



International Federation of Organic Agriculture Movements –
EU Regional Group

“Stakeholder Involvement and Transparency in the EU Regulation for Organic Food and Farming”

**Approved by the IFOAM EU Group
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Stakeholder Involvement and Transparency in the EU Regulation for Organic Food and Farming

Background

The organic food and farming sector has been developed by a dynamic cooperation between farmers, processors, consumers, environmentalists and market actors long before there was a common EU legislation in force. Since that time standards for organic production exist, which have been set up through an agreement between the actors in the sector. The broad experience and the practical knowledge of many of these actors all over the world and during a long time of development, has contributed to a well-developed set of common principles and rules. These were, and are still, the basis for the EU regulation for organic food and farming.

It is of fundamental importance for future dynamic development and the credibility of the legislation that the stakeholders' ownership and engagement is preserved in order to secure the unique character of a regulation of organic farming. Opposite to classic legislation, it is a bottom up regulation. In order not to lose this special feature of the regulation we have to make a framework that involve the stakeholders more than today in the future community standard setting legislative processes.

The close connection between stakeholder involvement and the legitimacy of standards is well acknowledged and stated by many researchers, e.g.:

"Additionally, legitimacy depends on the ability of the process to engage the stakeholders in a meaningful dialogue in which they feel ownership and the possibility to derive benefits." (Vallejo, Nancy and Pierre Hauselmann. Governance and Multi-stakeholder Processes. Winnipeg, Canada: International Institute for Sustainable Development, 2004.)

Stakeholder involvement in international standard setting

The importance of stakeholder influence is also well recognized and given importance in several international forum as the ISO/IEC Guide 59:1994. Code of good practice for standardization and in ISEAL Code of Good Practice for Setting Social and Environmental Standards P005 - Public Version 4 - January 2006:

“7.2 Interested parties shall be provided with meaningful opportunities to contribute to the elaboration of a standard. /...../ “

The WTO Agreement on Technical Barriers to Trade (TBT) Annex 3: Code of good practice for the preparation, adoption and application of standards:

“Before adopting a standard, the standardizing body shall allow a period of at least 60 days for the submission of comments on the draft standard by interested parties within the territory of a Member of the WTO.”

Also in Codex Alimentarius, stakeholder involvement is acknowledged: The Criteria for new inputs state: *“In the evaluation process of substances for inclusion on lists all stakeholders should have the opportunity to be involved.”* Section 5 page 14

Stakeholder participation in the European Community

There is also recognition of the importance of transparency and stakeholder participation within the Community. The Århus convention: Directive 2003/35/EC of the European Parliament and of the Council aims at establishing good public influence in decision concerning environmental issues. From the “Whereas” statements:

“(3) Effective public participation in the taking of decisions enables the public to express, and the decision-maker to take account of, opinions and concerns which may be relevant to those decisions, thereby increasing the accountability and transparency of the decision-making process and contributing to public awareness of environmental issues and support for the decisions taken.”

Already in 2001, the EU Commission has outlined in a “White paper on European Governance” (EC 2001) a set of good governance principles with the objective to “open up policy making to make it more inclusive and accountable”. The involvement of all actors and stakeholders in the policy making process (participation) is an important principle. Stakeholders are defined in the *Eurojargon* as *“Any person or organisation with an interest in or affected by EU legislation and policymaking is a ‘stakeholder’ in that process. The European Commission makes a point of consulting as wide a range of stakeholders as possible before proposing new legislation or new policy initiatives.”* (http://europa.eu/abc/eurojargon/index_en.htm)

The Commission have recently presented a “Green Paper: European Transparency initiative” (COM 2006, 194 final) as a part of the Partnership for European Renewal.

From the Introduction:

“The commitment to widen opportunities for stakeholders to participate actively in EU policy-shaping is one of the “Strategic Objectives 2005–2009” with which the European Commission launched a “Partnership for European Renewal”. In this context, the Commission emphasised, in particular, that “inherent in the idea of partnership is consultation and participation”.

By the same token, the Commission stressed the importance of a “high level of transparency” to ensure that the Union is “open to public scrutiny and accountable for its work”.

The Commission believes that high standards of transparency are part of the legitimacy of any modern administration.”

IFOAM EU group’s claims for improved stakeholder involvement and transparency

With this background IFOAM EU Regional group finds that time has come to enhance participation and openness also in the legislation concerning organic production.

Below are the IFOAM EU proposals/claims for improved processes:

Transparency, communication and openness

- Procedures for a transparent and formalised stakeholder involvement at all levels must be laid down in the Regulation or in a separate regulation, like the Århus convention: Directive 2003/35/EC
- Transparency and openness are fundamental parts of democratic standard setting processes. All relevant documents (agendas, relevant papers and documents, time frames for consultations and discussions, minutes) shall be accessible by the public as early as possible before the relevant meetings.
- The EU commission shall use the special EU internet website not only for information but also for dialogue with the public.

Consultation and decision finding process

- Member state level: Member States shall give regular and public reports on consultations with stakeholders (with whom, when, what). The Commission has to check these reports and make recommendations.

- Commission level: The European Commission shall give public reports on consulting stakeholders and report to the Regulatory Committee. Enough time has to be given to give substantial feedback and allow a broad European Consultation process (at least 6-8 weeks as it was requested by the Social forum).

All EU institutions:

- Consultation should happen in the different phases of a process, not only in the analysis of the situation and the formulation of very general action points.
- Whilst electronic and written consultations could provide useful resources to facilitate dialogue, it must be clear that it cannot replace direct dialogue between civil society representatives and the European institutions
- Decisions must be made following the procedures of a Regulatory Committee with the regular involvement of representatives/experts from the sector with no-voting right in the Standing Committee for organic farming and their subcommittees.

About the IFOAM EU Group

IFOAM (International Federation of Organic Agriculture Movements) is the worldwide umbrella organization for the organic movement, uniting more than 750 member organizations in 108 countries.

The IFOAM EU Group is the European regional group of IFOAM. The IFOAM EU Group represents more than 300 organisations from all activity areas (producers, traders, processors, certification bodies, consultancy, education, research institutions, and even consumer groups) coming from all EU as well as EFTA and Accession countries. The IFOAM EU board consists of 28 national representatives elected by their countries organic organisations. The IFOAM EU Group has a broad range of experts in different fields and a high competence:

- due to the broad and democratic representation of activity fields and European countries;
- due to the strong involvement and broad practical knowledge of committed actors (owners of the ideas of organic agriculture)
- due to the fact that the member organisations are affected most by any change of the EU legislative framework.