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Dear Director General,

We, the undersigned organisations, are writing to express our concerns about the implementation of the Commission's decision of 16 December 2013 setting up a framework for civil dialogue in matters covered by the common agricultural policy (Decision 2013/767/EU) and repealing the previous system of advisory groups.

The European Environmental Bureau (EEB) and BirdLife Europe sent you a letter in this regard back in August 2014, in which, after having welcomed the improvement in the representation of civil society in the 14 new groups covering different aspects of the Common Agricultural Policy (apart from the one on direct payments and greening where the imbalance remains very problematic), they recalled that the inclusion of a balanced representation from organisations representing all societal interests was long overdue and still not sufficient for part of the groups.

BirdLife Europe and the EEB highlighted that while the composition of the groups and their reorganisation through merging is an improvement on the past, the high frequency of meetings that were foreseen for some of the groups, namely the arable, the horticulture, olives and spirits and the animal products Civil Dialogue Groups (CDGs), was not acceptable and counterproductive to the good functioning of the dialogue with civil society. For NGOs this was in no way justifiable and represented a very inefficient use of public money. Indeed the group on arable crops actually met 10 times in the last 12 months under different sub-headings (sugar, cotton, cereals and rice etc.) completely ignoring the new policy which has transformed the old market organisations into the single CMO. Since the aim of the reform was to adapt the groups to the new structure of the CAP and create more horizontal groups, these groups give the impression no reform took place.

There should indeed be a review of the whole purpose and structure of the meetings in light of the new CAP structure and objectives. Markets should no longer be a focus for the meetings, while there

is still a need for discussing issues affecting specific sectors (e.g. extensive livestock). A new structure should be developed that takes a holistic approach where possible but maintains some mechanisms for focusing on specific issues.

It is not only the frequency of the meetings in itself that is of concern but also the inefficient use of some of the meetings and the difficulty for a lot of NGOs already struggling with capacity to send experts to all of these meetings. When the NGOs participated in the call it was not explained that subscribing for a group would mean that some of them would meet as often as 10 times or more a year. On top of that some organisations artificially split their organisations in order to get more seats assigned to them; this is an abuse of the system and shows there is a fundamental lack of transparency.

Despite several calls over the past year to reduce the frequency of those meetings, nothing has changed and the frequency of the meetings of those groups has not been reduced.

And it's not only NGOs making this point – both orally in the meetings and in writing – the European Ombudsman too has written quite a striking report<sup>1</sup> in this regard pointing to different types of alleged maladministration like the current imbalance between economic and non-economic interests which remains 80-20, the need to consider limiting the size of the groups to ensure good dialogue and the opacity of the selection process that took place. NGOs' findings together with Ombudsman's observations highlight that this was only a partial reform and creates at the very least a strong suspicion that it is mostly a way to continue covering the costs of stakeholders lobby trips to Brussels. To make the meetings as useful and efficient as possible, the culture and approach of the meetings needs to be thoroughly changed. Currently there is still far too much emphasis on the Commission informing civil society of policy progress, and very little on discussion and debate. Unfortunately this gives the impression that the Commission is not very interested in listening to civil society.

The undersigned organisations desire to have CDGs become efficient stakeholders' dialogue meetings and a true provision of expertise to the Commission at a time when the EU as a whole, and in particular the CAP, is under severe public scrutiny. We therefore urge the Commission to seriously take on board the Ombudsman's recommendations as well as those outlined in this letter and to reconsider the frequency of the meetings for arable, horticulture and animal products in order to limit them to a reasonable rate of consultation and to allow the undersigned organisations to participate properly in those meetings without facing huge capacity issues. If a solution cannot be found, we will unfortunately be forced to consider withdrawing from those three groups all together.

Yours sincerely,

Pieter de Pous, EEB Policy Director



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<sup>1</sup> <http://www.ombudsman.europa.eu/cases/decision.faces/en/60873/html.bookmark>

On behalf of

BirdLife Europe

EFNCP

Bee Life European Beekeeping Coordination

Eurogroup for animals

Slow Food

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**Annex: Ombudsman recommendations<sup>2</sup> taken from Decision of the European Ombudsman closing her own-initiative inquiry OI/7/2014/NF concerning the composition of Civil Dialogue Groups brought together by the European Commission's DG Agriculture**

1. **Publish the 2014 '*Internal guidelines for selection panels for the selection of member organisations and the allocation of expert seats in civil dialogue groups*'.**
2. **Justify its decision to re-classify the organisations EFNCP, EFFAT, FESASS and UEF as to their representing non-economic or economic interests. In case of erroneous re-classification, DG AGRI should reflect on whether a re-allocation of seats is necessary.**
3. **In the event of COPA and COGECA being found by the Commission to be one single organisation, consider seriously the need to re-allocate seats falling vacant in the Groups as a consequence of this development.**
4. **Publish a revised version of the Director-General's decision of July 2014 on the composition of the Civil Dialogue Groups making sure to state (i) the total number of seats per Group; and (ii) the ratio of economic to non-economic interests represented in each Group.**
5. **In the revised version of the Director-General's decision of July 2014 on the composition of the Civil Dialogue Groups, (i) correctly identify the member organisations of each Group<sup>[36]</sup>; (ii) link the member organisations of each Group to their respective profiles in the Transparency Register; and (iii) state the date of the Decision.**
6. **Remove the linguistic inconsistency in sentence three of Article 4(3) of Commission Decision 2013/767/EU.**

As regards the establishment of Civil Dialogue Groups in the future (and bearing in mind that the current Groups have a further six years to run), DG AGRI should:
7. **Define in general terms its concept of balanced representation as regards the composition of its Civil Dialogue Groups.**
8. **Set out, in any future calls for applications, an individual definition of balance for each Civil Dialogue Group. At the same time it should state the overall number of seats it intends to fill on each Group and how it proposes that the seats will be distributed between the various relevant interests.**
9. **Work with the over-arching categorisation of economic and non-economic interests when establishing Civil Dialogue Groups.**
10. **Justify objectively and record in writing, at the stage of preparing the decision on the composition of the Civil Dialogue Groups, how it exercised its discretion in allocating seats.**

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<sup>2</sup> <http://www.ombudsman.europa.eu/cases/decision.faces/en/60873/html.bookmark>