



Bulgarian Member of the CEDR (Requested June 2019)

Bulgarian contribution to the CEDR conference Poznan (Poland) September 2019

QUESTIONNAIRE I

A. – General Part

1.1. Does your country's constitution refer to food sovereignty directly or indirectly? If yes, in what regard? If no, has the need for modification ever occurred?

The current Constitution of the Republic of Bulgaria (CRB) does not refer directly to "food sovereignty". For this reason, we believe that a legitimate definition should be designed in an analytical way by interpreting norms concerning: ownership, the relationship between its management and the management of the economic activities at sustainable and efficient utilization of resources, assessment of the effects of the link between people's livelihoods, animal nutrition and human health, and finally, a mandatory assessment of the connection between food sovereignty and social and natural factors. We believe that food sovereignty contains "food safety", food security and a balance between private and public interest in regard to the protection of property. Therefore, a legitimate definition of food sovereignty should be formulated:

- indirectly, by protecting the absolute right to life Art. 28 CRB,
- indirectly, through the protection of the indivisible from the right to life, right to health Art. 37, para. 2 CRB, and the resulting right of healthcare;
- in relation to the protection of public interest as regards the rights deriving from Art. 15 CRB – for the reproduction of the environment; maintaining the diversity of living nature; and the rational use of the country's natural factors and resources;

- in relation to the protection of ownership, directly affecting – the right to property over agricultural land Art. 21, para. 1 and 2 of the CRB, Art. 22, para. 1, 2 and 3 CRB.

- with regard to social protection, defining particular protection for certain groups of people, including the solution to the "food problem" (the feeding issue);

- in relation to a legal solution to theoretical dilemmas such as the "farmer's problem" (farmers' income problem), "the problem of exhaustion of some resources", etc.; the problem of governance of the institutional environment and solving the problems arising from the dualism between efficiency, integration and competitiveness.

1.2. Do your country's strategic documents or other legislation (acts, decrees, etc.) explicitly refer to food sovereignty?

In Bulgaria, the following acts address directly food security and food sovereignty:

- Legal acts related to food production

Food Act – outlines food requirements, measures and conditions to ensure food hygiene and safety, packaging, labelling, presentation, including advertising; requirements for all stages of food production, processing and distribution; terms and conditions for food production and trade; the rights and obligations of persons who produce or trade in food; the rules for carrying out official control, including verification of compliance with regulatory requirements; the powers of official authorities in terms of control on food production and trade; functions and powers of the professional organizations of food producers and of the Bulgarian Association of Food and Beverage Industry (BAFBI).

Wine and Spirits Act – this act sets forth the terms and conditions for the production, processing, labelling, trade and control of grapes intended for the production of wine, wines, products obtained from grapes and wine, fruit wines, vinegar, ethyl alcohol and distillates of agricultural origin and spirit drinks, as well as the management and control of the viticulture and wine potential.

The *Fisheries and Aquaculture Act* regulates the relations related to the ownership, organization, management, use and preservation of the fishery resources in the waters of the Republic of Bulgaria, trade in fish and other aquatic organisms. The law aims at ensuring: sustainable development of fish resources, restoration and conservation of biological equilibrium and enrichment of the diversity of fish resources in aquatic ecosystems; development of commercial and recreational fishing and aquaculture; implementing responsible fishing rules; increasing consumption of fish and fish products in the country.

- Legal acts influencing food sovereignty through the primary production factor - the category of ownership (focus on agricultural land)

Conservation of Agricultural Land Act - this legal act regulates the relationship between ownership as a legal category (with a focus on agricultural land), and soil, aquatic, biological resources. Environmental measures aimed at sustainable and environmentally friendly use of these resources have been identified. The *Biodiversity Act* aims at protecting biodiversity.

Agricultural Land Ownership and Use Act (ALOUA) - this act regulates public relations defining the relationship between the category of ownership and the opportunities for production from agricultural land. It provides a legal solution for all governance mechanisms for the utilization of agricultural resources, including: market and non-market mechanisms for consolidation of ownership - Art. 37c of ALOUA;

Agricultural Lease Act - this act regulates the way agricultural land is managed through lease arrangements, as well as the type, the form of the contracts, the way of concluding and dissolving the latter, special rights in favour of the users producers, terms, etc. It directly regulates the governance of agricultural land and the resulting incentives for production.

Ownership Act - common norms governing the ownership category, including the institutes of the owning, the acquiring statutes, the servitudes, etc.

State Property Act - outlines the relationship between the category of ownership and the protection of public interest in the Republic of Bulgaria. It has a bearing on the preservation of property, including that of the State Land Fund.

Municipal Property Act - outlines the relationship between the category of ownership and the protection of public interest in the Republic of Bulgaria. It has a bearing on the preservation of property, including that of the State Land Fund.

- Legal acts affecting food sovereignty through the sustainable use of water and bio-resources.

The *Biodiversity Act* outlines the relationship between the category of ownership and the protection of the diversity of genetic and bio resources (see the texts of Art. 13, Art. 115, Art. 117, Art. 118, Art. 119, Art. 122).

Water Act - outlines the relationship between the category of ownership and the sustainable and ecological use of water resources. It makes a connection with the ecological

use of resources and water protection. The right of access to drinking water is protected. It prohibits agricultural production, pesticides, construction works, transport machinery services, etc. in certain areas.

Forestry Act - this act regulates the relations connected to the ownership and management, reproduction, use and preservation of the forests in the Republic of Bulgaria (Art. 1, para. 1). The purpose of the act is to preserve the Bulgarian forests as a national wealth - a major medium-forming factor, through their reproduction and sustainable development, and multi-purpose use in the interest of owners and society (Art. 1, para. 2).

Animal Protection Act and the related special act - *Ordinance № 4 of 08.08.2017 on the implementation of measure 14 "Animal welfare" of the Rural Development Program for the period 2014-2020*. The Ordinance establishes conditions for support for agricultural producers engaged in livestock breeding.

- Legal acts affecting food sovereignty through the protection of human health

The *Health Act* defines the relationship between diet and human health. It imposes special rules on children's nutrition. It decides administratively about some effects that define the link "food-health".

- Legal acts affecting food sovereignty through the protection of effective production and entrepreneurship in agriculture

Farmers Support Act – this act regulates: state support to farmers, including agricultural producers; the implementation of export incentive measures and the regulation of the import and export of agricultural products; accreditation, structure, activity and control of the Payment Agency; the establishment and operation of an Integrated Administration and Control System; the implementation of direct payment schemes in line with the Common Agricultural Policy of the European Union; implementation of measures under the various EU agriculture programs.

- Legal acts that indirectly affect food security by improving the processes of governance and governance structure, creating conditions for a better transfer of ownership, and hence improving the effects of food production and consumption

Cadastral and Land Register Act - improving governance for farmers, protection of rights, general security enhancement;

Bulstat Registry Act - improving governance for farmers, protection of rights, general security enhancement;

Commercial Act - improving governance for farmers, protection of rights, general security enhancement;

Obligations and Contracts Act - protection of rights; general improvement of governance;

E-Governance Act - process opportunities to improve individual efficiency and thereby to save and redirect resources;

Electronic Documents and Electronic Certification Services Act - process opportunities to improve individual efficiency and thereby to save and redirect resources;

Special Investment Purpose Companies Act - balance between private and public interests related to agricultural land;

Local Taxes and Fees Act - transaction costs of transferring and protecting property of agricultural land;

Registry Code - possibilities for direct influence on transaction costs in the protection of property of agricultural land;

Tariff on the charges collected by land authorities - opportunities for direct impact on transaction costs when transferring real estate.

1.3. Does the relevant legal practice of your country explicitly refer to food sovereignty (e.g. the practice of the Constitutional Court/higher courts or, of a special human rights commissioner/committee)?

In its practice, the Constitutional Court of the Republic of Bulgaria (CC) has not pronounced on food sovereignty, with the exception of the element of balance between public and private interest in terms of property. In matters concerning ownership, management, governance, inheritance, hiring, sale of agricultural land, the CC has decided on a number of occasions.

CC decisions related to the ALOUA:

- Art. 7 ALOUA with CC decision № 20 from 1996
- Art. 10 ALOUA with CC decision № 7 from 1995
- Art. 10 para. 7 item 2 ALOUA with CC decision № 12 from 1993
- Art. 10 ALOUA with CC decision № 8 from 1995

- Art. 10 ALOUA with CC decision № 20 from 1996
- Art. 10a ALOUA with CC decision № 8 from 1995
- Art. 10b ALOUA with CC decision № 8 from 1995
- Art. 15(3) ALOUA with CC decision № 8 from 1995
- Art. 17 (3) ALOUA with CC decision № 8 from 1995
- Art. 17 (7) ALOUA with CC decision № 8 from 1995
- Art. 27 (8) ALOUA with CC decision № 8 from 1995
- Art. 27 (8) ALOUA with CC decision № 3 from 1997
- Art. 27 (11) ALOUA with CC decision № 8 from 1995
- Art. 27 (11) ALOUA with CC decision № 3 from 1997
- Art. 30 (3) ALOUA with CC decision № 8 from 1995
- Art. 30 (3) ALOUA with CC decision № 3 from 1997
- Art. 33 (1) ALOUA with CC decision № 7 from 1995
- § 4. (1) ALOUA with CC decision № 8 from 1995
- § 4a. ALOUA with CC decision № 8 from 1995
- § 4b. ALOUA with CC decision № 8 from 1995
- § 4c. ALOUA with CC decision № 8 from 1995
- § 4d. ALOUA with CC decision № 8 from 1995
- § 4e. ALOUA with CC decision № 8 from 1995
- § 4e. ALOUA with CC decision № 8 from 1995
- § 4g. ALOUA with CC decision № 8 from 1995
- § 28(1). ALOUA with CC decision № 8 from 1995

Amendments through the Road Act

- § 16. ALOUA with CC decision № 12 from 1993; CC decisions № 7 and 8 from 1995; CC decision № 20 from 1996.

Amendments through the Amendment and Supplement Act of the ALOUA

- § 12 (4) ALOUA with CC decision № 8 from 1995
- § 12 (4) ALOUA with CC decision № 3 from 1997
- § 12 (5) ALOUA with CC decision № 8 from 1995
- § 12 (5) ALOUA with CC decision № 3 from 1997
- § 12 (5) ALOUA with CC decision № 8 from 1995
- § 12 (5) ALOUA with CC decision № 3 from 1997

Amendments through the Amendment and Supplement Act of the Fisheries and Aquaculture Act

§ 75. ALOUA with CC decision № 12 from 1993; CC decisions № 7 and 8 from 1995; CC decision № 20

Amendments through the Amendment and Supplement Act of the Forestry Act

§ 80. ALOUA with CC decision № 12 from 1993; CC decisions № 7 and 8 from 1995; CC decision № 20

CC decisions related to the Agricultural Land Protection Act:

CC decision № 5 from 19 April 2019

CC decisions related to the Inheritance Act:

Art. 90a. CC decision № 4 from 1996 - State Gazette № 21 from 1996

CC decisions related to the Black Sea Coast Act:

Art. 17 and 17a. CC decision № 12 from 2013

- Interpretative Decisions (ID) of the Supreme Court of Cassation (SCC) and the Supreme Administrative Court (SAC)

ID № 2/2015 from 20.07.2017 of the SCC delivered on Interpretative Case № 2/2015 on the possible conversion of agricultural land transactions - from rent to be transformed into a lease;

ID № 1/2018 from 16.01.2019 of the SCC delivered on Interpretative Case № 1/2018 on some material legal prerequisites concerning the registry of lease through an annex. The registry judge does not verify ownership in lease agreements (this is also valid after the amendments in Art. 4a of the ALOUA).

ID № 5 from 18 October 2011 of the SAC on the right of interested citizens and organizations to appeal under the procedure of the Administrative Procedure Code (APC) the orders of mayors of municipalities, issued on the grounds of Art. 11, para. 4 of the Code for Application of the ALOUA.

ID № 1 from 25.01.2013 of the SAC "Is the administrative procedure under Art. 34 of the ALOUA applicable for properties restored under the provisions of the ALOUA, which are

located in urbanized areas (settlements and settlement formations), and which do not constitute agricultural land, or is it applicable only in the cases where the restored under the order of the ALOUA properties are agricultural land within the meaning of Art. 2 of the Act?"

3.1. Does your country's constitution refer expressly to the right to food or any of its elements?

According to Eurostat data, social protection expenditure represents 23,62% of GDP in 2010, falling to 12,5% of GDP in 2017 – at average health costs ranging from 4,0% to 5,5% of GDP for the same period. Childcare at the start of the period shows growth as a GDP-share, but since 2016 the values have been decreasing, with values for Bulgaria being approximately three times lower compared to those for the countries within the eurozone. Even though life expectancy is rising, the age of a healthy life falls from 71,9 years in 2007 to 66,2 years in 2017.

Source: own research based on Eurostat data, <https://ec.europa.eu/eurostat>

The Constitution of the Republic of Bulgaria (CRB) **does not refer** directly to the *right to food*. Indirectly, the CRB creates conditions for intolerance to "poverty and hunger" through social protection rights obtained by aid and benefits guaranteeing the survival and feeding of children, mothers and other groups of society: Art. 47 para. 2, Art. 51 para. 1 of the CRB.

The *Social Support Act* introduces general, additional protection for certain categories of people. For the latter, their nutrition is placed at the basis of their survival. There are deliberately created mechanisms through "family benefits".

The *Health Act* creates special "food protection" for young children, including through a diet guarantee (feeding for children up to 3 years of age is provided).

By regulations at a municipal level, local school nutrition programs and pre-school social care services have been introduced.

Bulgaria considers the issue of dual food standards as part of its food security. In 2018, the issue of double food standards is included in the agenda of the Bulgarian EU-Presidency of the Council of the EU. The Bulgarian Ombudsman, Bulgarian MEPs, the Consumer Protection Commission, the Ministry of Economy, the Ministry of Agriculture, Food and Forestry and the Bulgarian Food Safety Agency, in cooperation with the Bulgarian Government, took part in the discussions. Since May 2017 to April 2018, three studies have

been conducted by the Ministry of Agriculture, Food and Forestry on the presence of a "double standard" in the supply of food on the Bulgarian and European markets. The research has identified a number of differences in the composition of products marketed under the same brand on the market in Eastern and Western Europe. Through the Joint Research Centre (JRC), a harmonized food selection and analysis methodology has been developed. The EU has adopted the "New Trade Mechanism for Consumers". Harmonization of legislation is forthcoming.

See: A New Deal for Consumers: Commission strengthens EU consumer rights and enforcement

Brussels, 11 April 2018

http://europa.eu/rapid/press-release_IP-18-3041_en.htm

Source: Official website of the Consumer Protection Commission,

<https://www.kzp.bg>

As a part of the initiatives within the European Presidency of the Council of the EU of the Republic of Bulgaria, the following event was held in the period 14-15 June 2018 on the territory of the Agricultural University – Plovdiv (a member of the CEDR): European Commission's Second High Level International Conference "FOOD 2030: Research and Innovation for Food Security - Transforming Food Systems".

Source: Official website of the Agricultural University – Plovdiv, Bulgaria,

www.au-plovdiv.bg

3.2. Do your country's strategic documents or other legislation (acts, decrees, etc.) explicitly refer to the right to food?

Atypical acts related to food security:

National Strategy for Sustainable Development of Agriculture in Bulgaria 2014-2020 /project/ (procedure initiated by order of the Minister of Agriculture, Food and Forestry - 550-01-293 - 3 July 2015)

National Action Plan "Food and Nutrition" 2005-2010

National Strategy for the Development of the Forestry Sector in the Republic of Bulgaria for the Period 2013 – 2020

National Strategy for Sustainable Operational Programs of Fruit and Vegetable Producer Organizations in the Republic of Bulgaria for the Period 2017-2021

National Strategy for the Development of Scientific Research in the Republic of Bulgaria 2017-2030

National Scientific Program "Healthy Foods for a Strong Bio-Economy and Quality of Life"

National Youth Strategy 2020-2030 /draft of the Council of Ministers of the Republic of Bulgaria/

National Program for the Prevention, Supervision, Control and Eradication of Animal Diseases and Zoonoses in Bulgaria 2019 - 2021 (30 April 2019)

Risk and Crisis Management Program in the Agricultural Sector

National Program for Controlling the Population of Stray Dogs on the Territory of the Republic of Bulgaria

Government Program for Sustainable Development of the Republic of Bulgaria in the Agriculture and Forestry Sector 2014-2018

National Beekeeping Program for the Three-Year Period 2017 - 2019

Strategy for Digitization of Agriculture and Rural Areas of the Republic of Bulgaria

*Source: Official website of the Ministry of Agriculture, Food and Forestry
of the Republic of Bulgaria,
<http://www.mzh.government.bg>*

National Program for the Control of Pesticide Residues, 2013

National Program for the Control of Pesticide Residues in and on Foods of Plant and Animal Origin 2012

State Prophylactic Program and Supervision Programs for 2013

State Prophylactic Program 2014

Instructions for the Control of Contagious Animal Diseases

National Program for the Prevention, Control and Eradication of Animal Diseases and Zoonoses 2016-2018

National Program for the Control of Antimicrobial Resistance of Zoonotic Infections in 2012

National Program for the Control of Pesticide Residues in and on Foods of Plant and Animal Origin 2012-2014

National Program for the Prevention, Supervision, Control and Eradication of Animal Diseases and Zoonoses in Bulgaria 2019-2021

*Source: Official website of the Bulgarian Food Safety Agency,
<http://www.babh.government.bg>*

3.3. Does the relevant legal practice of your country explicitly refer to the right to food (e.g. the practice of the Constitutional Court/higher courts or, of a special human rights commissioner/committee)?

Subjective rights related to food are considered as a part of the concept of consumer rights. In Bulgaria, there are administrative bodies dealing with the protection of the rights related to consumer security: the Bulgarian Food Safety Agency (BFSA) and the Agency for Consumer Protection. There are also private organizations devoted to analyzing and detecting violations of such rights. The Federation of Consumer Protection is best known for its publications in this direction. An administrative jurisdiction dealing with specialized food disputes does not exist.

4.1. Does your country have any international obligations on the right to food and the related right to water, or food security?

Bulgaria is a party to several regional multilateral conventions:

Kyoto Protocol

Convention for the Protection of the Black Sea against Pollution and Protocol for the Conservation of the Biological and Landscape Diversity in the Black Sea; The Danube Convention

Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters / Protocol on Pollutant Release and Transfer Registers to the Aarhus Convention

Convention on Persistent Organic Pollutants

Convention on the Prior Informed Consent Procedure for the International Trade in Certain Hazardous Chemicals and Pesticides

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

Convention on Long - Range Transboundary Air Pollution / Protocols

Vienna Convention for the Protection of the Ozone Layer / Montreal Protocol on Substances that Deplete the Ozone Layer

Convention on the Conservation and Use of Transboundary Watercourses and International Lakes / Protocol Water and Health / Protocol on Civil Liability and Compensation for Damage to Transboundary Water Objects Resulting from Transboundary Effects of Industrial Accidents

Convention on Biological Diversity / Cartagena Protocol on Biosafety / Additional Protocol from Nagoya - Kuala Lumpur on Liability and Compensation to the Cartagena Protocol on Biosafety / Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Allocation of the Benefits Deriving from Their Use

Convention for the Conservation of Wild European Flora and Fauna and Natural Habitats

Convention on International Trade in Endangered Species of Wild Flora and Fauna

Convention on the Conservation of Migratory Species of Wild Animals

Ramsar Convention on Wetlands

Agreement for the Conservation of Migratory Water Birds from Africa and Eurasia

Agreement on the Conservation of European Bats Populations

European Landscape Convention

Convention for the Protection of the World Cultural and Natural Heritage

International Convention for the Regulation of Whaling

Minamata Convention on Mercury

Source: Official website of the Ministry of Environment and Water,

<https://www.moew.government.bg>

Bulgaria has concluded bilateral agreements defining its food sovereignty indirectly:

- *Agreements protecting water resources and the environment with the following countries:* Austria, Azerbaijan, Georgia, Greece (two separate agreements), Denmark, China, Korea, Macedonia, Mongolia, Poland, Romania, Russia, Slovakia, Serbia, Turkey, Ukraine, Hungary, the Czech Republic. Each of them has an unlimited duration.

- *Bilaterally agreed export certificates for foodstuffs with:*

Albania, Algeria, Armenia, Argentina, Bosnia and Herzegovina, Brazil, Georgia, Israel, Iraq, Egypt, India, Kazakhstan, the Republic of Korea, China, Colombia, Kosovo, Northern Macedonia, Malaysia, Mexico, Moldova, United Arab Emirates, Oman, Russia, Peru, Eurasian Economic Union, Saudi Arabia, USA, Singapore, Syria, Serbia, Tunisia, Turkey, Ukraine, French Polynesia, the Kingdom of Jordan, Montenegro, Switzerland, South Africa, Japan.

*Source: Official site of the Bulgarian Food Safety Agency,
<http://www.babh.government.bg>*

4.2. Does international practice, e.g. that of the UN Committee on Economic, Social and Cultural Rights appear in the relevant legal practice of your country?

This aspect may occur in certain cross-border disputes with neighboring countries on resource utilization, referring to international practice.

B. – Special Part

5.1. The VGGT is built upon the tight relationship between the “right to adequate food” and the “governance of tenure of land, fisheries and forests”. In the law of your country (either in the legislative acts and/or in legal practice), is there any reference to the relationship between the two phenomena? If yes, which elements of this relationship are highlighted?

A direct reference is not present. Of course, Bulgaria has legislation regulating agricultural land, fisheries and forests.

In 2013, an international meeting was held in Bulgaria on a FAO (Food and Agriculture Organization of the United Nations) initiative: "Raising awareness of the voluntary guidelines for responsible land ownership management in the area of fisheries and forests within the framework of National Food Security". The event was organized jointly by FAO and the Ministry of Agriculture and Food in Sofia, Bulgaria, under the patronage of the then Minister of Agriculture and Food – Prof. D. Grekov (currently a member of the academic team of the Agricultural University – Plovdiv – member of CEDR). Bulgaria confirms its official position that it is ready to actively participate in the implementation of concrete actions to achieve food security in the region.

VGGT has not been cited in official documents at a national level.

5.2. Does the VGGT contain guidelines which could be relevant for your country for instance with regard to international, EU or national legislation or national legal practice? If yes, which VGGT guidelines bear such relevance?

Of particular importance are the guidelines related to the way of utilization of resources – land, water, biodiversity: the concept of economies of scale should comply with sustainability in agriculture, market stability and resource conservation.

Restructuring of the scientific infrastructure in favour of the circular economy. Incorporating within the national framework the specificity of legal protection of those "intellectual rights" relevant to agriculture - protection of new varieties, breeds, seeds. Special attention should be paid to the technological links between agriculture and industry - legislation related to new patents, useful models and industrial design.

Of particular importance are also the guidelines for stimulating good governance through the introduction of the best practices and improvement of organization through a comprehensive digitization of agriculture.

5.3. Nominally, the VGGT was based upon the concept of food security, but several elements of the concept of food sovereignty are also apparent. Would you consider it to be important – with regard to the land policy of your own country – that the VGGT move explicitly in the direction of food sovereignty? If yes, how would you improve the VGGT?

Undoubtedly, in view of national policy, the VGGT should develop towards enhancing food sovereignty by:

- Reducing the incentives for *land grabbing*, and as a consequent effect the *concentration* in agricultural land - we believe that a reconsideration of the consolidation procedure under Art. 37c of the ALOUA is needed in the direction of helping only small farms and young farmers to consolidate resources;

- Legislative initiatives stimulating small landowners and small agricultural producers to access resources, including redefining them as a separate group of farmers and hence their competitive peculiarities;

- Enhancing the role of small, local producers, increasing the role of local food brands through incentives for "local brands". This is particularly important for foodstuffs of domestic origin within the meaning of *Council Regulation (EEC) No 2081/92* of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs;

- Strengthening the control over food production and imports. Particular attention should be paid to animal feed in terms of food security /hard vertical approach to the application of the *precautionary principle* and *the principle of mutual recognition*/. Elimination of dual nutrition standards, increasing the role of local food quality standards (in the Bulgarian case – the Bulgarian State Standard (BSS), where they are more favourable to the consumer than those introduced by an international act;

- Production balancing measures for the agricultural sector - incentives to reduce inter-sectoral polarization. In the Bulgarian case, there is an imbalance between cereal production and other sectors. Shifting incentives towards more labour-intensive productions and extensive types of production;

- Increasing transparency and hence improving governance related to the transfer, management, lease of agricultural land. Integration of processes through the integration of agricultural property registration systems, agricultural production systems, soil ecology systems. Linking and unhindered flow of information between resource and product markets, etc.

6. For EU-Member States: Do you support the initiative of the European Parliament represented in Point 28 of EP 2017, according to which the European Parliament suggests that the Commission adopt recommendations on EU land governance based on the VGGT? In your opinion, what shall such a recommendation contain?

In secondary EU law there are no binding acts related to agricultural land. An exception is represented by the Commission Interpretative Communication on the Acquisition of Farmland and European Union Law (2017/C 350/05), 18.10.2017, Official Journal of the European Union, C 350/5. At the same time, an infringement procedure against Bulgaria continues, for establishing non-compliance with EU legislation in relation to Art. 258 TFEU.

We believe that a new framework of food security and food sovereignty should bind VGGT also by reducing the theoretical dichotomy resulting from the concept of efficiency of agrarian organizations at the expense of a healthy agricultural competition and obligatory market stability.

Measuring the differences in the maximization of the activity of the various types of participants in the agricultural production. It should also include subsidies - as well as the link between subsidies and sustainable rents for a part of agricultural producers. Subsidies should also be assessed as a prerequisite for distortion of agricultural markets and creating different types of efficiency for economic organizations.

Evaluation of the ability to influence the different levels of the food chain. The connection between the horizontal integration of resources (agricultural land) - the vertical integration of production organizations (commodity food markets) should be reflected in a new VGGT document. Measuring double marginalization.

The question should be answered as to what should be the levels of concentration and what should be the levels of fragmentation of agricultural land. What dimensions of consolidation or division of land are beneficial to food security and sovereignty? They should be the basis for better governance of agricultural land.

Good governance should also be viewed in terms of negative external effects. The effects of good governance should also be assessed in the light of the long-term environmental and human health impact, and an assessment of the link with the influence of GMOs on human health. In this sense, the legal precautionary principle should be set at a higher level.

Good governance should reconsider the concept of social inequalities. Sometimes they are at the basis of food security and food sovereignty.

Measuring double marginalization in production organizations should answer questions about the nature of agricultural cartels.

In the context of the VGGT, certain concepts - in particular the ones of "local markets", "small agricultural producers", "small owners of agricultural land", etc., should be formulated in a different way.