OJ L 458, 22.12.2021, p. 463).

⁴ Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 (OJ L 435, 6.12.2021, p. 187).

⁵ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The final version of the 2023-2027 CAP Strategic Plan of Luxembourg, submitted to the Commission on 30 August 2022 by means of the electronic system for the secure exchange of information called 'SFC2021' in accordance with Article 3(1) of Implementing Regulation (EU) 2021/2289, is approved.

The approval of the 2023-2027 CAP Strategic Plan shall not cover the information referred to in Article 113(c) of Regulation (EU) 2021/2115 and in Annexes I to IV of the 2023-2027 CAP Strategic Plan, nor State aid within the meaning of Articles 107, 108 and 109 TFEU falling outside the scope of Article 42 TFEU.

Article 2

The overview table of allocations, including the adjusted allocations, as referred to in Article 112(2) of Regulation (EU) 2021/2115 and set out in the 2023-2027 CAP Strategic Plan, is set out in Annex I to this Decision.

The total EAFRD contribution for each EAFRD type of intervention is set out in Annex II to this Decision.

The financial ceilings calculated in accordance with Articles 92(2), 93(3), 95(3), (4) and (5), 97(10) and (11) and 98(2) respectively are specified in Annex III to this Decision.

A table of the additional national financing, as referred to in Article 146 of Regulation (EU) 2021/2115, is set out in Annex IV to this Decision.

Article 3

The maximum EAFRD contribution shall be financed from the appropriations entered in the budget line 08 03 01 01 (Rural development types of interventions under the CAP Strategic Plans).

Article 4

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 13.9.2022

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

Annex I

CAP Strategic Plan: overview table

	Financial year	2023	2024	2025	2026	2027	2028	Total
	(Direct payments (CY N = FY N+1) under Regulation (EU) 2021/2115)	2022	2023	2024	2025	2026	2027	
1	Initial direct payments allocations (initial Annex V)	n/a	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	163 739 135.00
2	Cotton (Annex VIII)	n/a						
3	Initial direct payments allocations excluding cotton (initial Annex IX)	n/a	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	163 739 135.00
4	Coupled income support (Article 96)	n/a	3 870 000.00	3 870 000.00	3 870 000.00	3 870 000.00	3 870 000.00	19 350 000.00
5	Transfer to EAFRD total amount (flexibility + reduction) – resulting amount	n/a					n/a	
6	Total flexibility (Article 103(1)(a)) – amount	n/a					n/a	
7	If above 25%: of which for the environmental and climate-related objectives (Article 103(2)(a)) – amount	n/a					n/a	
8	If above 25%: of which for the installation of young farmers (Article 103(2)(b)) – amount	n/a					n/a	
9	Total flexibility %	n/a					n/a	
10	Transfer to EAFRD of the estimated product of reduction, if applicable (Article 17(5))	n/a					n/a	
11	Transfer to types of interventions in other sectors (Article 88(6)) – amount	n/a						
12	Transfer to types of interventions in other sectors (Article 88(6)) – percentage	n/a						
13	Transferred from EAFRD: amount (Article 103(1)(b))	n/a					n/a	
16	Adjusted direct payments allocation (Annex V)	n/a	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	163 739 135.00
17	Adjusted direct payments allocations excluding cotton before reduction transfer (Annex IX)	n/a	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	32 747 827.00	163 739 135.00

	EAGF sectorial under Regulation (EU) 2021/2115	2023	2024	2025	2026	2027	2028	Total
18	Wine (Annex VII)						n/a	
19	Apiculture (Annex X)	20 121.00	30 621.00	30 621.00	30 621.00	30 621.00	n/a	142 605.00
22	Types of interventions in other sectors (Article 42(f)) from direct payments	n/a						
	EAFRD under Regulation (EU) 2021/2115	2023	2024	2025	2026	2027	2028	Total
23	Initial EAFRD Member State's allocation (Annex XI)	12 310 644.00	12 310 644.00	12 310 644.00	12 310 644.00	12 310 644.00	n/a	61 553 220.00
24	Flexibility transfer to direct payments – amount (Article 103(1)(b) and (2)(b)) – amount	684 000.00					n/a	684 000.00
25	Percentage	5.56					n/a	1.11
26	Transferred from direct payments (flexibility + reduction estimate) (Articles 17 and 103)						n/a	
27	Allocated to EU Invest – (Article 81)						n/a	
28	Allocated to LIFE – (Article 99) – amount						n/a	
28a	Allocated to ERASMUS – (Article 99) – amount						n/a	
28b	Early retirement carry-over amounts (Article 155(2)(a), Article 23 of Regulation (EC) No 1698/2005) – amount						n/a	
30	Adjusted EAFRD Member State's allocations (Annex XI)	11 626 644.00	12 310 644.00	12 310 644.00	12 310 644.00	12 310 644.00	n/a	60 869 220.00
	Financial year, minimum spending requirements under Regulation (EU) 2021/2115	2023	2024	2025	2026	2027	2028	Total
31	Reserved for LEADER (Article 92(1)) – minimum 5% – percentage	1.29	3.45	4.87	7.92	8.33	n/a	5.22
32	Reserved for LEADER – amount	150 000.00	425 000.00	600 000.00	975 000.00	1 025 000.00	n/a	3 175 000.00
33	Reserved for environmental and climate-related objectives under EAFRD (Article 93) (min. 35%) – Outermost regions excluded – percentage	77.78	73.50	74.27	74.32	74.32	n/a	74.80
34	Reserved for environmental and climate-related objectives under EAFRD – amount	9 042 980.00	9 048 170.00	9 143 170.00	9 148 750.00	9 148 750.00	n/a	45 531 820.00
35	- Out of which for Article 70	5 176 990.00	5 176 990.00	5 176 990.00	5 176 990.00	5 176 990.00	n/a	25 884 950.00
36	- Out of which for Article 71 (50%)	1 740 480.00	1 740 480.00	1 740 480.00	1 740 480.00	1 740 480.00	n/a	8 702 400.00
37	- Out of which for Article 72	270 510.00	275 700.00	275 700.00	281 280.00	281 280.00	n/a	1 384 470.00
38	- Out of which for Article 73 linked to specific objectives in Article 6(1)(d), (e) and (f) and, as regards animal welfare, in Article 6(1)(i)	1 855 000.00	1 855 000.00	1 950 000.00	1 950 000.00	1 950 000.00	n/a	9 560 000.00
38a	- Out of which for Article 74 linked to specific objectives in Article 6(1)(d), (e) and (f)						n/a	
39	Difference as compared to minimum amount	n/a	n/a	n/a	n/a	n/a	n/a	24 227 593.00
39a	To be reserved for young farmers (Annex XII) – (Article 95) (if only DPs: annual amounts to be respected)	n/a	982 435.00	982 435.00	982 435.00	982 435.00	982 435.00	4 912 175.00
39b	Reserved for young farmers	320 000.00	1 052 600.00	1 052 600.00	1 052 600.00	1 052 600.00	732 600.00	5 263 000.00
40	Reserved for young farmers – needed to reach minimum requirements	282 435.00	982 435.00	982 435.00	982 435.00	982 435.00	700 000.00	4 912 175.00
41	- through complementary income support for young farmers (under direct payments)	n/a	732 600.00	732 600.00	732 600.00	732 600.00	732 600.00	3 663 000.00
42	'of which needed to reach minimum requirement' – basis for reverse	n/a	700 000.00	700 000.00	700 000.00	700 000.00	700 000.00	3 500 000.00

	ceiling							
43	- through investments by young farmers (weighted at 50%) (under rural development)						n/a	
44	'of which needed to reach minimum requirement' – basis for reverse ceiling						n/a	
45	- setting up of young farmers (under rural development)	320 000.00	320 000.00	320 000.00	320 000.00	320 000.00	n/a	1 600 000.00
46	'of which needed to reach minimum requirement' – basis for reverse ceiling	282 435.00	282 435.00	282 435.00	282 435.00	282 435.00	n/a	1 412 175.00
47	Minimum amount to be reserved for eco-schemes (Article 97)	n/a	8 186 956.75	8 186 956.75	8 186 956.75	8 186 956.75	8 186 956.75	40 934 783.75
48	Rebate (where relevant – optional for MS)	n/a						
49	Annual amounts reserved for eco-schemes under DPs	n/a	8 189 638.80	8 189 638.80	8 189 638.80	8 189 638.80	8 189 638.80	40 948 194.00
51	Total amount for eco-schemes	n/a	8 189 638.80	8 189 638.80	8 189 638.80	8 189 638.80	8 189 638.80	40 948 194.00
53	Amount reserved for redistributive payment (Article 29) – minimum 10% annually applied on row 17, unless derogation applies	n/a	3 896 230.00	3 896 230.00	3 896 230.00	3 896 230.00	3 896 230.00	19 481 150.00

Annex II

Total EAFRD contribution for each type of intervention and for technical assistance

Article 32(6)(b) of Regulation (EU) 2021/2116: Total EAFRD contribution to each type of intervention under Regulation (EU) 2021/2115 for the entire period		
		in EUR
01	Environmental, climate-related and other management commitments (Article 70)	25 884 950.00
02	Natural or other area-specific constraints (Article 71)	17 404 800.00
03	Area-specific disadvantages resulting from certain mandatory requirements (Article 72)	1 384 470.00
04	Investments, including investments in irrigation (Articles 73 and 74)	11 420 000.00
05	Setting-up of young farmers and new farmers and rural business start-up (Article 75)	1 600 000.00
06	Risk management tools (Article 76)	0.00
07	Cooperation (Article 77)	3 175 000.00
08	Knowledge exchange and dissemination of information (Article 78)	0.00

Article 94 of Regulation (EU) 2021/2115: total EAFRD contribution for technical assistance for the entire period		
	in EUR	% EAFRD
	0.00	0

Annex III

Reverse financial ceilings

Table 1	
Financial ceilings for the total EAFRD expenditure for rural development for the entire period of the CAP Strategic Plan under Regulation (EU) 2021/2115, other than:	
	in EUR
LEADER (Article 92(2))	57 825 759.00
Interventions addressing environmental and climate-related specific objectives (Article 93(3))	39 564 993.00
Interventions under Article 70, Article 72, Article 73 and Article 74 insofar as these interventions address the specific objectives set out in Article 6(1)(d), (e) and (f) and, as regards animal welfare, in Article 6(1)(i) and insofar as these interventions are taken into account for a reduction of the eco-schemes ring-fencing requirement (Article 97(11)) ¹	n/a
Interventions for the setting-up of young farmers (Article 95(4)) ²	59 457 045.00
Investments by young farmers (Article 75(2)(a), Article 95(5) and Article 73(4), second subparagraph, point (a)(ii)) ²	n/a

Table 2					
Financial ceilings per calendar year, for the total expenditure for types of intervention in the form of direct payments under Regulation (EU) 2021/2115 other than:					
	in EUR				
	Calendar year 2023	Calendar year 2024	Calendar year 2025	Calendar year 2026	Calendar year 2027
Complementary income support for young farmers (Article 95(3)) ³	32 047 827.00	32 047 827.00	32 047 827.00	32 047 827.00	32 047 827.00
Schemes for the climate, environment and animal welfare (Article 97(10))	n/a	n/a	25 215 826.79	25 215 826.79	24 560 870.25
Complementary redistributive income support for sustainability (Article 98(2))	29 473 044.30	29 473 044.30	29 473 044.30	29 473 044.30	29 473 044.30

¹ This reverse ceiling is only established in case of application of a reduction to the eco-schemes ring-fencing provided for under Article 97(3) of Regulation (EU) 2021/2115. Otherwise, the row is not applicable.

² This reverse ceiling is only established if the relevant EAFRD interventions are used for the generational renewal minimum amount ring-fencing provided for under Article 95 of Regulation (EU) 2021/2115. Otherwise, the row is not applicable.

³ This reverse ceiling is only established if complementary income support for young farmers interventions is used for the generational renewal minimum amount provided for under Article 95 of Regulation (EU) 2021/2115. Otherwise, the row is not applicable.

Annex IV

Additional national financing provided within the scope of the CAP Strategic Plan

Rural development interventions under Regulation (EU) 2021/2115	
Intervention in the CAP Strategic Plan for which financing is granted	Budget (in EUR)

National financial assistance in the fruits and vegetables sector under Regulation (EU) 2021/2115					
	Calendar year 2023	Calendar year 2024	Calendar year 2025	Calendar year 2026	Calendar year 2027
Estimated amount of national financial assistance (in EUR) (Article 53)	0.00	0.00	0.00	0.00	