COMAGRI AND THE ‘CAP AFTER 2013’ REFORM: IN SEARCH OF A COLLECTIVE SENSE OF PURPOSE, Christilla Roederer-Rynning, Department of political science and public management, University of Southern Denmark, crr@sam.sdu.dk

INTRODUCTION

The Lisbon Treaty significantly changed the rules shaping farm policy-making in the EU by introducing co-decision, now known as the ordinary legislative procedure. Bringing co-decision to agriculture was not simple, however. Constitutionally, there were still unsettled issues regarding the exact distribution of power between Council, Parliament, and Commission, to be dealt with in the phase of implementation of the Lisbon Treaty. Politically, many of the reasons, which had underpinned the longstanding hegemony of the Council in agricultural affairs, remained. Farmers and rural constituencies sympathetic to farmers continued to be a significant electoral force in many European countries; and the EU remained the preponderant level of intervention today in European agriculture, both in terms of regulatory scope and budgetary outlays. As a rare case of an EU ‘money policy’, the CAP has generated vested interests that resist retrenchment. In addition, new developments made the CAP an even more sensitive political area. The implementation of the Lisbon Treaty coincided with the outburst of the Eurocrisis. Many member-states were hit by rising unemployment, while subject to growing pressure to reduce their public expenditure. This context made it difficult to sustain growing levels of CAP expenditure while fuelling redistributive conflict within and between the member-states. In other words, farm issues acquired renewed politically sensitivity in the late 2000s, explaining the reluctance of many member-states towards involving the European Parliament in CAP affairs. The conditions were thus gathered to make the first reform of the CAP under the co-decision procedure a battleground of crisscrossing economic, political, and institutional interests.

This chapter explores how this battle played out within the European Parliament during the Ciolos reform and to what extent Parliament, and especially Parliament’s Committee on Agriculture and Rural Development (COMAGRI) was able to articulate and carry out a coherent vision for European agriculture. EP committees are nodal points in the EP’s legislative process: they have been called the ‘legislative backbone’ of the EP (Westlake 1994, 191). We know from the literature that: though generally a politically conservative and policy-status quo committee, COMAGRI was occasionally actively involved in reforming the CAP, under the leadership of committee Chairs like Friedrich-Wilhelm Gräfe zu Baringdorf or Joseph Daul (Roederer-Rynning 2003; Daugbjerg and Roederer-Rynning 2014); and that it is primarily an interest-driven committee, whose members tend to pursue particularistic interests responding to the specific needs of homogeneous electoral and interest constituencies (Yordanova 2009). Bearing this in mind, and given the role of national political sensitivities, it is interesting to examine what role COMAGRI played in the first CAP reform under co-decision. What were the lines of conflict about the CAP reform in the EP? Did co-decision lead to a broader and more diversified political representation on COMAGRI? How did COMAGRI aggregate the contending positions?

The study proceeds in four main steps: first, providing an overview of the internal legislative process in the EP; second, outlining the division of labor between different EP committees during the ‘CAP after 2013’ reform; third, describing political representation in post-Lisbon COMAGRI; and finally, tracing the process of aggregation of interests in the EP, distinguishing between the drafting and amending phase, the phase of political compromises in committee, and finally the adoption of the EP mandate.

1 This article is based upon independent research undertaken under the grant ‘The Parliamentarization of EU Politics: What Implications for European Democracy?’ #11-104384), funded by the Danish Social Science Research Council. This study draws on interviews carried out between September 2012 and September 2014 in Brussels, at the European Parliament, the Commission, and various interest groups and non-governmental organizations. The author thanks all those who participated in these interviews for sharing their time and insights generously. Alan Matthews, Alan Swinbank, and Carsten Daugbjerg commented on an earlier version of the text.
INTERNAL EP PROCESS IN THE CAP REFORM

The CAP reform negotiations unfolded in three phases: agenda-setting, from April 2010 to October 2011 (eighteen months) leading to the publication of the Commission’s legislative proposals; legislative deliberation in the EP and in the Council, from October 2011 to April 2013 (eighteen months); and inter-institutional negotiations, from April 2013 to November 2013 (eight months). This study focuses on the second phase, looking at the formulation of the EP mandate and COMAGRI’s contribution to it (Figure 1). In the EP, this phase starts with the referral decision including the designation of a responsible legislative committee as well as the specific format of inter-institutional relations (first reading agreement or not). Referring legislative proposals to a committee is a structural choice with important consequences. Committees develop an ‘esprit de corps … over the years’, which not only explains why reforms of the EP committee system are notoriously difficult to carry out (committee members being ‘reluctant to see a merger with another committee’) (Corbett et al. 2011, 145), but also shapes how they frame a given ‘policy problem’ (Gusfield 1980). Referral proposals are prepared by the Directorate-General of the Presidency in coordination with the secretariats of the stake-committees, and announced in plenary by the Presidency. In case of a disagreement, referral decisions are forwarded to the Conference of the Presidents, which must decide within six weeks upon a recommendation from the Conference of Committee Chairs unless the original recommendation withstands (Corbett et al. 2011, 153).

Standard referral decisions entail the designation of a lead committee, referred to as the ‘responsible committee’, usually with the designation of ‘opinion-giving committees.’ Lead committees are responsible for putting forward EP legislative proposals in plenary and negotiating with the Council and the Commission in trilogues, while opinion committees may only submit amendments to be considered by the lead committee (but not the plenary) on those aspects of the text falling within their responsibility. In certain cases where the matter falls under the competence of two or more committees, the Conference of Presidents may decide to allow for some degree of reinforced cooperation between these committees: ranging from the ‘association’ procedure (Rule 50) to the ‘joint’ procedure (Rule 51) depending on the degree of competence overlap and the importance of the matter. The role of opinion-giving committees under the standard and the associated procedures can be summed up using the distinction between at best ‘policy-influencing’, in the former case, and ‘policy-making’ actors, in the latter case (Judge and Earnshaw 2008). Therefore committee referral may be a conflict-ridden process. Once the referral process is completed, the legislative process in the EP takes place primarily in the lead committee, which is responsible for drafting EP amendments and adopting the mandate for inter-institutional negotiations. In the case of the CAP after 2013 reform, however, the process was complicated by the decision in the fall of 2013 to use the newly-adopted Rule 70a of RoP. This rule conditions the opening of trilogue negotiations upon a mandate delivered by the EP’s plenary.
Figure 1 - Legislative process in the European Parliament

* The number of amendments includes the amendments submitted by the rapporteur (completed in early June 2012) and the amendments subsequently submitted by MEPs in the open amendment phase (deadline end of July 2012).
The critical sequence of the CAP after 2013 reform in the EP thus unfolded between October 2011, when the referral decisions were made, and March 2013, when the plenary adopted the EP mandate. The four reports were drafted in the spring of 2012. They were amended in the summer of 2012 in the open amendment phase. Given the considerable number of amendments, MEPs and their staff then devoted a great deal of their time to boil the amendments down to compromise amendments. This process was completed by the end of 2012, paving the way for a two-step adoption of the mandate: first in the lead committee in January 2013, and then in the plenary in March 2013. The whole process is summarized in Figure 1.

THE COMAGRI-ENVI DIVISION OF LABOR

The EP Presidency announced committee referral decisions on the ‘CAP after 2013’ legislative package on 25 October 2011, in the plenary session immediately following the publication of the Commission’s legislative proposals. This announcement included the designation of COMAGRI as the ‘responsible committee’ on all four legislative proposals, and of different constellations of opinion-giving committees for each of the legislative proposals (Figure 1). We have yet to understand the specific circumstances under which these referral decisions took place. Although the designation of COMAGRI as responsible committee is often viewed as a legal and technical self-evidence in view of Annex VII of the Rules of Procedure (RoP) specifying the powers and responsibilities of the EP’s standing committees, the referral process brought COMAGRI in conflict with ENVI, which disputed COMAGRI leadership on the reform (interview CEPS; interview, 4 March 2013, p.23). ENVI’s challenge was discussed at the level of the committees (Chairs and secretariats) as well as at the level of the party groups.

The conflict was settled by a decision to grant COMAGRI the lead while allowing the ENVI rapporteur to be involved in the COMAGRI shadows’ meetings. Though a set-back for ENVI, this decision still secured ENVI’s participation in a crucial phase of the EP’s internal legislative process—the shadows’ meetings—where political groups forge compromises which determine the negotiating position of the EP as a whole. We know that Council is particularly attentive to this phase, which informs the Council Presidency of the alliances emerging between the shadow rapporteurs and the rapporteur and may be used to exert political leverage in the trilogue phase.

In all, twenty-one ‘rapporteurships’ were subsequently allocated (excluding the shadow rapporteurs): four in COMAGRI; and seventeen in the opinion-giving committees (Appendix 1). In COMAGRI, the rapporteurships were equally divided between the two largest groups. S&D obtained the reports on the direct payment regulation and the rural development regulation: Luis Manuel Capoulas Santos, PT, was appointed rapporteur on both matters. EPP obtained the reports on the horizontal regulation: Giovanni La Via, IT, was appointed rapporteur; and on the single CMO regulation: Michel Dantin, FR, was appointed rapporteur. Taking the overall distribution of rapporteurships across COMAGRI and opinion-giving committees, the EPP secured thirteen of the twenty-one rapporteurships (62%). In the opinion-giving committees, S&D secured two rapporteurships as compared with eleven rapporteurships for EPP. The overall EPP group of rapporteurs was by far the largest with seven MEPs, as compared with three MEPs for S&D, two for the Greens, and one each for ALDE and GUE/ NGL. ENVI focused on the regulations on direct payments and on rural development, disregarding the horizontal regulation and the regulation on the single CMO. The allocation of rapporteurships revealed the respective strategic priorities of EP groups: S&D controlled ENVI; EPP controlled BUDG.
The pattern of allocation of rapporteurships can usually be ascribed to varying mixes of expertise and resources available at committee level and political salience of the legislative proposals for the party groups. In this case, it is striking that S&D allocated two key COMAGRI rapporteurships to one individual, MEP Luis Manuel Capoulas Santos—a great responsibility and a formidable task, given the politically and technically complex character of these two files.

**WHO IS COMAGRI?**

In light of the pivotal role granted to COMAGRI in the legislative process of the CAP reform, it is interesting to examine in greater detail what kind of a committee it was after the entry into force of the Lisbon Treaty. COMAGRI is widely perceived as a committee close to the farming world. COMAGRI Chair Paolo de Castro himself described the 7th legislature committee as ‘45 full members and 45 substitute members, all of them very committed to its work. Many of these members have very close links to agriculture, through their origins or their previous activities.’ At the same time, however, there is a perception that times are changing, and farmers might be losing their clout over COMAGRI. Past or current members of COMAGRI occasionally argue that the committee is now influenced by people who are more concerned with greening than farmers’ welfare or global competitiveness. How heterogeneous was COMAGRI’s membership in the 7th legislature?

EP data on committee members in the 7th legislature can help us better understand the nature of political representation in COMAGRI. In order to capture the different ways in which COMAGRI members may relate to the ‘farming world’, we distinguish between three types of connection: ‘special interest’ in farming characterize the COMAGRI full members who have been members of farmers’ unions or cooperatives or have owned a farm or worked as farmer; ‘special expertise’ in agriculture characterize the COMAGRI full members having held a ministerial or other public office in agriculture; finally, ‘other special expertise’ in agriculture characterize the COMAGRI full members with educational or occupational trajectories implying a clear and recognized expertise in agriculture (see Yordanova 2009, 266 for a similar approach). Based on these categories, 31% of COMAGRI full members in the 7th legislature had a ‘special interest’ in agriculture and an additional 24% had a ‘special expertise’ in agriculture (Figure 2).

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The mix of competences and specialization differed visibly across the two largest party groups. About 35% of EPP COMAGRI full members had been members of farmers’ unions or cooperatives, were or had been farmers or owned a farm (‘special interest’), compared with only 8% in the case of S&D. S&D drew most of its special knowledge on agriculture from members having developed a special expertise in agriculture via a ministerial or other public office in agriculture or yet another occupational or educational background with a clear relation to agriculture (42% of S&D full members of COMAGRI).

Furthermore, the party groups normally perceived to be close to farm constituencies and interests (i.e., EPP, ECR, and EFD) were better represented on this committee than in the plenary. In the 7th legislature, EPP, ECR, and to a lesser extent EFD, were better represented in COMAGRI than in the plenary. By contrast, S&D, ALDE, the Greens/EFA, and GUE/NGL were all underrepresented in COMAGRI compared with the share of seats in the plenary, and this over-representation rose from the 6th to the 7th legislature. Thus, combined, the EPP and ECR deputations represented 46,2% of COMAGRI compared with 42,3% of the plenary in the 6th legislature, rising to 47,7% of COMAGRI compared with 43,2% of the plenary in the 7th legislature (Table 1).

Table 1 – Party group representation in COMAGRI and in the plenary, 6th and 7th legislatures

<table>
<thead>
<tr>
<th>Party Group</th>
<th>Plenary</th>
<th>% (Own compilation)</th>
<th>COMAGRI</th>
<th>%</th>
<th>COMAGRI</th>
<th>% (Volke 2013)</th>
</tr>
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<tbody>
<tr>
<td>EPP</td>
<td>288</td>
<td>36,7</td>
<td>34</td>
<td>37,4</td>
<td>31</td>
<td>34,1</td>
</tr>
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These discrepancies were too great to be the simple product of adjustments for rounded figures. In the 7th legislature, the EPP and the ECR together secured four COMAGRI seats in excess of the expected distribution based on the composition of the plenary, while S&D and the Greens/EFA together were short of two COMAGRI seats (Table 2). They are large enough that they indicate the respective strategic priorities of EP party groups. Together, the EPP and the ECR commanded 47% of the COMAGRI votes in the 7th legislature, or 21 out of the 45 COMAGRI full members: in other words, they were only two votes short of a COMAGRI majority. This gave COMAGRI a distinct center-to-right political ‘toning’ relative to the plenary. The fact that the S&D group secured the Chairmanship of the Committee may be seen as a partial compensation for the conservative toning of COMAGRI.

Table 2 - Distribution of COMAGRI seats based on party group size in the plenary, 6th and 7th legislatures

<table>
<thead>
<tr>
<th>Party Group</th>
<th>Expected</th>
<th>Observed</th>
<th>Difference*</th>
</tr>
</thead>
<tbody>
<tr>
<td>6th legislature (2004-2009), 91 COMAGRI seats</td>
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3 Yordanova (2009) considers a two-seat discrepancy as so great, which may result from a deal between groups driven by their policy priorities.
<table>
<thead>
<tr>
<th>Party Group</th>
<th>Expected</th>
<th>Observed</th>
<th>Difference*</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPP</td>
<td>33,3</td>
<td>34</td>
<td>+</td>
</tr>
<tr>
<td>PES</td>
<td>25,1</td>
<td>23</td>
<td>-2</td>
</tr>
<tr>
<td>ALDE</td>
<td>11,5</td>
<td>8</td>
<td>-4</td>
</tr>
<tr>
<td>Greens/EFA</td>
<td>4,9</td>
<td>6</td>
<td>+</td>
</tr>
<tr>
<td>UEN (later ECR)</td>
<td>5,1</td>
<td>8</td>
<td>+3</td>
</tr>
<tr>
<td>GUE/NGL</td>
<td>4,7</td>
<td>3</td>
<td>-2</td>
</tr>
<tr>
<td>IND/DEM/NA</td>
<td>6</td>
<td>9</td>
<td>+3</td>
</tr>
</tbody>
</table>

Source: own compilation
* Signs alone indicate a difference of one seat. Seats are rounded to whole numbers with a cut-off point at -0.4. For example: 22,5 expected seats are rounded to 23 seats, whereas 31,4 expected seats are rounded to 31 seats.

Geographically, MEPs from member-states supporting an interventionist CAP represented the largest part of the COMAGRI membership (54,5%), whereas countries generally viewed as having more liberal interests represented slightly less than 30% of COMAGRI. Representatives from new member-states made up 22% of COMAGRI. This may be considered surprisingly low given the redistributive implications of the CAP: in comparison, the share of MEPs coming from the ‘new’ member states reached 40% in REGI and over 28% in ITRE, both committees having, like COMAGRI, a redistributive remit involving the distribution of EU funds.

Thus, COMAGRI in the post-Lisbon era was not a different committee from what it was before the introduction of co-decision. It had close connections to the farming world; and its center of gravity lay, politically, around center-to-right parties sympathetic to farm constituencies, and, geographically, around a group of countries traditionally favoring an interventionist interpretation of the CAP. None of this was new, which in itself is interesting given the significant institutional changes that inaugurated

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4 Countries in favor of an interventionist CAP include: Austria, Belgium, Cyprus, France, Greece, Hungary, Ireland, Italy, Lithuania, Poland, Portugal and Spain. Countries in favour of a more liberal CAP include: Czech Republic, Denmark, Estonia, Finland, Latvia, Luxembourg, Malta, the Netherlands, Slovakia, Slovenia, Sweden, and the United Kingdom; Germany is generally viewed as balancing between the two coalitions. See Daugbjerg and Roederer-Rynning 2014.

5 ALDE has been historically most under-represented in COMAGRI (see Yordanova 2009, 258). Bowler and Farrell (1995, 231) write that in the 5th legislature, ‘MEPs who are or were somehow attached to farming or a farming group [were] more likely to be on the Agriculture Committee, as [were] those
the 7th legislature. If anything, the entry into force of co-decision in agriculture coincided with the renewed reassertion—rather than the lessening—of the farming profile of COMAGRI. The policy implication of this overall pattern of representation depends on the extent to which non-farm interests are incorporated in the organization of the legislative process in the EP.

FROM 719 to 7,036 EP AMENDMENTS

COMAGRI had started to work on the CAP reform long before the Commission presented its proposals in October 2011, and even before the Commission launched its Public Consultation in June 2010 leading to the publication of a Commission Communication on the CAP reform on 18 November 2010. These efforts materialized in a series of 2009 reports adopted by large majorities, not least the Lyon report (Crombez et al. 2012). The conditions for shaping the Commission’s views were favorable as the new Commissioner had urged his services—not just DG Agri’s services in charge with inter-institutional relations—to establish informal contacts with the relevant administrative units of the EP. The Commission’s Communication was said to refer specifically to ideas developed in COMAGRI, and the first deed of Commissioner Cioloş following the publication of the Commission’s Communication was to meet with the members of COMAGRI. After the November 2010 Communication, however, things turned less favorably for MEPs, as COMAGRI was decreasingly able to control internal divisions. The Dess report on the Commission’s Communication was perceived as articulating an idiosyncratic vision of the CAP reform out of line with the majority position and echoing national interests. The controversial report failed to receive the backing of Dess’s own group (EPP), of which he was political coordinator in COMAGRI. After a tortuous process (and many amendments) the plenary adopted the report in June 2011 in a version more compatible with earlier COMAGRI reports. This pre-reform exercise highlighted how difficult it could be for COMAGRI to coordinate its position.

The COMAGRI rapporteurs drafted their reports on the CAP reform in the spring of 2013. This phase was completed in early June. Together, the rapporteurs put forward 719 amendments to the Commission proposals: this was not a particularly high number of amendments given the scope and breadth of the proposed (four) legislative regulations. It was nothing in comparison with the 7,036 amendments that MEPs subsequently submitted during the open amendment phase. The ten-fold increase in amendments dismayed some, in COMAGRI, who worried about negative implications for the credibility of the EP as a co-legislator. Besides underscoring the complexity of the Commission proposals, this avalanche of amendments highlighted the heterogeneity of agricultural and national interests. They reflected intense lobbying by professional farm organizations, the industry, and institutional lobbyists, as well as NGOs:

COPA allied itself with upstream and downstream economic partners, such as European Crop Protection Association (ECPA), Fertilizers Europe, European Feed Manufacturers’ Federation (FEFAC), European Seed Association (ESA), but also CEMA (European Agricultural Machinery) and Food and Drink Europe, and the European Society for Agronomy (ESA). This constellation of interests mobilized on the theme of the promotion of European agriculture’s competitiveness, MEPs coming from a peripheral state’. They also note that this was not unique to agriculture: ‘lawyers and those with an attachment to human rights organizations are more likely to be members of the Legal Affairs Committee. And the Economics Committee tends to attract MEPs with business and labour union backgrounds.’ In short, personal background is an important explanatory factor of committee assignment.
productivity, and global engagement, and focused significant parts of its argumentation on technical and scientific evidence. Given the diversity of agriculture in the EU, COPA ordinarily devotes much time to internal consensus building; this effort was even more pressing in the CAP reform, given the eminently redistributive dimension of the reform. Large industrial actors lobbied directly in supplement or replacement of COPA, using a variety of means including large public events such as large conferences organized by Syngenta together with the European Landowners’ Organization (ELO).

Institutional lobbyists were also active. National governments were involved in devising these amendments, sometimes through lobbying from the permanent representations, other times directly from the national capitals. A considerable number of amendments were authored by MEPs coming from the same national delegations but affiliated to different EP party groups (Olper, this volume). The French government inspired an amendment introducing from scratch a new optional scheme into the Commission proposals, the so-called ‘redistributive payment’ allowing member states to redistribute up to 30 per cent of their national envelope to support smaller farms through a ‘premium on the first 50 hectares of land’. The French introduced this proposal as a trial balloon before Council discussions as it appeared that the Commission was divided on this issue and that opposition in parts of the Commission services had kept the issue off the agenda. This measure became a flagship redistributive measure of the EP, but it also testifies to the ability of coalitions of MEPs and national governments to set the agenda concurrently with the Commission.

Perhaps a newer development is that NGOs, too, were active lobbying in the drafting phase. Civil society activism materialized along two axes: a conservationist platform around environmental NGOs (eNGOs) like BirdLife, European Environmental Bureau (EEB), World Wildlife Fund (WWF), International Federation of Organic Agriculture Movements (IFOAM), and Friends of the Earth; and a rural platform around the Agricultural and Rural Convention (ARC2020) emerging at the end of 2009. These two platforms overlapped as many eNGOs participated in the ARC2020, but they tended to focus on different themes (conservation / good food – good farming) and target different actors. ARC2020 tended to focus mostly on farm policy actors, Commission Cioloş during the phase of public debate and COMAGRI during the legislative phase up to plenary vote in March 2013. Environmental NGOs, on the other hand, focused more on the Environment Committee in the EP. The civil society coalitions built detailed common positions throughout the legislative process while seeking to raise awareness of the issues in the broader public. They participated in hearings and public events in the EP, proposed amendments to the EP reports and made specific voting recommendations ahead of the COMAGRI vote in January 2013. Unlike the COPA constellation, NGOs had limited access to technical and scientific expertise and identify this comparative disadvantage as one of the factors, which prevented them from exerting influence in COMAGRI.

A COMAGRI COMPROMISE

COMAGRI devoted the second half of 2012 to sorting out the amendments and working out political compromises in shadows’ meetings on the basis of lists composited with the help of the administrative staff of COMAGRI. On 6 November, the EP announced that the vote in COMAGRI, originally scheduled in late November 2012, was delayed by two months, to take place on 23-24 January 2013 followed by a plenary vote some time in March. The rules governing voting were further specified in late November. As mentioned above, the EP leadership chose to apply the new-adopted Rule 70a of

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6 French Agriculture Minister Stéphane Le Foll could draw on his experience as a former member of the European Parliament and COMAGRI (until May 2012).
the EP's Rules of Procedure on the opening of inter-institutional negotiations under the co-decision procedure. This new rule enabled the EP to open inter-institutional negotiations on the basis of a reinforced mandate, by requiring the EP plenary to adopt the negotiation mandate.

There was a great deal of speculation as to why the process was so slow and delayed several times; certainly, delaying the vote had strategic and policy implications. Strategically, it made the EP more vulnerable to Council pressure by turning the EP into an ‘impatient legislator’. The entry into force of the reform was now postponed to 1 January 2015. With the end of the 7th legislature approaching (EP elections in May 2014), this meant that a CAP reform agreement had to be found under the Irish presidency by the end of June 2013. This new timeline worked to the Council’s advantage due to the different institutional preferences of Council and EP. From a policy perspective, delaying the process made it also more difficult to push an agenda for reform. The delay entrenched the contingency of the greening agenda: the commitment to greening depended on the size of the overall envelope. It also enabled skeptics to suspend any meaningful talk on greening. Environmentalists were thus critical of this delay advocated by COMAGRI on grounds of stalled budgetary negotiations in the Council.

In the absence of a November COMAGRI vote, the negotiations on forging compromise positions lasted until December 2012. The political landscape was difficult to navigate. COMAGRI was caught in overlapping lines of conflict involving: pro-environmentalists v. pro-producers; old v. new member-states; large v. small farmers; free-trade v. interventionist member-states; as well as farmers involved in producing different commodities. Furthermore, in view of the agreement reached during the referral process, COMAGRI must involve ENVI rapporteurs in the compromise negotiations.

The political groups were torn. The European Conservatives and Reformists Groups (ECR) had to bridge a wide gulf of preferences between UK members and Polish members, not just on redistributive issues such as the capping of farm payments, but also on more ideological issues such as the appropriateness of greening the CAP. S&D lines of cleavage largely followed a North-South opposition; S&D also had the added problem that it had to find a compromise between the widely different positions of its ENVI and COMAGRI rapporteurs. Groups dealt with internal divisions differently. Some, like the S&D group, sought to develop a line of compromise and win internal accept for this line. The S&D leadership was never quite successful in rallying the ‘Northern’ group, which sought a more favorable representation of environmental concerns and formed an internal coalition, the ‘Viking Group’, including British, Danish, Dutch, Swedish, and some German MEPs. Conservative groups adopted a different strategy, which can be resumed as ‘choosing not to choose’. The ECR, for example, tabled competing (and sometimes mutually exclusive) amendments in order to keep all options open in the committee vote. This gives an indication of how difficult it was for some (most) EP groups more generally to develop a common position.

Several mechanisms underpinned the emergence of compromises. Within COMAGRI, the groups that pushed for a more active reform agenda remained in a marginal position. The Greens/EFA MEPs

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7 Council generally seeks to avoid conciliation, which is institutionally less favorable to Council due to its lack of administrative resources. The EP’s bargaining position is stronger when the EP can afford to wait, and negotiate under the shadow of conciliation.

8 For example, on the greening model proposed by the Commission (Article 29, direct payment regulation), ECR amendments aimed both at deleting the text proposed by the Commission (amendments 1244 and 1245) and softening it (amendments 1258 and 1259). Similarly, regarding the Commission proposals on the principle of crop diversification (same text, Article 29 – paragraph 1 – point a), the ECR presented no fewer than five 5 amendments (amendments 1279, 1283, 1295, 1303, and 1307) pointing in different directions.
never became consensus-builders; from the perspective of environmentalist sympathizers, the Greens’ idealistic strategy in the CAP reform enabled adverse pieces of legislation from being passed. Some S&D MEPs in opposition to the COMAGRI position on the CAP reform report being marginalized in their group, due to a combination of political and procedural maneuvers. The marginalization of the Environment Committee also facilitated a compromise. Under the aegis of Dan Jørgensen and Karin Kadenbach (both from the S&D group), ENVI had played a key role in articulating an alternative set of proposals for the CAP with a view to improving the environmental aspects of the Commission’s proposals. However, its input did not have much influence on the final outcome of the CAP reform process in COMAGRI. In spite of the referral agreement, the ENVI rapporteurs were never meaningfully involved in the shadows’ meetings as their participation was internally contested in COMAGRI.

Eventually, a common COMAGRI position emerged from these internal labors and 278 compromise amendments were tabled in December 2012, enabling to reduce considerably the number of EP amendments.

THE EP MANDATE

The COMAGRI vote took place in 23-24 January 2013. After internal discussions as to the appropriateness of different voting methods, it was decided that the COMAGRI vote would take place by show of hands. Sometimes the political groups had been able to reach a compromise; other times, however, persistent disunity had led political groups to table concurrent proposals to vote. Observers report the vote as confusing: it went very fast and was hard to follow, causing uncertainty as to how the counting was done. On one of the issues where multiple proposals were on the table, one MEP changed his position in the process, leading to an inconclusive vote. This forced MEPs to revert to voting on the original amendments, which the two competing compromise amendments had enabled to eliminate. MEPs did not have voting lists prepared on these highly technical amendments and had to take their cue from their respective group leaders. This was instrumentalized by the skeptical segment of the British press, which described the event as testimony to the fact that MEPs commonly vote on issues they don’t understand.9

The vote was a difficult moment for most of the political groups. In the S&D group, an internal vote preceding the COMAGRI vote had resulted in a large minority (40%) opposing the compromises presented by MEP Capoulas Santos. A few issues remained contentious after the COMAGRI vote, either because no compromises could be found, or because the majorities were thin. These included: double funding of farm activities; the greening model proposed by COMAGRI, including provisions enabling farmers to be called automatically ‘green’; the penalty for non-compliance with the greening requirements, where a thin COMAGRI majority emerged in favor of reducing the penalty to the greening payment; the transparency on the names of the beneficiaries of CAP payments, where several member states in the Council insisted on the public disclosure of all beneficiaries (including Germany where a national ruling compelled government to do so); cross-compliance requirements, where COMAGRI amendments deleted existing binding references to the protection of ground water against pollution, minimum soil cover, soil erosion, ban on hormones in meat, registration of animals, animal diseases, the pesticides directive, the water framework directive, the protection of wetlands and carbon rich soils, the birds and habitats directives; the extension of the sugar quota system beyond the proposed deadline of 2015; the proposition to recognize interbranch organizations; etc.

Outside of the EP, the COMAGRI vote produced a clear pattern of reaction: approval of producer groups v. anger among eNGOs, who accused COMAGRI of being closed to civil society.\(^\text{10}\) In the period leading up to the plenary vote, these organizations put increased pressure on MEPs, using coordinated action in several member-states to revert to the COMAGRI outcome. Their strategy was modeled from the previous reform of the fisheries, where a civil society campaign had enabled activists to revert an adverse committee vote and muster an unexpectedly large victory in favor of a ban on overfishing and additional protective measures in plenary.\(^\text{11}\)

Many additional amendments was tabled between the COMAGRI vote of January and the plenary vote. Many of them were sponsored by other actors than the committee responsible (Table 3). The legislators considered sending the text back to COMAGRI in view of the large number of additional amendments and requests for split and separate votes.\(^\text{12}\) However, this was technically ruled out given that all amendments met the statutory requirement of being supported by at least one-tenth of the committee’s members. During the plenary, there were again requests to refer the matter back to COMAGRI. Before the vote on the direct payments regulation, Sir Robert Atkins (ECR), supported by forty members of the EP asked pursuant to Rule 175(2) that the proposals on all four CAP reform legislative dossiers be referred back to COMAGRI. The plenary rejected the request. John Stuart Agnew (Europe of Freedom and Democracy group) reiterated this request before the vote on the single CMO regulation.\(^\text{13}\)

Table 3 – Amendments tabled to the committee report on the CAP after 2013 reform, plenary vote of 13 March 2013

<table>
<thead>
<tr>
<th>(1) Committee automatically tabled in</th>
<th>(2a) Number of (2) amendments in plenary by political</th>
<th>(2b) Number of (2) amendments rejected</th>
<th>(2c) Number of (2) amendments lapsed</th>
<th>(3) Committee-recommended amendments rejected</th>
<th>(4) Split votes</th>
<th>(5) Separate votes</th>
<th>(6) RC V</th>
</tr>
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\(^{10}\) Compare, for example, WWF’s reaction: “The environmental community,” according to a key eNGO, “is alarmed that the European Parliament Committee on Agriculture and Rural Development has effectively stripped away any meaningful greening from the proposed CAP … COMAGRI has squandered a historic opportunity to support farming and environmental sustainability together and has lost all credibility” (“WWF Anger at EU Parliament COMAGRI Voting Decisions” 23 January 2013, last accessed at http://www.wwf.eu/?207328/WWF-anger-at-EU-Parliament-COMAGRI-voting-decisions--Double-funding-goes-through); and COPA-COGECA’s ”COPA-COGECA welcomes MEPs’ timely vote on future CAP and sees measures as step in right direction” (COPA-COGECA, Press Release, 23 January 2013).

\(^{11}\) Rule 162 of the EP’s Rules of Procedure says: ‘When more than 50 amendments and requests for a split or separate vote have been tabled to a report for consideration in Parliament, the President may, after consulting its Chair, ask the committee responsible to meet to consider those amendments or requests. Any amendment or request for a split or separate vote not receiving favorable votes at this stage from at least one-tenth of the members of the committee shall not be put to the vote in Parliament.’

\(^{12}\) Rule 175(2) of the EP’s Rules of Procedure says that: ‘Referral back to committee may also be requested by a political group or at least 40 Members before or during a vote. Such a motion shall be put to the vote immediately. For detail on plenary vote, see Minutes of the EP Plenary of 13 March 2013.”
The plenary vote on the CAP reform was not comparable to the green landslide that had materialized, one month earlier, in the plenary vote on the fisheries reform. Large majorities were secured on the rural development dossier (556 for, 95 against) and the horizontal regulation (472 for; 172 against) in contrast to the direct payments regulation (approved by 427, against 224) and the single CMO regulation (the most contested with 375 in favor; 277 against). The plenary corrected the recommendations made by COMAGRI on several points and adopted additional measures. Most importantly, it banned provisions for double-funding; reinstated some of the Commission’s greening model against less constraining COMAGRI provisions on ‘automatically green’ farmers; and partly reintegrated cross-compliance requirements (failed to reintegrate compliance with: the Water Framework Directive—lost with 9 votes only; Protection of Wetlands and Carbon Rich Soils; and, unexpectedly, the Birds and Habitats Directive). The plenary initially supported additional support for the High Nature Value program, but this was voted down after an electronic check, just as it had happened in COMAGRI in January. At the end of the day, the environmentalist forces in the EP and outside hailed it as ‘damage limitation’; producer groups were relieved by the ‘swift’ adoption of an EP mandate.15

CONCLUSION

14 But the COMAGRI position on the content of the greening remained.
15 COPA-COGECA, Communiqué de presse, 13 March 2013.
Although the shift to the new Lisbon set of rules was expected to affect the politics of agriculture in the EP, precisely what type of change had until now remained the object of speculation. National and sector-specific interests might be consolidating their position in farm politics using the EP as an extra channel of influence. Conversely, ideological cleavages might become more salient as increased EP powers in this area compelled the chamber as a whole and EP political groups to compete over a broad range of decisions, ranging from COMAGRI assignments to report allocation, through the institutional parameters of intra-institutional (between COMAGRI and other EP fora) and inter-institutional (between EP and other EU institutions) cooperation.

As this study shows, a political debate on the appropriateness and legitimacy of the specific forms of EU intervention in agriculture is emerging in the EP as a result of the shift to co-decision. This debate reflects the nascent mobilization of reform-oriented groups at the intersection of the parliamentary and the extra-parliamentary arenas, and it cuts across the established EP party groups. COMAGRI politics is not a simple conflict over the spoils of the CAP. Internal debates about principled issues have developed in all groups, including the EPP and S&D, leading to the persistent articulation of minority and dissident positions. This development would probably not have taken place, had co-decision not been introduced, for co-decision has heightened the stake of farm politics in the EP.

Beyond this new development, the EP approached the ‘CAP after 2013’ reform from a conservative position, politically- as well as institutionally-speaking. The features defining this position were: a default formula of committee referral granting COMAGRI exclusive legislative leadership; the consolidated position of conservative party groups in the pattern of allocation of rapporteurships in the lead and opinion committees; and a segmented representation of EPP and S&D in the opinion committees, as the two largest political groups entrenched their influence in different committees, BUDG and ENVI, respectively. Before the entry into force of the Lisbon Treaty, COMAGRI had long been shaped by a consensus about the importance of the CAP and defending the CAP against—as a seasoned observer of EP agricultural politics put it—other ‘political forces in the chamber’, which consider that the CAP is ‘a policy of the past’, and that time has come to ‘move to something else.’ This remains the case today after the shift to co-decision. COMAGRI in the 7th legislature had close connections to the farming world; its center of gravity lay, politically, around center-to-right farmer-friendly parties, and, geographically, around a group of countries traditionally favoring an interventionist interpretation of the CAP. Having claimed, and obtained, leadership over the CAP reform legislative package, COMAGRI paid only lip service to concerns and interests rival to agricultural interests in the legislative process. Environmental NGOs and ruralist civil society platforms criticized COMAGRI throughout the process for promoting special economic interests under the fig leaf of agricultural greening. The participation of the ENVI rapporteurs in the COMAGRI shadows meetings was internally contested in COMAGRI and had little policy impact on the emerging position of COMAGRI. The institutional segmentation of the legislative process in the EP supported this hierarchy of concerns between agricultural and industrial interests on the one hand, and environmental interests on the other hand, for the benefit of the former.

Under these conditions, the plenary might be becoming a more active forum as a way for stakeholder interests neglected in the first phase of the legislative work to bring their claims back into the political process. However, the plenary cannot wholly make up for the representation loss incurred at the committee stage. After the plenary vote, the position of the EP on environmental aspects remained on many points more conservative than the Commission’s, and, on some issues (for example penalty for non-compliance), than the Council’s. In addition, the legislative work taking place in EP committees cannot be considered in isolation from the parallel work taking place in the Council. In the case of the current CAP reform, we know that political compromises taking place in the shawows’ meetings are
critical points of information for a Council presidency eager to achieve swift agreements. We have yet to understand whether and how COMAGRI’s January position shaped negotiations in the Council and later on in the trilogues.

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