Reform of Common Agricultural Policy: stakeholder involvement and governance structures

Robert M. Pederson rop@plan.aau.dk
Foodscapes, Innovation and Networks (FINe), Aalborg University Copenhagen

Draft – please do not quote

Abstract: The European Commission, in current reform of the Common Agricultural Policy (CAP), has attempted to involve a broader group of stakeholders in discussions on the future of the CAP. It is argued that if the CAP is to maintain credibility, it must deliver against a much more complex landscape of production, rural development, environmental, social justice and food consumption outcomes and no longer simply maximizing productivity. To accomplish this, involvement of a broader group of stakeholders is required and current institutional governance structures do not facilitate this. This paper will examine the current structures for stakeholder involvement and experimentation by the European Commission to involve civil society stakeholders in CAP reform. A case study on efforts by public health stakeholders to advocate for a stronger public health dimension in the CAP will be presented to illustrate this.
Introduction

The current reform of the Common Agricultural Policy (CAP 2020) was finalized in June 2013. CAP 2020 has been the focus of many organisations working with food and farming policy, both in Brussels and national capitals over the past 4 years.

CAP 2020 was a tough political process, with the European Parliament having co-decision with the Council of Ministers on Common Agricultural Policy (CAP) for the first time in history of the EU as mandated by the Lisbon Treaty. The process of reaching agreement on the CAP has been described as almost impossible with the three EU institutions – made up of one European Commissioner, The Council with 27 member state ministers and 754 MEPs – all with different perspectives and directions. So while politically the European Commission, Council of Ministers and European Parliament have breathed a sigh of relief that the deal was made before the current CAP expired, pragmatically the current approach has been described as “least common denominator” and lacking political vision. Even after the reform, the CAP will remain one of major EU policy areas currently accounting for approximately 40 % of spending and mainstay of EU policy integration.

The CAP and its reform processes have often been criticized for not going far enough, small fixes around the edges without addressing the key challenges that the agriculture and agri-food sectors will face in the near and distant future. Current research in agriculture in food policy suggests that agriculture policy must move deliver against a much more complex landscape of production, rural
development, environmental, social justice and food consumption outcomes and no longer simply maximizing productivity; and radical change in how production and consumption are interlinked will need to be addressed (Pretty, Sutherland et al. 2010, SCAR 2011). In order to this it can be argued that stakeholders from a wider variety of non-agriculture sectors will increasingly need to be engaged in developing Europe’s food and agricultural policies.

Prior to the political decision many stakeholders have tried to influence the form and direction of the CAP 2020. This takes place through formal and informal stakeholder involvement. This is a two-sided process. On one-hand stakeholders or groups trying to influence the policy to take into account their views and demands, and on the other hand policy makers trying to improve the legitimacy and efficiency of the CAP and ultimately ensure that the policy is “fit-for-purpose.

Theoretical framework

The CAP negotiating process can be described as being both multi-level and multi-sectorial. The theory of multi-level governance has in part evolved to describe the complexities of EU policy-making processes and provides a useful theoretical framework for analysing EU policy processes. Multi-level governance emphasizes both the increasingly frequent and complex interactions between governmental actors and the increasingly important dimension of non-state actors that are mobilized in the EU policy cycle. Multi-level governance also raises questions about the role, power and authority of nation states. This is especially applicable in the EU, but also more generally in policy areas with a strong international character e.g. climate change. As such, multi-level governance raises new and important questions about the role, power and
authority of states and in essence European democracy (Hurrelmann, DeBardeleben 2009). Multi-level governance provides a framework for not only describing formal policy making at multiple levels in the EU but provides an analytical framework describing changes that occur at three analytical levels: political mobilization, policy-making and polity (Piattoni 2009).

The theory of network governance provides an interesting addition to multilevel governance because it provides a specific framework for analysis that emphasizes a pluri-centric policy making process describing the relationship between the actors, governance networks can be described as a "pluricentric governance system" as opposed to the "unicentric system of state rule and the multicentric system of market competition" (Kersbergen, K. van & Waarden, F. van 2004) involving both market actors and civil society. Network governance can also be applied to describe current experimentation in advisory groups, platforms and high-level groups that will be touched upon in this paper. In principle these are “democratic experiments” to involve stakeholders more directly in advising EU food and agriculture policy although not officially mandated.

**Methods**

Stakeholder involvement in CAP will be described using general EU law and decision making processes. The formal and informal methods of stakeholder involvement will be mapped and analysed using multilevel governance as a theoretical framework. A case study of how the public health community has tried to find space as a non-traditional stakeholder in the debate. Perspectives on stakeholder involvement using the theory of multi-level governance and the case study presented.
**Stakeholder involvement**

Involving stakeholders in all aspects of the policy development process has been a mainstay of EU policy. The European Commissions’ communication on Smart Regulation emphasizes the importance of stakeholder dialogue “Listening to citizens and stakeholders is fundamental for smart regulation at all stages of the policy cycle. The Commission has a variety of means set out in the Treaties and policy documents to interact with stakeholders. A wide set of tools — from roadmaps to open and targeted public consultations — are available for the Commission to dialogue with interested parties at various stages (European Commission 2012).”

During the CAP 2020 process several official routes for involving stakeholders have been used. It is not the intention of this paper to provide a map of all the different instruments used to involve stakeholders in the policy cycle, but to identify the main instruments.

From the onset of his term, Commissioner for Agriculture and Rural Development Dacian Ciolos indicated the importance of involving a more diverse group of stakeholders to maintain the credibility of the CAP and to elicit better provision of “public goods”. On 12 April 2010 the Commissioner invited all interested EU citizens and organisations – whether or not they work in the area of agriculture to join the debate on the future of the CAP, its principles and objectives (European Commission 2010). The results of the consultation were presented at “The CAP post 2013”, Conference on the public debate, Brussels, 19-20, 20101. More than 5000 responses to the consultation were received and wide

---

variety of stakeholders – both traditional agricultural stakeholder and those not typically engaged in agriculture participated in the conference to discuss their vision for a CAP after 2013.

**Formal and informal structures for involving stakeholders**

Table 1. provides an overview methods used to engage stakeholders or gather stakeholder views. These mechanisms can either be seen as formal or informal. Public consultations are one of the official instruments used to gather citizen and stakeholder input to inform policy, and more commonly public consultations are used previous to consultation on legal proposals and accompanying impact assessments. Consultations were supplemented with two conferences to facilitate discussion of civil societies demands to a reformed CAP.

**Table 1 Typology for Stakeholder Involvement (source: author)**

<table>
<thead>
<tr>
<th>Formal</th>
<th>Informal</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Public Consultation</td>
<td>• Ad hoc meetings between decision-makers and stakeholders</td>
</tr>
<tr>
<td>• Impact Assessment Consultation</td>
<td>• Ad hoc requests for information</td>
</tr>
<tr>
<td>• Stakeholder Conferences</td>
<td>• Advisory Groups</td>
</tr>
<tr>
<td>• <em>Advisory Groups</em></td>
<td></td>
</tr>
</tbody>
</table>

In addition, to the formal processes, Commission officials seek input for specific input, especially related to issues outlined in the Impact Assessment\(^2\). An Interservice Steering Group (ISG) is used to provide input from other

---

\(^2\) An Impact assessment is a set of logical steps to be followed when you prepare policy proposals. It is a process that prepares evidence for political decision-makers on the advantages and disadvantages of possible policy options by assessing their potential impacts.
Commission services (i.e. DG SANCO, DG ENVI, DG CLIMATE CHANGE and DG EMPLOYMENT) Directorate Generals (DG) are selected, whose policies are likely to be affected by or contribute to the objectives of the Impact Assessment (European Commission 2009). The ISG is intended to provide a function that ensures discussion of the proposed legislation, in this case how the CAP will impact on other sectors. However, no formal mechanism for engaging non-agriculture actors via relevant Commission services participating the IA is provided and the process reflects a certain bias for preferred customers or insiders to the process. The ISG together with the College of Commissioners attempts to ensure a certain degree of inter-sectorial cooperation in developing policy.

The Commission for Agriculture and Rural Development uses its system of Advisory Groups (AG) to provide on-going input to the CAP (European Commission 2004). AGs are mainly sector specific, with around 30 different advisory groups. The Advisory Groups bring together, on the Commission's invitation, representatives of the various social and economic interests. These representatives are nominated for membership by organisations established at Community level. The Groups enable the Commission to be aware of the range of views these organisations hold on individual agricultural production sectors, rural development and organic sectors. Composition of the advisory groups is heavily skewed towards farmer and cooperative organisations (COPA-COGECA) representatives often having more than 50% of seats on many of the advisory groups and although chairmanship of the groups is supposed to be rotated according to the decision (European Commission 2004) there is an
overrepresentation of AGs chaired by nominees from the farming and cooperative sector.

**Complex decision-making processes**

Decision making in the EU can be described being complex, because it involves both national and supranational levels (vertical dimension as described in MLG) and horizontal (i.e. involving stakeholders across sectors, regions and local, national and European levels). Simply put policy or legislative proposals are drawn up by the Commission and in the case of major policies or pieces of legislation must be accompanied by an impact assessment (IA). The Commissions methods for involving stakeholders in the policy cycle were described in the previous section, however stakeholder involvement is not just limited to the Commission. European Parliament (EP) to draw up opinions, reports and amendments to the EC legislative texts to form their mandate for negotiating legislation with the Commission and the Council of Ministers (Trialogue). The point of this paper is not to provide a comprehensive overview of EU decision-making processes, but to make the point that for every level of complexity in decision-making new levels of stakeholder involvement are revealed. The EP Committee for Agriculture and Rural Affairs (COMAGRI) drafted two reports prior to the official report (s) on CAP reform. The current CAP 2020 is the first time where the EP has had co-decision in CAP negotiation and this has opened a whole new dimension in stakeholder involvement – both at European level and at national level. Many observers have questioned whether co-decision has brought added value to CAP 2020 or if it has just been a new channel for vested interests. The composition of COMAGRI’s members certainly influences the process and which stakeholder voices are heard (constituency) In addition to
the formal trilogue, other official EU institutions namely the European Economic and Social Committee \(^3\) (EESC) and the Committee of Regions (CoR) are asked to give an opinion. Their opinions are based on a rigorous consultation with their members.

**Non-agricultural actors finding space in the negotiation process**

Public health organisations have been sporadically involved in previous debates on CAP and loosely knit as a network or coalition. The European Public Health and Agriculture Consortium (EPHAC) was set up in 2008 to give public health organisations a consolidated voice in the Common Agricultural Policy. EPHACs main focus was to provide a platform for public health organisations to work together to examine the health impacts of CAP and develop ideas and instruments for a European Agriculture policy that contributes to health outcomes. Previous work on CAP focussed on negative impacts of policy and interventions on health (Elinder 2003, Lock, McKee 2005). Much of this work has been dismissed by agricultural economists etc. as too simplistic in its thinking (Schmidhuber 2007). EPHAC worked at contextualising or creating space for public health within the current CAP debate and developing ideas for policy that could create synergies. Much of EPHACs work early in the process focused on the recently established European Union School Fruit Scheme (EU SFS) and a focus on nutrition as a determinant of chronic disease. The EU SFS was used as a point of entry – because it was the first CAP policy with an explicit public health focus (Mittermayer, Pederson 2009). In the broader debate on CAP reform a more

\(^3\) The European Economic and Social Committee and Committee of Regions are official EU institutions representing respectively civil society and European Regions, but have no official mandate in policy negotiations (trilogue).
holistic approach was taken looking at a more expansive vision on health and agriculture and more complex linkages between agricultural policy, biodiversity, climate change, sustainability and health. Although EPHAC had initial success with its work on the EU SFS and inclusion of nutritional quality in the EU Most Deprived Persons (MDP) scheme, it did not succeed in having impact on the CAP reform. Early versions of the communication on “The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future” (European Commission 2010) and the Communication on the EU Budget Review (European Commission 2010) included health and nutrition in their goals, was not maintained in the final legislative proposals.

**Perspectives on stakeholder involvement and governance**

Involving stakeholders in the policy cycle in the EU is important in developing policies that are relevant and work for EU citizens and to a certain extent involving stakeholders and citizens is mandated by the EU to develop “smart’ regulation (European Commission 2012). In the case of the current CAP reform many avenues for involving stakeholders are used by the Commission and have been used to inform the current CAP reform. These range from public consultations targeting citizens and stakeholders to Advisory Groups. Co-decision by the EP has brought further engagement with stakeholder with elected officials seeking the views of their constituencies to adjust the proposals for a reformed CAP through their reports, not just COMAGRI but other EP committees in policy areas where the CAP will have impact. In addition, EU Member states seek the views of stakeholders and citizens, and national stakeholders seek to influence their Ministers views on CAP in the Council of Ministers.
Stakeholder involvement can be seen as the horizontal axis of MLG and stakeholder involvement in the EU happens at multiple levels i.e. European and National.

Ideally stakeholder involvement is based on the assumption that: (a) deliberation is a rational procedure, where stakeholders provide arguments for their positions rather than bargain; (b) all interested parties are involved; (c) all participants act in a free and equal manner; (d) the outcome is expected to be a binding decision; (e) deliberations are – at least potentially – public in order to enhance transparency and accountability (Tanasescu 2009). However, in many policy arenas and in this particular case of CAP reform this is not the true on all four points.

In terms of governance, adequate mechanisms for stakeholder involvement exist but it is perhaps the way stakeholder involvement is managed that is the problem. The current CAP reform from its onset has stressed the value of non-agricultural stakeholders in developing a policy that is for all Europeans and provides better provision of “public goods”, and goes beyond an agricultural policy is only for farmers and the agri-food sector. As Clift & Woll (2012) describe what is evident is that agriculture constitutes ‘a policy regime which seeks to discriminate in favour of particular social groups, firms or sectors understood by policy-makers as “insiders” because of their territorial status’ (Clift, Woll 2012). The current reform can be seen as moving forward, but still trapped in the traditional production-oriented policy community. Groups emerging from a politics of collective consumption and sustainable consumption and production are increasingly challenging this. Their agendas come from outside farming: the environment; health; global social justice. Because they do
not share the assumptions that have underpinned agriculture and food policy for so long, they are able to challenge the way in which issues have been framed and to penetrate and disrupt issue networks based on production-based paradigms of policy (Grant 2012). This is particularly applicable to the case presented and reveals certain shortcomings in stakeholder involvement. These shortcomings are more related to governance than the actual structures for involving stakeholders.

The marginalisation of certain stakeholder groups in the current debate can be seen from a number of perspectives. In the case of the public health stakeholder as non-agricultural stakeholders several factors can be identified. Although formally EPHAC participated in the debate on CAP reform they were often not viewed as direct constituents to either DG AGRI or COMAGRI as they would have been viewed by the Directorate General for Health and Consumers (DG SANCO) and the EP Committee for Environment, Public Health and Food Safety. In addition, although at a contextual level synergies between health and agriculture might seem logical, current legislation with the exception of the EU SFS does not provide any infrastructure for issues around health, nutrition and social justice.

Finally, every CAP reform has its priorities and it is difficult to set agendas outside these priorities. Agenda setting can be described as process of ‘gaining attention’ and ‘building credibility’ and the two key elements in agenda-setting processes of ‘venues’ and ‘framing’ (Princen 2011). Public health was initially successful in gaining some attention and building credibility with decision makers, but ultimately lacked venues for their work and framework for better integration of public health in CAP 2020.
Conclusion

This paper has attempted to examine non-agricultural stakeholder involvement in the CAP 2020 process using public health organisations as a case. The EU policy cycle and in the specific case CAP 2020 emphasizes stakeholder involvement in developing policies that are “fit for purpose” and relevant for European citizens. The current reform of the CAP (CAP 2020) an emphasis was placed on involving citizens and stakeholders from non-agricultural sectors to gain more credibility in the public eye. Concurrently, many of the challenges that the agriculture is facing demand thinking beyond the current boundaries of agriculture policy towards better policy integration with other policy areas such as public health, environment, climate change and social affairs. However, certain shortcomings are apparent, not so much in the instruments for stakeholder involvement but in the way they are used in practice. It is the intention, that this paper can be used to develop thoughts and research on the importance of non-agricultural stakeholder involvement, better governance of stakeholder engagement and ultimately develop better agriculture and food policies.
References


