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Submission to public consultation by the European Ombudsman - Transparency and participation in EU decision making related to the environment

<https://www.ombudsman.europa.eu/en/public-consultation/en/160313>

Compassion in World Farming EU welcomes the opportunity to contribute to **the public consultation on transparency and participation in EU decision making related to the environment**. We find this issue to be especially important, since the views of civil society organizations and the public are often squashed by influential vested interests, which results in environmental policies often catering to their own needs rather than those of society at large.

There is a great imbalance in regard to the space provided to lobby organizations representing the industry versus civil society organizations when it comes to involvement of stakeholders in the preparation and adoption of policies impacting the environment. That is especially true for agriculture and is reflected in what we perceive as a bias of some policymakers in favour of the interests of the agri-food industry. We would like to present the revision of the Industrial Emissions Directive as a recent example. It was reported that the agri-food industry and industrial farming representatives were granted nearly three times as many meetings as civil society organizations to discuss the revision, which led to some last-minute changes in their favour before the publication of the Commission proposal in April 2022.¹ Another example was a conference on the EU School Scheme organized by the European Commission on 24 November 2022, which seemed to have deliberately left out civil society organizations from in-person attendance. Our office registered for the conference shortly after the registration opened and we were merely informed that our registration was being “processed”. In the end, we never received a second email and had to follow the event via a stream, not even as participants with access to a chat to ask questions or share our views.

From the agri-food lobby, Cope-Cogeca, an umbrella organization for farmers and agri-cooperatives respectively, wields the biggest influence. As the New York Times remarked in its investigative article, *“European leaders have historically treated the group not as mere recipients of government money, but as partners in policymaking”*. They reported that in the Council of the EU, Copacogeca is granted *“a private audience”* before meetings of EU agriculture ministers and that *“lets farm lobbyists – and only*

¹ [Changing Markets Foundation \(2022\). High Steaks: Taking methane from animal farming out of its blindspot.](#)

farm lobbyists – make their views heard before key decisions are made”.² This is very far from the treatment civil society organizations receive and has a far-reaching impact on the content of the EU policies.

The organization – and other industry players – also dominate the Civil Dialogue Groups (CDGs) under Directorate-General for Agriculture and Rural Development (DG AGRI). Corporate Europe Observatory even states that in 2018, Copa-Cogeca questioned the involvement of non-governmental organizations in the CDGs and proposed a private workshop between them and DG AGRI to “*discuss about the future of CDGs*”.³ They keep retaining a leading position and are present in all thirteen civil dialogue groups. In a CDG on income support and greening, they hold 28 out of 72 places by themselves, in a CDG on milk, it is almost three quarters together with other allied organizations. We very much welcome the positive changes thanks to the interventions of the Ombudsman’s Office and we strongly believe that more is needed. Organizations representing business interests still hold a substantially higher number of seats compared to civil society organizations. Considering the business lobbies’ immense resources and staff capacities in stark contrast to usually donor-funded civil society organizations, it is not difficult for them to take over platforms, such as the CDGs and control their agendas, narrative and recommendations.

Corporate Europe Observatory further notes in its investigation that “*a large part of [the European Parliament’s Committee on Agriculture and Rural Development] sees Copa-Cogeca as partners in agriculture policy making, exactly like DG Agriculture does*”.⁴ The European Parliament’s agricultural committee leans heavily towards agribusiness, with many of the members having ties to agricultural sector. During the 8th parliamentary term, Greenpeace reported that there were 25 out of 46 Members of the Parliament (MEPs) with strong ties and four more with looser ties in the Committee. In the current 9th term, 13 of those MEPs remained in the Committee and others with strong ties have joined. This is especially worrying for animal welfare, which is solely under the competence of the Agriculture Committee, where it tends to be viewed only through the prism of farmers’ interests and is the first one to be sacrificed for the sake of sectorial or industry-friendly measures. The alleged “partnership” between some MEPs and the agribusiness lobbies is even more worrying in the context of an overarching lack of transparency in the European Parliament. According to the latest report by Transparency International EU, many MEPs fail to publish their meetings with lobbyists, with the strongest political group in the European Parliament, EPP, publishing a mere third of the number of meetings published by Greens/EFA, despite having more than twice as many members as the latter.⁵

With agriculture being inherently linked to the health of our environment, ambitious policies can help mitigate negative consequences of climate change on food production, help stabilize our ecosystems and make our food system resilient. However, constant pressure by the industry lobbies to keep the status quo often leads policymakers to lower any ambition in the proposals and step down from adopting any

² The New York Times (2019). Who Keeps Europe’s Farm Billions Flowing? Often, Those Who Benefit.

³ Corporate Europe Observatory (2020). Privileged access for Copa-Cogeca and industry in DG Agriculture.

⁴ Corporate Europe Observatory (2020). CAP vs Farm to Fork: Will we pay billions to destroy, or to support biodiversity, climate, and farmers?

⁵ Transparency International EU (2022). The Elephant in the Room: Lobby meetings in the European Parliament.

measures that would bring real, effective, and tangible changes that are so needed. That is due to the very one-sided angle the industry commonly provides, which fails to look beyond the economic impacts (mostly on their own interests) of any new policies. For example, in the industry's comprehensive attack on the Farm to Fork Strategy, they attempted to deny industrial agriculture's contribution to climate crisis and opposed any reference to the need to switch to more plant-based diets or boost organic agriculture. For this purpose, they presented several misleading and misinformative studies, some even funded by them.^{6,7} With the privileged access to EU institutions that agri-food sector has been granted, their voices are more likely to be heard than those of civil society organizations, and the quality of arguments and evidence put forward by both parties becomes less relevant.

For the abovementioned reasons, we conclude the following:

- ⇒ Although we do not question the right of agri-food businesses to promote their interests, the bias of some EU policymakers towards them that we have experienced must be rectified and a platform equal to theirs must be provided to civil society organizations, especially in CDGs and similar fora.
- ⇒ Participation of civil society organizations in expert groups can be expanded to include those not always affiliated with umbrella groups, provided they meet the required criteria.
- ⇒ More transparency in the EU institutions' interactions with lobby groups is needed and the public should have access to information on who and how is trying to influence EU policymaking.

⁶ Corporate Europe Observatory (2021). COPA-COGECA: defending farmers in public and the agribusiness industry in private?

⁷ Corporate Europe Observatory (2021). Leak: industrial farm lobbies' coordinated attack on Farm to Fork targets.