



Dynamics in national agri-environmental policy implementation under changing EU policy priorities: Does one size fit all?

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ABSTRACT

Over the past 30 years, Agri-Environmental Policies (AEP) in the EU have developed with relative national autonomy and according to the subsidiarity principle. The environmental directives represent an increase in EU-level environmental ambitions and challenge the current implementation of EU AEP by creating an increasingly demanding set of regulations with which each member state must comply. National AEP implementation may, however, maintain original characteristics and fail to adopt or transform as EU policy implementation proceeds or when EU policies develop. This creates a potential gap between EU policies and national policy implementation resulting in the ensuing national policy dynamics and adaptations becoming issues of interest. This raises a central question regarding the extent to which national AEP implementation can help us predict whether AEP will be suitable to achieve environmental directive objectives nationally in the future. In this paper, we first investigate the dynamics in the implementation of national Agri-Environmental Schemes (AES) through changes in (i) AES policy objectives over time, (ii) administrative implementation structures, and (iii) administrative policy decision structures in the Netherlands, Denmark, Greece, Austria and Romania. Second, we examine the extent to which various factors have influenced the development of national policies over time. The study identifies development based on the theory of ‘process of institutional change’, i.e. we qualitatively estimate the costs of change based on proposed factors including economic conditions in relation to AES implementation, political institutional capacity, policy legacy, policy preferences, and current discourse. On this background, we identify differences in implementation strategies or outcomes in terms of inertia, absorption and transformation, which are characteristic of the national responses to changing AEP at the EU level. We discuss AES dynamics; whether policy content or structures should be in focus for future policy design and the implications of these findings for the future role of AEP in fulfilling environmental directives and argue why a one size fits all rule does not adequately cover current AES development.

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1. Introduction

The current Agri-Environmental Policy (AEP) of the EU is a complex policy field which has developed between the agen-

das of agricultural production and environmental protection both nationally and within the EU. Interaction between the EU and the national level has been driven by the (sometimes conflicting) processes of Europeanisation and European integration (Matthews, 2013; Andersen and Lieferrink, 1999; Schmidt, 2002). Since 1992, environmental concerns have had to be integrated into existing sector policies in the EU according to the Maastricht and Amsterdam treaties (Lafferty and Hovden, 2003). Accordingly, the

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AEP constitutes a dynamic example of ‘policy integration’, where environmental (and social) issues have been combined with agricultural issues in the two pillars of the Common Agricultural Policy (CAP) (Brouwer and Lowe, 1998) by use of various policy instruments (Latacz-Lohmann and Hodge, 2003) and with variable success and rates of application in the EU member states (European Commission, 2005). At the international level, the CAP and AEP have been under pressure in recent years from neoliberal policies and GATT negotiations, imposing definitions and limits to agricultural measures in order to combat price support and direct support to farmers (Potter and Tilzey, 2005, 2007). One approach to justify direct payments is to increase the cross compliance requirements attached to the single payment scheme. Another is increased targeting of AES by improving the definition of objectives and the documentation of outcomes (Latacz-Lohmann and Hodge, 2003). This focusing of measures could be achieved by coupling payments and objectives to environmental directives. Both approaches frame the current development of national policies in a CAP 2020 perspective. Meanwhile, the future development of the schemes has to take place against the background of criticism of a single simplified northern Europe centred approach to AEP design throughout Europe in the light of the complex constellation of new versus old member states, northern versus southern European countries, and productivist/post-productivist agendas which exist in parallel (Wilson, 2001).

On this background, the aim of this paper is to gather empirical evidence of changes in national AES, which reflect the dynamism and adaptability of the policy and its ability to bridge the span or gap between development of EU policies and national policy implementation. We examine reasons behind a reluctance to comply with or willingness/ability to adapt to recent legislation and changes. Last, we discuss the consequences of these insights for future coordination between AEP and obligations according to, e.g. environmental directives from an EU perspective.

1.1. Development of EU agri-environmental policy instruments and the recent environmental directives

The original voluntary Agri-Environmental Schemes (AES) which accompanied the CAP were introduced in the mid-1980s and have since been developed into the mandatory Rural Development Programmes (RDP), the so-called second pillar of the CAP (EC/1698/05; Lafferty and Hovden, 2003). Although the adoption of measures is binding for all member states, the signing of agreements under the measures is based on the voluntary participation of farmers who are encouraged to preserve, protect and improve the environment in terms of natural resources (water and soil), biodiversity (species and habitats), landscape values and climate (EC/1698/05; European Commission, 2005). Payments are not directly linked to the environmental outcomes, but the farmer is compensated for income forgone and/or increased costs incurred (including non-productive investment and transaction costs) due to agri-environmental obligations, provided they go beyond good agricultural practice (GAP) (EC/1698/05; European Commission, 2005; Grossman, 2003; Court of Auditors, 2000). Nationally, the measures are implemented according to the subsidiarity principle in EU member states (EC/1698/05), which has resulted in very diverse national implementation practices and a large degree of freedom for the national states with respect to content (e.g. deciding scheme objectives) and the choice of organisational and institutional implementation structures. The European Commission, however, has to approve new programmes and yearly changes through the Rural Development Committee (EC/1698/05).

Incorporating environmental issues into the ‘first pillar’ of the CAP through ‘cross compliance’ (CC) requirements has been occurring since the beginning of the new millennium. Fulfilling the CC

requirements has been a mandatory precondition for farmers to receive support under the single payment scheme as part of the first pillar of the CAP since 2003 (EC/1782/03). The set of rules which must be complied with have often been previously stated in national regulations and EU directives (Bennett et al., 2006) and they constitute the basic regulatory requirements for agricultural practices with corresponding basic environmental costs before further environmental improvements can be promoted and rewarded through participation in AES (Farmer and Swales, 2004; Kristensen and Primdahl, 2006). Lately, according to the 2014–2020CAP, the ‘greening of the CAP’ has supplemented CC based on similar regulatory principles (Allen et al., 2012; Matthews, 2013; European Commission, 2013).

In recent decades, other dedicated environmental policy instruments have been developed at the EU level, which in some cases compete or conflict with AEP for resources or political prioritisation. Pressure on the AEP is, in particular, exerted by the environmental directives (Water Framework Directive, WFD, 2000/60/EC, Habitats Directive, HD, 92/43/EEC). The influence of the environmental directives has resulted in several challenges to the national AES design and implementation structure. Formerly, the directives were implemented by specifying standards in terms of limits and restrictions (e.g. the Drinking Water Directive (DWD), referring to a limit of 50 mg/l nitrate in drinking water and the Nitrates Directive (ND), limiting the number of livestock per ha), several of which were added as CC requirements (Kristensen and Primdahl, 2006). However, intervention under the WFD aims to increase regulation through quality standards and measures based on a river basin (spatial) approach (Liefverink et al., 2011; Latacz-Lohmann and Hodge, 2003). Initiatives in the HD and the WFD rely on financing from the AES (EC/1698/05). At the EU level, the EU regulation and the RDP have been prepared to incorporate these new tasks through support for the HD and WFD (EC/1698/05, § 38(1)). Further, the use of the LEADER approach as a means of distributing economic resources locally in a flexible project-oriented manner (EC/1698/05, § 63) is mandatory. This has led to a demand to reformulate national policies if they are supposed to support the EU environmental objectives. Challenges exemplified in a national Danish context include; (i) the introduction of measures favouring the restructuring of watercourses and the changed maintenance of these watercourses, wetland restoration or measures directed towards specific practices required in Natura 2000 areas (Kallan, 2013; Jensen, 2001); (ii) the reformulation of the targeting, or content of existing AES at the expense of existing priorities. An example is the change of designations for AES from environmentally sensitive areas to N2000 areas in Denmark in 2004 (Langfrits, 2005), which raises the dilemma of whether AES should maintain self-contained objectives or become a means of financing, in an HD and WFD context exclusively; (iii) adapting the existing AES implementation structure in order to integrate the implementation requirements of the environmental directives, including concerns for stakeholder negotiations and local spatial planning in projects formulated at the municipality and river basin level. In a Danish context, there is a current schism between whether the existing implementation through national actors should be maintained, or whether the municipalities, which are in charge of the implementation of the directives locally, should be increasingly involved and responsible for scheme implementation (Frederiksen, 2013; Miljøministeriet, 2009).

1.2. Tension between present and future EU policies and national implementation strategies

The widening gap between national implementation and EU policies is the result of a vertical policy making process where developing EU policies affect national policy making processes

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