

THE COMMON AGRICULTURAL POLICY AND THE DANISH SYSTEM OF GOVERNMENT

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Summary:

When Denmark became a member of the European Communities it reorganized its national administration and invented new administrative procedures in order to preserve as much as possible the influence of the Danish democratic institutions on the EC-legislation including the implementation of the common agricultural policy. The system works to a certain extent but is complicated and difficult to understand for the public. It needs to be simplified and improved.

Anotace:

Když se Dánsko stalo členem Evropského společenství provedlo reorganizaci státní správy a přišlo s novými administrativními procedurami, aby si dánské demokratické instituce uchovaly velký vliv nezávisle na legislativě Evropského společenství, i při realizaci společné zemědělské politiky. Celý systém funguje do určité míry, ale pro veřejnost je komplikovaný a těžko srozumitelný. Potřebuje zjednodušit a zdokonalit.

Key words :

Common agricultural policy - legislative procedures - national administration.

Klíčová slova:

Společná zemědělská politika, legislativní procedury, státní správa

Introduction

The Faculty of Agricultural Economics and Management has suggested that I should talk about the experience of Denmark from the time when it became a member of the European Communities and had to adapt its national administration and legislative procedures to the EC, including the Common Agricultural Policy.

Background

Denmark entered in 1973 the Common Market because it felt compelled to do so for economical reasons - including considerations for our agricultural export. I think that it is fair to say that most Danes were deeply concerned about the political and administrative system of the EC which was very different from their own.

We were accustomed to a political system known in most Western European countries where the supreme political power belongs to a popularly elected Parliament to which the Government is responsible. Law-making includes discussions in the press, open negotiations between professional organizations and the Government, parliamentary debates etc. Laws are implemented by a public administration under close political supervision and public criticism and its files are open to the public. In the field of agriculture state subsidies, export regulations etc were until our entry into the EEC to some extent managed for the Danish community by the agricultural organizations.

In 1973 we rendered part of our sovereignty to a huge international organisation, where the principal actors in the legislative process are the Council of Ministers negotiating behind closed doors and a Commission without political control - or so we thought- consisting of skilled, professional administrators whose activities were unknown to the public. There is a Parliament, but far away in Strassbourg, and at the time it was without power. Many administrative regulations and many important decisions are made by the same Commission which does not exactly possess a tradition for publicity and service of customers. The organizations do not play the same role in the decision-making process as we were accustomed to.

Policy.

So we decided to preserve as much as possible of our traditional system and the influence of our democratic institutions in the new order, or to be more specific :

- a. keep the Danish public and our national parliament informed of the plans and activities of the EC authorities,
- b. secure the control of Parliament of the ministers negotiating and voting in the Council of Ministers, and
- c. make sure that the ministers kept the control of the branches of the public administration which were to collaborate closely with the Commission.

This was considered especially important in the field of agriculture where the EC legislation to a large extent consists of regulations which have the same binding effect on citizens and firms as national laws and where the administrative powers of the Commission are especially important.

We tried to apply these principles both when we reorganized our national administration to implement the common agricultural policy and when we adapted our political system to the legislative process of the EC. This last point is not specific for the common agricultural policy but for the reasons I just mentioned it is especially important for the agricultural sector.

Adaptation of the national administration.

The Ministry of Agriculture was - not surprisingly - made responsible for implementing the Common Agricultural Policy.

The civil servants of his Ministry had to prepare the Minister's work in Brussels and to accompany him to Council meetings in Brussels on new regulations and directives. We entered the Common Market at a time where practically all market organizations were established, but the Council of Ministers of Agriculture was busy all the same. Apart from the annual price negotiations other serious problems were to be dealt with : Harmonisation and the policy of farm

structures. Altogether the Minister of Agriculture was constantly travelling to Brussels. To-day his life is less dramatic, I believe.

All this meant employment of more personnel and it meant training the personnel in the secrets of the EU-procedures, the agriculture and politics of other nations and the magics of French and German grammar.

The civil servants of the Ministry of Agriculture must also work in various committees under the EU-Commission. It is my personal impression that in 1973 we did not quite realize the importance of their work and the work load connected with the committees.

There is for instance established a committee for each market organization. It advises the Commission on decisions concerning export subsidies, milk quotas, intervention purchases etc. The committees consist of civil servants from the member states. An administrator from the Commission is chairman. The Danish representative reports to his ministry to get instructions. In periods the civil servants are steadily travelling between Copenhagen and Brussels and the work can be a strain both on the ministry and its employees.

By the way, it is astonishing that the committees play a very little role in the public debates in the member states about the Union, where you are inclined to criticize the bureaucratic measures of the uncontrollable commission and make fun of Commission regulations on the size of apples, the shape of cucumbers etc. The facts are different : the Commission is under some control by the member states through the committee system. The national representatives in the Committees can always to measures proposed by the Commission and if a majority in the committee votes against the proposals of the Commission, it is usually up to the Council of Ministers to decide the matter. The Danish minister is responsible for the measures which his employees approve in the Committee. Some of the criticism of the decisions of the Commission should be addressed to him and his colleagues.

Fortunately, it seems that the public interest for the committees is increasing for some committees deal with matters which to-day are considered important, i.e. the contents of pesticides and additi-

ves in food products and the marketing of genetically modified organisms. Unfortunately the negotiations in the committees are not open for the public.

Finally the Minister of Agriculture had to create a new agency to take care of the daily routine work connected with the implementation of the Common Agricultural Policy i.e. the payment of export subsidies, intervention purchases etc.

In 1972 the agricultural organizations pointed out that they had the experience and knowledge to perform the work and make it unnecessary to create a new state agency.

However, the Government did not find it reasonable to let private agricultural organizations take care of a quarter of a million cases a year and manage large community funds.

So it did create a new state intervention organ after models in Western Germany and Holland. The work of the agency was confined to the practical implementation of the EC-legislation. Activities which may be considered to be of political nature - i.e. negotiations in most committees - should be the duty of the collaborators of the Minister in the ministry and not the business of the agency. The agency works in a close and daily connection with the EU-Commission but it is subordinated to the Minister of Agriculture and under his control. The influence of private organizations on price and market regulation almost disappeared with the creation of the agency and a valuable contribution from the farmers world was lost.

Adaptation of the legislative procedures.

I will now turn to the other part of my speech : The legislative process where we have tried to carry through the principles I mentioned above by creating a system of committees which are parallel to the EC institutions involved in the law-making process.

Let us imagine that the Commission decides to prepare a new directive on animal welfare.

The Commission will probably consult a group of experts from the national ministries of agriculture. The Danish expert must report to and obey instructions from a parallel committee

in the Danish Ministry of Agriculture. The committee is composed of civil servants from the divisions of the ministry and representatives from other ministries, i. e. the Ministry of Finance and the Ministry of Environment.

When the Commission sends the final proposal to the Council the system really starts to work.

The proposal in the EU will be examined by a technical working group of experts from the national ministries of agriculture. The Danish expert must consult the same parallel committee mentioned above.

After the examinations in the working group the proposal is prepared for the Council's decision in "Coreper" which is composed of representatives of the member states' ambassadors in Brussels. At the same time the proposal moves upwards to another parallel committee in the Danish administration. It consists of the representatives from all the Danish ministries concerned with the EC. Its task is to suggest to the Government which line the Minister of Agriculture shall take when the proposal is discussed in Council.

The Danish Government discusses the proposal in a group of ministers which may be considered to be the Danish parallel to the Council.

Then comes probably the most important point. When the proposal for the new directive is put upon the agenda of the Council the Minister of Agriculture must consult Parliament, or rather a permanent parliamentary committee called the European Relations Committee. The committee can reject the line he intends to take in Brussels. If it does and the Minister chooses to disregard the decision of the committee, he risks a vote of censure in Parliament. That is the way in which Parliament controls conduct of the Government in the Council of Ministers and in the European Council.

The European Relations Committee can let other parliamentary committees scrutinize the proposal and even submit it to a general debate in Parliament.

The press is also informed of the material and will at least in theory be able to discuss it, start a campaign, make the general public interested - but the meetings in the parliamentary commissions are not open to the press or the public.

Does the system work ?

Yes and no. Parliament has preserved its control of the Ministers in EU-matters, though it has sometimes been a little difficult to keep an energetic Minister of Foreign Affairs in line. However, there are no roses without thorns. If the system is adopted by all member states, it may restrain the liberty of action of ministers to such a degree that it will be difficult to reach a decision in the Council.

Apart from that, the procedures I have just described are awful. They have nothing to do with the open popular democracy in which all of us wish to live. Despite all efforts it is a closed system which is difficult to understand for the ordinary citizen. Our EU-collaboration is managed by a closed circle of specialists among politicians, business people, trade union leaders, civil servants etc. In Denmark the old close and fruitful collaboration between the public administration and the farmers unions seems to have disappeared.

In the years to come we have to improve the structure and functioning of the Union in order to make the activities of the institutions as easy to follow and as interesting to the peoples of Europe as the functioning of their own national institutions. How it is done we cannot discuss here, but we might at least begin with opening the meetings - and files - of a number of councils, commissions and administrative bodies, including the Council of Ministers.

Conclusion

I will conclude my little speech. I hope that the defects in the building do not make you hesitate to come and live in it. For the stability of Europe and the sake of my children and grandchildren I hope to see all of you in the Union as soon as possible.

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