

## UNFSS Discussion Papers

No. 4

### Public-Private Collaboration on Policy, Standards, Regulations and Trade Facilitation for Organic Agriculture

Diane Bowen, in collaboration with Ulrich Hoffmann



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Diane Bowen (IFOAM), in collaboration with Ulrich Hoffmann (UNCTAD  
secretariat)

**UNFSS** | United Nations Forum on Sustainability Standards

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## Preface

The United Nations Forum on Sustainability Standards (UNFSS) aims to facilitate and strengthen the effective and active participation by developing countries in the international dialogue on voluntary sustainable standards (VSS). UNFSS thematic working group activities add a dimension of public-private collaboration and efficiently deliver practical results in key strategic areas of VSS. The thematic activities and their results also bring to light broader and/or more specific issues and opportunities that should be addressed by the Forum. The UNFSS Working Group on Enhancing Interoperability of VSS, including their Harmonization and Equivalence, carries on thematic activities that were undertaken by the International Task Force on Harmonization and Equivalence of Organic Agriculture and the Global Organic Market Access Project. These projects have been innovative in implementing WTO TBT guidance, public-private dialogue and cooperation, meta-governance of VSS and geopolitical regionalism. With this paper, the authors aim to preserve the institutional memory and to share knowledge and lessons gained in these projects with stakeholders within and beyond the organic agriculture sector.

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## Terms

**Equivalence:** The acceptance that different standards or technical regulations on the same subject fulfill common objectives.

**Harmonization:** The process by which standards, technical regulations and conformity assessment on the same subject approved by different bodies establishes interchangeability of products and processes. The process aims at the establishment of identical standards, technical regulations and conformity assessment requirements.

**Voluntary Sustainability Standards (VSS):** Any non-obligatory set of requirements explicitly designed to promote the objectives of sustainable development.

**Private Sector<sup>1</sup>:** Businesses engaged in commercial activities and their associations, and other civil society organizations.

**Organic sector:** All non-governmental parties that are involved in the production, distribution, promotion, education and other functions to develop organic agriculture.

## Abbreviations

**CBTF:** Capacity Building Task Force on Trade, Environment and Development (a joint project of UNCTAD and UNEP)

**GAP:** Good Agricultural Practices

**GOMA:** Global Organic Market Access (A project of FAO, IFOAM and UNCTAD from 2008-2012)

**ITF:** International Task Force on Harmonization and Equivalence in Organic Agriculture

**INGO:** International non-governmental organization

**NGO:** Non-governmental organization. Also called civil society organization (CSO)

**UNFSS:** United Nations Forum on Sustainability Standards

**VSS:** Voluntary sustainability standards. <sup>2</sup>

**WTO:** World Trade Organization

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<sup>1</sup> For the purpose of this paper, private sector refers to both businesses and civil society organizations and their representative associations.

<sup>2</sup> This term customarily includes organic standards even if they are also found in government regulations for organic labeling.

## Executive Summary

### Background

Organic agriculture, the leading model for sustainable agriculture, addresses both production and value chains. It is rooted in an agro-ecological paradigm, which relies on natural cycles and ecological relationships to produce healthy plants and animals. The organic sector has proved to be a good laboratory for work on the emerging field of meta-governance of voluntary sustainability standards and for practical implementation of WTO objectives concerning technical barriers to trade. Using this laboratory UNCTAD, UNEP and FAO have cooperated with the International Federation of Organic Agriculture Movements (IFOAM) on several projects, including the development of East African Regional Organic Standards<sup>3</sup> and two initiatives to drive harmonization and equivalence in organic agriculture<sup>4</sup>. These projects have demonstrated the power of and need for public-private dialogue and collaboration. They show that partnerships between intergovernmental institutions and international civil society organizations can be highly synergetic.

A UNFSS working group on enhancing interoperability of voluntary sustainability standards (VSS) now serves as the laboratory for continuing innovation to address regulatory and trade challenges in the organic sector as well as with good agricultural practices (GAP) and fair trade schemes. These practical activities will require dialogue and collaboration between governments and the private sector and civil society, henceforth noted as public-private collaboration. It is therefore useful to investigate and highlight this collaboration in order to lay a good foundation for the activities of the working group and the extension of its results in national contexts. This paper aims to enhance public-private collaboration on policy, regulation and trade facilitation including equivalence and harmonization, particularly for the organic agriculture sector but also providing useful models for GAP and other VSS. It will serve as a reference and discussion point for activities in the “organic laboratory” of the UNFSS. Furthermore, it is a capacity development reference for governments, civil society and the private sector to initiate collaborative policy development.

### Organic agriculture and government

The global organic market in 2013 accounted for \$63 billion, as compared to \$26 billion in 2001<sup>5</sup>. Today's organic value chains depend on standards, conformity assessment, identity preservation and labeling – and they are mostly regulated by governments. Regulation has required information exchange and dialogue between regulating governments and the organic sector. The reasons for governments to regulate the sector have varied. The first regulations were in highly developed countries with reasonably well-developed organic sectors. Regulatory

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<sup>3</sup> Cooperators were UNCTAD and UNEP

<sup>4</sup> Cooperators were FAO and UNCTAD

<sup>5</sup> Data from reports published by The Organic Monitor.

objectives in these countries included consumer and producer protection, and facilitating trade. Regulations of developing countries have primarily been driven by the aim for recognition by governments of major market countries so that their exports can flow without the high transaction cost for their producers to fully comply (if that is even possible) with the standards and conformity assessment requirements of the importing country. Increasingly, governments are recognizing the potential of organic agriculture to contribute toward meeting sustainability goals and objectives. There are many other things that governments can (and do) do to support the development of organic agriculture and markets. Whether undertaking regulation of organic production and labeling, or playing other roles to support organic agriculture, collaboration between government and private sector stakeholders is no longer exceptional, although it is variable. It has come with increasing acceptance by governments of organic agriculture as legitimate and offering solutions for sustainability, and also with the organic sector's increasing capacity to interact successfully with government institutions and processes. A UNEP-UNCTAD report on Best Practices for Organic Policy recommended that "a starting point for government engagement is to give recognition and encouragement to the organic sector, and that governments should "take an enabling and facilitating role rather than a controlling one." The report stresses that this recognition also includes establishing a close cooperation with the private sector, especially its representative organizations.

### **Nature and benefits of collaboration**

The importance of engaging the civil society and citizens in forging public policy is recognized by numerous governments and intergovernmental organizations. Benefits include:

- Creating fair policies/laws reflective of real needs enriched with additional experience and expertise;
- Facilitating cross-sector dialogue and reaching consensus;
- Adopting more forward and outward looking solutions;
- Ensuring legitimacy of proposed regulation and compliance;
- Decreases costs, as parties can contribute with own resources;
- Increasing partnership, ownership and responsibility in implementation;
- Strengthening democracy - preventing conflict among different groups and between the public and the government and increasing confidence in public institutions

Models of private sector participation in government show progression starting from information sharing and moving through consultation to dialogue, collaboration and partnerships involving empowering roles played by the private sector.

### **Case examples**

Case examples of public-private collaboration on organic agriculture from South Africa, Denmark, the Pacific Island nations, Moldova and the United States demonstrate various approaches to collaboration and examples of relative roles played by each party. Although



situations of the five countries that are the subject of case examples are diverse, there are some commonalities in the lessons learned. Some examples follow:

- Common themes and goals identified and shared between the government and the private sector are important underpinnings of collaboration. (All cases)
- An organized national sector in the form of an umbrella NGO is ultimately ideal (Denmark, United States) and becomes more necessary as the sector grows. In absence of such, surrogate organizations (Pacific Islands, Moldova) can represent the sector to governments as long as the government is not faced with multiple conflicting sector voices (South Africa).
- Aligning organic agriculture initiatives with broad government agendas and policies for sustainable development can be effective for collaborations. (South Africa, Denmark, Pacific Islands, Moldova)
- Champions and high-level support inside government can assist other actors in the private and government sectors to function effectively and achieve goals. (Moldova, United States)
- With collaboration comes mutual learning, which builds joint capacity for moving forward. The sector should also learn how to work with their government structures (all).

## Introduction

### Background in the UNFSS context

The organic sector has proven to be a good laboratory for work by UN institutions on the emerging field of meta-governance of voluntary sustainability standards and for practical implementation of WTO objectives concerning technical barriers to trade. Using this laboratory, UNCTAD and UNEP in cooperation with the International Federation of Organic Agriculture Movements (IFOAM) and in the context of the CBTF, supported the development of the East African Organic Standards. Starting in parallel and over the course of ten years, the United Nations Food and Agricultural Organization (FAO), the International Federation of Organic Agriculture Movements (IFOAM) and the United Nations Conference on Trade and Development (UNCTAD) joined forces to address barriers to trade of organic products that have arisen from the worldwide proliferation of organic standards schemes in both the private sector and government sectors (i.e. as technical requirements under regulation). This partnership was structured in two phases, the International Task Force on Harmonization and Equivalence in Organic Agriculture (ITF), which operated from 2002 to 2008, and the Global Organic Market Access (GOMA) project, which was in effect from 2009 to 2012. The ITF and GOMA projects represent the leading edge of imposing some order among standards schemes in the context of their interoperability for trade.<sup>6</sup>

### The ITF

FAO, IFOAM and UNCTAD organized an international conference in 2002 to share information about the situation of organic standards and technical regulations, and to raise awareness of key problems and challenges. The conference's main outcome was the decision to continue the dialogue by establishing the ITF, inviting participants from governments, intergovernmental organizations, the private sector and interested NGOs. The Task Force defined its main objective as facilitating international trade of organic products and access of developing country producers to international markets. It originally set out to analyze the current situation, and to propose and communicate solutions. The task force focused on opportunities for harmonization, recognition, equivalence and other forms of cooperation within and between government regulations on organic agriculture and private organic standards schemes. WTO rules, especially those on Technical Barriers to Trade (TBT), served as the general framework for the approach to analysis and solutions. In an initial phase, the ITF reviewed and analyzed the situation, including the impact of established organic regulations on trade, current models and mechanisms that enable organic trade, and potential models and mechanisms for harmonization, equivalence and mutual recognition. Developing equivalency among existing

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<sup>6</sup> A detailed treatment is provided in UNFSS Discussion Paper #2, *Review of Key Systemic Issues and Finding Resulting from Activities of the international Task Force on Harmonization and Equivalence in Organic Agriculture (ITF) and the Global Organic Market Access (GOMA) Project*, by Diane Bowen, in collaboration with Ulrich Hoffmann.

schemes was seen as a core solution. In order to encourage and facilitate equivalence, the ITF went beyond its original mandate and developed two practical equivalence tools. The *EquiTool* supports equivalence assessment of organic production and processing standards, and the *International Requirements for Organic Certification Bodies* (IROCB) supports equivalence assessment of the requirements for performance of certification. The tools offer a means to standardize the equivalence assessment process, enabling various parties in equivalence discussions to avoid the burden of process design for the assessments, and they provide efficient frameworks for assessments. At its closing in 2008 the ITF launched the tools and issued a number of formal recommendations, advisory statements, and calls for action.

### The GOMA Project

The partners committed to carry on efforts to implement and build upon the results of the ITF. The Global Organic Market Access (GOMA) project focused on practical implementation of ITF-developed tools and recommendations at the level of countries and regions, also leaving room for continued monitoring and analysis of the overall situation. GOMA strategy was to continue to spread information on the work and results of ITF, and to catalyze and respond to demand for services coming primarily from governments. A large task force was not needed. Instead, the steering committee from the three partner organizations took up the design and implementation of activities, assisted occasionally by several GOMA ambassadors coming from the ranks of the ITF. Changes in the environment since the formation of ITF affected the course of GOMA's work, most notably the phenomenon of geopolitical regionalization. Noting this, GOMA placed priority on supporting regional harmonization of standards and technical regulations and recognized that the tools should also serve as a benchmark for harmonization processes in addition to functioning for equivalence assessment.

One of GOMA's first activities was to reposition and add more functionality to the EquiTool through the addition of a normative annex, *Common Objectives and Requirements of Organic Standards* (COROS). In GOMA's regional initiative in Asia, COROS served as the foundation for development of an Asian Regional Organic Standard, which was crafted by a working group of stakeholders from Asian governments and the private sector. As the GOMA project came to an end, a subset of the working group prepared to propose this standard for adoption by ASEAN as regional standard as part of its blueprint for developing the ASEAN Economic Community.<sup>7</sup>

GOMA also supported a process for a common organic standards scheme among the five Central American nations plus the Dominican Republic. These regional processes have exposed government and private representatives from eighteen countries to the GOMA tools and recommendations. GOMA also provided technical support to several countries for a self-assessment of their standards and certification requirements using the tools. However, results

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<sup>7</sup> In April 2013, the ASEAN Task Force on Horticulture and Food Product Standards decided to create a working group tasked to develop an ASEAN organic standard and conformity assessment scheme.

of this activity were not as fruitful as the regional work. It still remains for interested governments to implement the tools in an official equivalence process.

### Achievements

The ITF and the GOMA projects have significantly raised awareness of governments and the private sector alike of the need and advantages of harmonization and equivalence approaches. Governments such as Canada have expressed clear political will to fast-track equivalence and have developed a variety of approaches to implement it. On the harmonization side, a global mind-shift can also be observed. Whereas the European Union was the only example of regional harmonization of organic regulations before 2002, several groups of countries have since then developed harmonized regional standards schemes, some with the direct support of ITF and GOMA, such as the Central American countries along with the Dominican Republic, and ASEAN member states. These projects have also demonstrated the power of public-private cooperation and dialogue. They show that partnerships between intergovernmental institutions and international civil society organizations can be highly synergetic. Furthermore the ITF and GOMA's Asia working group are models for public-private policy dialogue and collaboration that can be applied in national contexts. As noted in one analysis (Derzcyk, 2010), "the ITF over time shaped a community of like-minded people with a common vision."

### The UNFSS context

A UNFSS working group on enhancing interoperability of voluntary sustainability standards now serves as the laboratory for continuing innovation to address regulatory and trade challenges in the organic sector as well as for good agricultural practices (GAP) and fair trade schemes.

This working group is implementing practical activities on harmonization, equivalence, benchmarking, and other forms of cross-platform cooperation. It is foreseen that these activities will produce models and case examples as references to scale up interoperability of voluntary sustainability standards (VSS). While focusing on trade, this work should be seen as contributing to the larger goals of inclusive sustainable development. The group will facilitate interoperability and promote harmonization and equivalence of VSS from their context to their implementation procedures, with a focus on simplification of procedures, lowering transaction costs (particularly for SMEs and smallholder farmers), more transparency of information for consumers, facilitating regional cooperation (including South-South trade)<sup>8</sup> and enhancing positive impacts related to sustainable development.

These practical activities will require dialogue and collaboration between governments and the private sector and civil society, henceforth noted as public-private collaboration. It is therefore

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<sup>8</sup> The envisaged UNFSS assistance to supporting the development of a regional organic standard for the future ASEAN common market and support to the conclusion of plurilateral equivalence agreements are concrete examples of how activities of this working group can be instrumental in a regional policy context.

useful to investigate and highlight this collaboration so as to lay a good foundation for the activities of the working group and the extension of its results in national contexts.

### **Aims and approach of this paper**

This paper aims to enhance public-private collaboration on policy, regulation and trade facilitation including equivalence and harmonization, particularly for the organic agriculture sector but also providing useful models for GAP and other VSS. It will serve as a reference and discussion point for activities in the “organic laboratory” of the UNFSS. Furthermore, it is a capacity building reference for governments, civil society and the private sector to initiate collaborative policy development and related flanking support for organic agriculture and/or other VSS in national contexts.

A general examination of public-private collaboration is followed by five case examples of such collaboration from the following countries: South Africa, Denmark, Pacific Island nations, Moldova, United States. The paper concludes with a summary of lessons learned.

Terminology: Although the term “private sector” is often applied only to business and commercial entities, in this paper, the term “private sector” refers to a broad range of non-government stakeholders including businesses and civil society. The latter includes production, trade and private label associations, public interest groups and research institutes.

### **About organic agriculture**

#### **Challenges and solutions for agriculture**

The food crisis of 2008 and burgeoning issue of climate change have given rise to a new discourse on agriculture, wherein its role in both creating and addressing global threats is being explored. The practice of agriculture and agribusiness has significant impacts on climate disruption, food insecurity, poverty and social inequity, loss of biodiversity, and degradation of quality water supplies, soil, and air.

In the above context the discourse on agriculture is moving from a single emphasis on productivity, which after decades still leaves nearly one billion people hungry, toward a view that a more holistic and multifunctional approach to farming and food is needed in order to sustain the planet. A declaration in 2008 by the International Assessment of Agricultural Science and Technology for Development that in agriculture “business as usual is not an option” has been advanced in subsequent papers and dialogues. But transformation of agriculture, even among smallholder farmers in developing countries, will rely on basic incentives arising from returns on investment, knowledge transfer, risk reduction, and modeling.

Organic agriculture is a worthy model, which addresses both production and value chains for sustainable agriculture. It is rooted in an agro-ecological paradigm, which relies on natural cycles and ecological relationships to produce healthy plants and animals. Its multifunctional

benefits include maintenance and restoration of ecological balance and environmental quality (soil improvement, enhanced agro-biodiversity and water efficiency), mitigation and adaptation for climate change (carbon sequestration, drought, pest and disease tolerance) and contribution to food security and poverty reduction (price advantages, farm resilience). It engages the precautionary principle in the context of rapid change and environmental challenges.

### Organic market development

Organic agriculture is also a market model centered on consumer demand for healthy, sustainably produced food and other products and reliant on consumer trust and confidence. Originally organic standards and certification schemes were grassroots initiatives of regional national farmers associations in North America and Europe often in partnership with activists who set up food cooperatives and promoted the marketing of organic produce. In parallel time, direct partnerships called *teikei* were established in Japan between farmers and community members who were mutually concerned about the increasing use of farm chemicals and loss of family farms in rural economies<sup>9</sup>. The schemes in Europe and North America were similar to those of other professionals, e.g. in real estate and construction, which involved standards, peer review and certification (Ingrams, 2006) and functioned in direct sales and short value chains. Organic farmers governed associations, performed inspections and served on certification committees. Consumer trust was natural in direct and short chain transactions in these mostly local contexts, which today remain a valuable pillar of organic commerce. The self-regulating schemes also functioned to protect organic farmers from competition from other farmers whose practices did not qualify for making organic claims in the market. Over time, organic markets grew and diversified, global corporations entered these markets, more organic food was mixed and transformed, and it traveled great distances through long value chains in the course of national and international trade. What did not change in these extended value chains was the need and commitment to assure buyers that the “organic” products they purchased were indeed produced according to organic principles and standards (Arbenz, 2008). What did change is that as markets grew, value chains lengthened, and transactions became more anonymous, the private systems (many of them regional) were challenged to facilitate trade and prevent fraud. The global organic market in 2013 accounted for \$63 billion, as compared to \$26 billion in 2001.<sup>10</sup> Today’s organic value chains depend on standards, conformity assessment, identity preservation and labeling – and they are mostly regulated by governments.

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<sup>9</sup> More information on *teikei* is available at the website of the Japan Organic Agriculture Association, <http://www.joaa.net/english/teikei.htm>.

<sup>10</sup> Data from reports published by The Organic Monitor.

## Government engagement via regulation

The first legislation on organic farming was enacted in the 1970's in the states of Oregon and California to publicly codify organic standards. As trade increased across borders, some governments created legislation to regulate the sector. In Denmark at the request of the organic sector, legislation established both standards and a certification program starting in 1987. France and Spain also established organic legislation. In 1991, in the context of European Union farm policy reform and with general consensus of the European organic sector, the European Union adopted Regulation EEC 2092/91 on organic farming, which established minimum requirements on organic labeling throughout the European Union.<sup>11</sup> Japan, which had written voluntary organic guidelines in legislation in 1992, revised them and added an enforcement system in 2000. The first “enabling” legislation in the United States was passed in 1990, but it was not until 2000 after a decade of intense interaction of the United States Department of Agriculture with the organic sector and consumer interests, that a regulation was published and then finally enacted in 2002. At the international level in the Codex Alimentarius Commission, discussions on organic guidelines started in 1992 and the first version of these guidelines (for crop production, marketing and labeling) were adopted in 1999, followed by elaborations for livestock and lists of substances. Compelled by new import requirements in the major organic markets (United States, European Union, Japan) and enabled by the dialogues and the resulting Codex Alimentarius organic guidelines, more countries developed organic legislation and regulation. By 2013 some 88 countries had codified organic standards in regulations<sup>12</sup> although many of these have not yet developed a full program of mandatory standards and controls (Willer, 2014). The reasons for governments to regulate the sector vary. Many developing countries are primarily driven by the aim for recognition by governments of major market countries so that their exports can flow without the high transaction cost for their producers to fully comply (if that is even possible) with the standards and conformity assessment requirements of the importing country. However, this strategy has so far been unsuccessful, except for a few cases in which the European Union has recognized equivalent schemes (Argentina, Costa Rica, India).

## Other roles of government

There are many other things that governments can (and do) do to support the development of organic agriculture and markets. When and how to regulate are questions that governments should take into serious consideration, especially because regulating domestic production and markets before they have had a chance to grow to sufficient size and attain adequate organization can stifle their development. Undertaking needs assessment and prioritizing capacity development for organic agriculture can be more effective where the sector is starting to develop than instituting regulations. A significant role of government is to institute a supportive policy and action plan for organic agriculture which is tied to, if not integrated with,

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<sup>11</sup> Initially regulation was limited to crops. Livestock was regulated beginning in 1999.

<sup>12</sup> This number includes the individual countries under the European Union regulation.

its general policy for agricultural development. There is also opportunity for governments to support development in both the production and market dimensions of organic agriculture. The CBTF report (2008), *Best practices for organic policy*, provides a comprehensive list of opportunities and other recommendations for governments to support organic agriculture, which is reproduced in Annex 1. Selected recommendations follow.

For production, governments can:

- Provide direct financial support whether through subsidy or programs such as sharing costs of organic certification;
- Establish research and extension services for organic production methods;
- Remove or balance unfair support policies tailored to high-input conventional agriculture systems such as fertilizer subsidy, compulsory seed treatments;
- Facilitate the availability of appropriate inputs for organic agriculture.

For market development, governments can:

- Promote consumer education and awareness;
- Promote exports of organic products, recognizing the special nature of organic markets;
- Include organic products in public procurement, such as for schools and hospitals.

### **The case for public-private collaboration on organic agriculture**

Whether undertaking regulation of organic production and labeling, or playing other roles to support organic agriculture, collaboration between government and private sector stakeholders is no longer exceptional, although it is variable. It has come with increasing acceptance by governments of organic agriculture as legitimate and offering solutions for sustainability, and also with the organic sector's increasing capacity to interact successfully with government institutions and processes.

In Europe, Asia and North America, organic agriculture as a distinct system and paradigm evolved from strong critique by organic pioneers of the industrialization of agriculture and its consequences for the environment and health. "Since the Industrial Revolution the processes of growth have been speeded up to produce the food and raw materials needed by the population and the factory. Nothing has been done to replace the loss of fertility involved in this vast increase in crop and animal production," observed British agronomist Sir Albert Howard in the first sentences of his seminal work on organic agriculture, *An Agricultural Testament* (1940). "The consequences have been disastrous," he concluded. "Agriculture and become unbalanced: the land is in revolt: diseases of all kinds are on the increase: in many parts of the world Nature is removing the worn-out soil by means of erosion." Similar critiques appeared between 1950 and 1975 in the writings of other pioneers such as J.I Rodale in North America and Masanobu Fukuoka in East Asia. Those who controlled the prevailing agricultural systems under critique



had amassed much political, scientific, and economic power, and were none too open to such messages. Support for the prevailing systems were institutionalized in government agricultural agencies and government-supported research communities. The new offer, organic agriculture, was marginalized at best. “When you hear the word organic, think of starvation,” was the way in which the United States Secretary of Agriculture, Earl Butz, expressed his position in the early 1970s (Lipson, 1997). In Europe and North America during the 1960’s and 1970s organic agriculture was often associated with counter-culture and anti-government ideologies, and played outside the mainstream of agriculture. Little formal acknowledgement of it was given, with the exception of the standards legislation created in Oregon and California.

Against this background, when organic markets grew to attractive proportions, diverse public constituents began to express support, and governments took note of the potential of organic agriculture to fit into its agendas, there was a need for governments and the private sector to come together in order to position organic agriculture in public policy. Growing public awareness of the impact of agriculture on the environment and human health was stimulated by books and food scares, and it seeded the growth of markets. Initially this growth was achieved solely through the markets without public policy interventions. By the mid-1980s calls for government engagement to encourage organic agriculture and markets were emerging and public-private dialogue began on a number of fronts. Building on some success with dialogue and legislation, in some countries intense public-private collaborations have now developed as illustrated in several cases in this paper.

It is worthwhile to highlight three factors supporting the need for public-private collaboration to support the organic sector: shared goals, respective assets and complementary roles, and risk-management in making organic policies.

### Shared goals

In many countries there is now a confluence of the goals of the private organic sector to develop organic agriculture and markets and of governmental goals with respect to economic prosperity and sustainability. Shared goals have not only the capacity to catalyze collaboration, but they also potentially function to address tensions and resolve conflicts that naturally arise in public-private collaborative activities such as standards setting, policy prioritization, or allocation of roles. Governments that regulate organic agriculture and labeling share with the private organic sector the goals of expanding agricultural markets for their countries, including facilitation of trade and support for domestic market development. This is the original aim of regulations in the United States and Canada<sup>13</sup>. These market regulations may not be the only

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<sup>13</sup> Canada’s Regulatory Impact Analysis states that, “This national organic regime would facilitate international market access, provide protection to consumers against deceptive and misleading labelling practices and support the further development of the domestic market. “ The purpose of the United States Organic Foods Production Act of 1990 is 1.) to establish national standards governing the marketing of certain agricultural products as organic produced products; 2) to assure consumers that organically produced products meet a

instrument for policy related to organic agriculture. Legislation or other government instruments for policy on agriculture may include organic agriculture to achieve a broad range of goals, especially those related to sustainability.

Largely as a result of advocacy by the organic sector, many governments have come to recognize the role and potential of organic agriculture to contribute to achieving various sustainability goals including those related to health of soil, water and air, climate change mitigation and adaptation, biodiversity, rural development, food security and poverty reduction. Intergovernmental organizations have also engaged in organic agriculture out of motivation on shared interests in sustainability, for example FAO (Morgera, 2012). Organic agriculture was first articulated in agricultural policy goals in European countries. Between 1984 and 1986 a series of reports by the Danish Ministry of Environment and Ministry of Agriculture on nitrification of waterways acknowledged the potential of organic agriculture to achieve reductions (Ingemann, 2006). Several years hence, the 1992 reform of the European Common Agricultural Policy (MacSherry Reform) included support measures for organic farming as one approach within the context of environmental goals (Dabbert, 2004). In subsequent reforms of the Common Agriculture Policy, organic agriculture gained more prominence due to the increasing convergence of its goals with those of organic farming (Sanders, 2011).

### **Producers, Consumers and Markets**

Consumers created a persistent demand for organic agriculture and beginning in the 1980s, local and national governments responded to it with legislation on organic agriculture. In both the highly developed and the developing countries, many governments have recognized that organic agriculture offers additional options to producers to sustain and enhance their income from farming, for consumers to expand their choice and purchasing, and generally to contribute to an expanding of the national economy both domestically and via export trade. Whereas economic pressures are leading to the loss of farms and farmers and decline of rural communities, organic farming can support them. A comparative analysis of farm profitability in organic and non-organic farming systems, which compiled more than 50 profitability studies, observed that a large majority of cases demonstrated higher profitability of the organic farms, despite also showing yield decreases in many cases (Nemes, 2009). Not limited to farmers, the economic opportunities of organic markets are also sought throughout value chains by processors, retailer and traders. Essential to the functioning of organic markets and their premium pricing structures, consumer confidence remains central to the interests of value chain actors and their associations, and it is reflected in the written objectives of all government regulations where there are strong domestic markets. Consumer confidence is not often mentioned in the regulatory goals and objectives of governments where domestic markets are not significantly developed. However, some countries have developed policies

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consistent standard; and 3) to facilitate interstate commerce in fresh and processed food that is organically produced.”

and/or action plans for organic agriculture wherein other sustainability objectives are addressed.

### Sustainability

The new discourse on agriculture emphasizes that it must become multifunctional to address the three dimensions of sustainable development (social, ecological, economic) as reiterated in the Rio+20 Declaration. Concepts of multi-functionality, ecological intensification and climate change resilience characterize this discourse. Moreover, the Sustainable Development Goals, as proposed by The Open Working Group in July 2014, call for ensuring sustainable food production systems that help maintain ecosystems and progressively improve land and soil quality by 2030 maintain genetic diversity of seeds, cultivated plants, farm and domesticated animals<sup>14</sup>. IFOAM and others in its action network are succeeding in intergovernmental fora to draw the strong connection between organic agriculture systems and these concepts. In the private organic business sector, many companies publish mission and values statements that prioritize environmental and social goals. Some governments taking the long view on agricultural policy matters and seeking resource allocations from funds available for sustainable development have taken heed, and many have become open to dialogue with the organic sector on including organic agriculture among its top policy priorities.<sup>15</sup> Other influences on government come in, such as the aim for some governments positioning themselves toward the EU and its Common Agricultural Policy to align their policy instruments to this.<sup>16</sup>

## Assets and complementary roles

### Government roles

There are widely divergent political philosophies and attitudes about the role that governments should take in society. Historically and to the present, governments have taken on significant policy roles for agriculture with a variety of objectives (e.g. efficiency, income distribution, food security), and through these interventions have highly impacted the structure and function of agriculture and its markets. A premise of this paper is that both governments and the private sector have important roles to play in the further development of organic agriculture and markets. Governments have unique roles in this regard. They are the final determinants of public policy, including allocations of funds from the public purse that can facilitate and support the sector. Invested with legal authority, governments alone can exercise authoritative controls

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<sup>14</sup> <http://sustainabledevelopment.un.org/focussdgs.html>

<sup>15</sup> The case study on South Africa in this paper is an example.

<sup>16</sup> The case study on Moldova in this paper is an example.

in organic production and along supply chains. This authority is exercised where mandatory regulations on organic agriculture and trade are established and enforced.<sup>17</sup>

A UNEP-UNCTAD report on Best Practices for Organic Policy recommended that “a starting point for government engagement is to give recognition and encouragement to the organic sector, and that governments should “take an enabling and facilitating role rather than a controlling one.” The report stresses that this recognition also includes establishing a close cooperation with the private sector, especially its representative organizations. This cooperation should apply across the board in the development of policies, funding allocations and the development of regulations that can be enabling rather than only controlling (CBTF 2008).

### Private Sector Roles

Private sector producers, processors, traders, and NGOs gave impetus to organic farming, developed standards and certification schemes and built markets starting in the 1970s prior to any government invention. It is where virtually all the practice of organic production, processing and trading resides, and therefore a repository of most of the knowledge and expertise as well as the zeal for organic principles and practices. The production and value chain system operated by the private sector achieve most of the objectives of government policies towards organic agriculture. This includes primary production, input production (seeds, plant protection products, feed additives), manufacturing, ingredient sourcing, handling and trade, retailing and certification. It is in the private sector that the impacts of specific policy towards organic farming and markets are felt, as are general government agricultural policies that discriminate against organic agriculture and markets.<sup>18</sup> The private sector can offer perspectives on the feasibility and impact of implementing government policies and programs in the sector.

The private sector has produced the main innovations sustaining the sector in response to changing needs, including the original systems of standards, certification and labels, and more recently group certification of smallholders and participatory guarantee systems for local markets. The private sector is able to react more quickly to change, challenge and opportunity than government institutions and can point the way to new solutions and innovations. It is the leading edge for identifying and embracing issues that should be addressed, for example, to question the consistency of nanotechnology with organic principles, and to identify how organic agriculture should respond and adapt to the sustainability discourses such as on climate change and animal welfare.

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<sup>17</sup> Governments, in cooperation with the private sector, may consider the most appropriate options for regulation including: no regulation, regulation using consumer protection laws, voluntary regulations, regulations for export only, full regulation. (CBTF 2008).

<sup>18</sup> Examples of such policies are fertilizer subsidies that exclude organic inputs, ineligibility of diverse, research and promotion support favoring conventional agriculture, and subsidy payments that favor large scale monocultures.

**Table 1: Relative Strengths of Governments and Organic Sector for Developing Organic Agriculture**

|                                       | Government                                                                                                                                                                                        | Organic Sector                                                                                                                           |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Resources</b>                      | Public funds can be allocated for centralized support activities for organic agriculture.                                                                                                         | Funds for centralized support activities for organic agriculture are limited.                                                            |
| <b>Policy</b>                         | Only government can decide public policy related to organic agriculture.                                                                                                                          | Sector can formulate policy ideas, but has no decision authority.                                                                        |
| <b>Authority</b>                      | Governments can apply legal authority where it is useful, for example in policing fraud in markets.                                                                                               | Sector may have self-policing mechanisms, but not to the degree of government authorities.                                               |
| <b>Visibility</b>                     | Policies, directives and communications are broadly visible in the society.                                                                                                                       | Sector may have more difficulty to reach broad audiences with communications.                                                            |
| <b>Expertise</b>                      | Government is not the primary reservoir of expertise on the sector.                                                                                                                               | The body of expertise is primarily within the sector.                                                                                    |
| <b>Implementation Capacity</b>        | Both government and the sector have implementation capacity. In the case of government, it is best applied in centralized or government-focused functions e.g. accreditation, public procurement. | The sector has better knowledge and contact with points of implementation in the supply chain, ranging from producers to retail markets. |
| <b>Flexibility and Responsiveness</b> | Government is characterized by bureaucratic structures and “red-tape”.                                                                                                                            | More flexible to respond to change and opportunity.                                                                                      |
| <b>Innovation</b>                     | Not as often viewed as the source of innovation.                                                                                                                                                  | Main source of innovation                                                                                                                |

### Collaborative roles

Some case examples in this paper and elsewhere have demonstrated that a high degree of collaboration between the government and the organic sector in formulating policies, regulations, and support programs is associated with better development of organic agriculture (Källender, 2008). The case examples demonstrate various approaches to collaboration and examples of relative roles played by each party. Most notable for the extent of collaboration is the case of Denmark, where the organic sector has a broadly constituted umbrella organization, Organic Denmark, which works intensely across multiple Danish government agencies on

programs that simultaneously support the development of organic agriculture and markets, and government goals and objectives. In this case, the government provides the authority, public policy and support program framework (collaboratively developed with Organic Denmark), and Organic Denmark implements most of the programs with financial resources allocated to it by the government. Organic Denmark is strongly engaged in dialogue with various government ministries and departments on policy and program recommendations and planning.

Optimally the private sector will have a national umbrella organization representing all or most of the private stakeholders in organic agriculture, including producers, processors, traders, certification bodies, and retailers, and they will also include or maintain strong alliances with consumer groups, environmental, animal welfare, social justice and development aid organizations. Without such an organization, government may have difficulty knowing who legitimately represents the organic sector, and with whom to engage on supporting organic agriculture. Government may then also lack benefit of the complementary strengths that a centrally organized organic sector can bring to organic policy and program development. Sometimes, such as in the case of Moldova, another organization can fill in for the absence of an organic umbrella organization. There, a rural development organization with a high capacity and thematic focus on organic agriculture to achieve its main goal for rural development is the counterpart to the Department of Organic Agriculture in the Agricultural Ministry. In the United States, where the government program and objectives are focused on markets and marketing, the Organic Trade Association (OTA) has similar focus and is the main counterpart. The OTA is not as inclusive of or aligned with the entire group of sector actors as is Organic Denmark. In the United States, some of these other actors, which include rural development NGOs and consumer and public interest groups, give alternative voice on issues of policy and operation of the National Organic Program. On trade matters such as trade promotion, where the OTA and USDA are naturally aligned, a partnership has developed wherein the OTA implements USDA export support programs for organic agriculture, and OTA provides industry input and technical assistance to the process of equivalence assessment between the organic regulations of the United States and trade partners.

Collaboration also builds capacity of both parties. Dialogue and experience obtained in joint implementation educates government officials on the paradigm and principles of organic agriculture, organic practices, technical approaches and challenges, and also about the realities of practitioners in production, processing, certification and trade of organic products. In the case of the Danish Agriculture Ministry and the United States Department of Agriculture, the organic sector has played a role in developing structured training programs for government staff. Acquired expertise adds to quality and efficiency in government administration of regulations and support programs, and creates new synergies for further collaboration. For the organic sector, collaboration builds political and administrative knowledge of the machine of government, enhancing capacity to use government resources to accomplish goals.

**Table 2: Roles of the Government and Private Organic Sector**

| Function                                                                                    | Government | Private Sector | Potentially shared or distributed role |
|---------------------------------------------------------------------------------------------|------------|----------------|----------------------------------------|
| Extension and training                                                                      | x          | x              | x                                      |
| Research                                                                                    | x          | x              | x                                      |
| Standards development                                                                       | x          | x              | x                                      |
| Policy development, including program development and budgeting                             | x          |                | x                                      |
| Policy approval                                                                             | x          |                |                                        |
| Allocation of public funds                                                                  | x          |                | x                                      |
| Local market development                                                                    | x          | x              | x                                      |
| Promotion/public education                                                                  | x          | x              | x                                      |
| Regulation development                                                                      | x          |                | x                                      |
| Regulation enforcement                                                                      | x          |                |                                        |
| Implementation of government programs (e.g. public procurement, certification cost sharing) | x          |                | x                                      |
| Operation of the organic supply chain (e.g. production, trading)                            |            | x              |                                        |

**Risk Management**

In the scope of regulations, collaboration of the organic sector with the government reduces the risk that regulations will be infeasible or create undue hardship in the sector. Historically,

most governments instituting regulations for organic agriculture have implemented a public comment process prior to issuing final rules. The comment approach is usually standard for the promulgation of regulations in the country, and it can include requirements for the government to publish the comments and its response to them. In some cases such as in Canada, the United States and South Africa, technical advisory boards have had a strong hand in developing the content of the regulation, while the government ensures that it is put into appropriate regulatory language including that it comports with other regulations, and it assesses regulatory impacts. Some of these advisory boards include both government and private sector members (e.g. South Africa) and others are comprised exclusively of private sector experts (e.g. Canada). In the case of the US, the National Organic Standards Board is representative of a broad array of stakeholders including producers, processor/handlers, retailers, scientists, consumers and environmental interests. Regarding listing and de-listing of input materials in the United States regulation, The National Organic Standards Board is empowered to make the final decisions, and the role of the National Organic Program in this regard is restricted to the administrative rulemaking process. This is presumably a risk management approach to ensuring that decisions on inputs have the highest degree of public vetting and transparency. In the European Union situation, the process for public and sector input to the Commission on the organic regulations is affected by general guidelines for consultation, but the consultation process is not formally structured to the degree that is often found in single countries. Major proposals for changes in regulation are discussed and decided in the process involving the European Union Parliament and Council, whose members receive input from the public and the organic sector in their member state.

Collaboration also reduces the risk that policies and programs intended to support organic agriculture will be ineffective, thus failing to achieve goals and objectives. Dialogue and consultation are needed to ensure that the best ideas for effectively supporting organic agriculture are given priority in government agendas and that they are implemented in an optimal way, including the option for private sector implementation of some programs.

### **Future trends**

A new wave of collaboration on service delivery to the organic sector is emerging wherein the public and private actors jointly implement service functions with shared goals and benefits. In Malaysia, where the Department of Agriculture has been providing no-cost certification but where government capacity is relatively low, an arrangement with the national association, Organic Alliance Malaysia, appoints it to handle fee-based application and inspection for organic processors, while the Department of Agriculture continues to manage the no-cost producer certification program. Certification decision for all operations remains with the Department of Agriculture. Organic Alliance Malaysia is also appointed to verify the certification of imports and recommend to the Department of Agriculture if they were produced under equivalent systems according to a mutually agreed set of equivalence criteria. Expertise in the private sector can be employed while retaining the authority of government



and the cost benefits to producers. Collaborative service delivery also characterizes the Danish initiative on public procurement for government canteens, where private actors facilitate linkage of the purchasing function with the supply, and an educational component for kitchen staff and customers of the canteens. The case example from the United States involves public-private collaboration on delivering export development services to United States organic businesses. The possibilities for joint service arrangements exist in other areas including agricultural extension services, market development, and regulatory compliance and surveillance. These “smart” collaborations will be custom tailored. The nature and degree of joint service arrangements will depend on the mission of the government with respect to organic agriculture, the capacities in the public and private sectors, and the strength of the relationship between them.

## **The nature of public-private collaboration**

### **Benefits of collaboration**

The importance of engaging the civil society and citizens in forging public policy is recognized by numerous governments and intergovernmental organizations. Benefits cited include the following (Hadzi-Miceva-Evans, 2010):

- Creating fair policies/laws reflective of real needs enriched with additional experience and expertise;
- Facilitating cross-sector dialogue and reaching consensus;
- Adopting more forward and outward looking solutions;
- Ensuring legitimacy of proposed regulation and compliance;
- Decreasing costs, as parties can contribute with own resources;
- Increasing partnership, ownership and responsibility in implementation;
- Strengthening democracy - preventing conflict among different groups and between the public and the government and increasing confidence in public institutions.

### **Challenges and risks**

For governments there may be some challenges in collaborating to higher degrees with the private sector. Considerations include:

- Governments may be pressed by deadlines to adopt certain legislation;
- It may not be clear who to consult or engage; or how to do it;
- Participatory processes are costly; they require investment in organizing meetings, writing comments, providing feedback;
- The political context may not be supportive of public involvement;
- Those who participate may not have enough understanding of the issues at stake.

## Types of collaboration

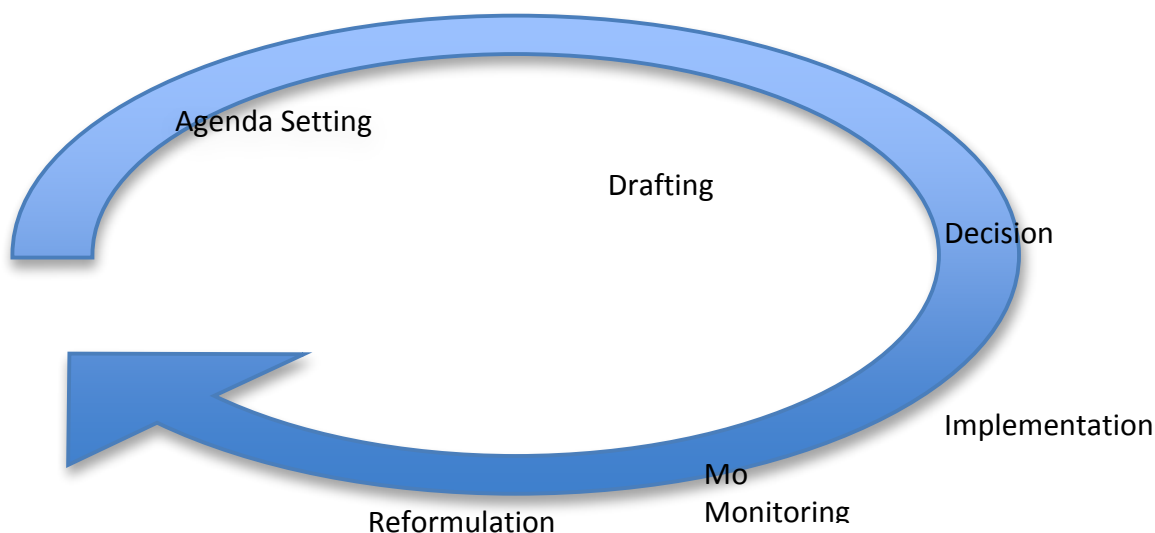
It is useful to distinguish between public-private collaboration on developing and implementing public policy and programs related to it, and the term “public-private partnership.” The latter term usually describes joint contractual engagement between one or more private businesses and governments to develop infrastructure or provide services that are normally a function of government, and in which the private partners assume substantial investment and operational risk. When implemented to a high degree, public policy and program collaboration may be described as a partnership, including legal and contractual obligations.<sup>19</sup> However, there are many examples of collaboration that are not so formally structured. A description of the typical public-private collaboration for smallholder agricultural production is given by the International Fund for Agricultural Development (IFAD, 2003) relative to its experience in Latin America and the Caribbean:

*The experience of the countries that have made the most progress in developing specific policies and institutions suggests that a government programme dealing with organic agriculture may be both inexpensive and effective. Such a programme does not need a significant budget and numerous staff in order to work well. It requires clear ideas and close coordination with other government agencies and actors in the private sector, so that they can combine efforts and avoid unnecessary duplication.*

## Models for Collaboration

### Figure 1. Civil Participation Model<sup>20</sup>

The Conference of the INGOs of the Council of Europe (INGO, 2009) illustrates the following cycle describing the processes of political decision-making and implementation.

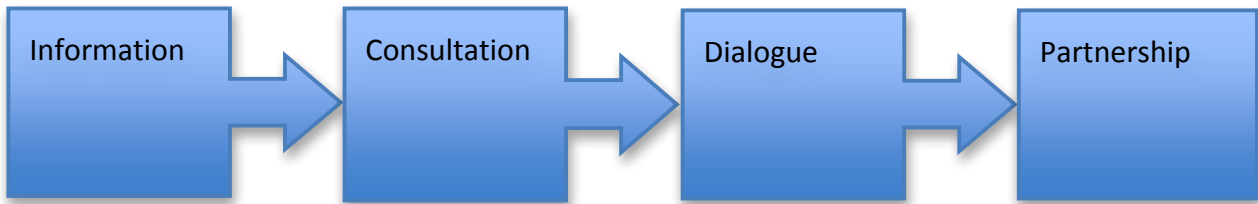


<sup>19</sup> Such as in the case of Denmark, where some programs implemented by Organic Denmark are arranged under contract with government and fulfill mutual goals and objectives.

<sup>20</sup> Adapted from INGO Code of Good Practice for Civil Participation in the Decision-Making Process, 2009

The INGO presents a model for government-civil society collaboration that may apply to these processes, in which each subsequent dimension represents a higher form of participation.

**Figure 2. Government-civil society collaboration model**



### **Information**

This is a basic one-way transparency approach wherein a government publishes or otherwise provides information on policy making, program planning and budgeting to civil society. The governments may use lists of stakeholder organizations for particular topics and therefore focus its communication. Information is relevant for all the steps in the decision-making process.

### **Consultation**

In this dimension the government not only provides information and solicits feedback on the information provided, which can be given by civil society in various ways including written comments or meeting formats. The government initiates the information. Consultation is relevant for all steps in the decision-making process.

### **Dialogue**

Collaboration begins in this dimension, wherein either party can initiate dialogues, which can be general and relating to discovery of mutual interests and objectives. Its aims are to become informed and begin to identify collaborative paths. Collaborative dialogues can also be focused on the specific potential policies and/or programs, and have the prospect of agreed outcomes. Dialogue is crucial for collaborative agenda setting, drafting and reformation of policies, programs and budgets.

### **Partnership**

This highest form of participatory governance is characterized by shared responsibilities in all phases of policy and program decision-making. Here, the civil society parties and public authorities cooperate closely, but civil society is enabled to maintain independence in all respects for political work. Partnership can include activities such as delegation of a specific task to an NGO, for example delivery of services, as well as participatory forums and the establishment of co-decision-making bodies, including for resource allocation.

### International Association for Public Participation (IAP2)

The International Association for Public Participation promotes the engagement of the non-governmental “community” by governmental bodies.<sup>21</sup> The following core values underpin its work:

- Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
- Public participation includes the promise that the public's contribution will influence the decision.
- Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
- Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
- Public participation seeks input from participants in designing how they participate.
- Public participation provides participants with the information they need to participate in a meaningful way.
- Public participation communicates to participants how their input affected the decision.

(IAP2) has developed a Public Participation Spectrum to demonstrate the possible types of engagement with stakeholders and communities. Frequently referenced by local and national governments, it is recognized as the foremost international public participation model. Designed to assist with the selection of the type of public participation for any government initiative, the model shows increasing levels of public impact as it progresses through five participation levels from ‘inform’ to ‘empower’. Goals for participation, and the promise offered, are associated with each of the participation levels, and example tools are also presented.

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<sup>21</sup> Information about IAP2 is available at its website, <http://www.iap2.org>

**Figure 3. IAP2 Public Participation Spectrum**

**IAP2 PUBLIC PARTICIPATION SPECTRUM**

| INCREASING LEVEL OF PUBLIC IMPACT                                                                                                          |                                                                                                                                           |                                                                                                                                                                                           |                                                                                                                                                                                  |                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| INFORM                                                                                                                                     | CONSULT                                                                                                                                   | INVOLVE                                                                                                                                                                                   | COLLABORATE                                                                                                                                                                      | EMPOWER                                                                                                               |
| <b>Public Participation Goal:</b>                                                                                                          | <b>Public Participation Goal:</b>                                                                                                         | <b>Public Participation Goal:</b>                                                                                                                                                         | <b>Public Participation Goal:</b>                                                                                                                                                | <b>Public Participation Goal:</b>                                                                                     |
| To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions. | To obtain public feedback on analysis, alternatives and/or decisions.                                                                     | To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.                                        | To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.                           | To place final decision-making in the hands of the public.                                                            |
| <b>Promise to the Public:</b>                                                                                                              | <b>Promise to the Public:</b>                                                                                                             | <b>Promise to the Public:</b>                                                                                                                                                             | <b>Promise to the Public:</b>                                                                                                                                                    | <b>Promise to the Public:</b>                                                                                         |
| We will keep you informed.                                                                                                                 | We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.           | We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision. | We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible. | We will implement what you decide.                                                                                    |
| <b>Example Tools:</b>                                                                                                                      | <b>Example Tools:</b>                                                                                                                     | <b>Example Tools:</b>                                                                                                                                                                     | <b>Example Tools:</b>                                                                                                                                                            | <b>Example Tools:</b>                                                                                                 |
| <ul style="list-style-type: none"> <li>• fact sheets</li> <li>• web sites</li> <li>• open houses.</li> </ul>                               | <ul style="list-style-type: none"> <li>• public comment</li> <li>• focus groups</li> <li>• surveys</li> <li>• public meetings.</li> </ul> | <ul style="list-style-type: none"> <li>• workshops</li> <li>• deliberate polling.</li> </ul>                                                                                              | <ul style="list-style-type: none"> <li>• citizen advisory committees</li> <li>• consensus-building</li> <li>• participatory decision-making.</li> </ul>                          | <ul style="list-style-type: none"> <li>• citizen juries</li> <li>• ballots</li> <li>• delegated decisions.</li> </ul> |

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## Representative Codes, Structures, Policies and Practices

### United Nations

The United Nations has several mechanisms for the participation of civil society in its work. International non-governmental organizations (INGOs) may attain consultative status with the Economic and Social Council (ECOSOC) of the United Nations. More than 3,400 NGOs are registered with ECOSOC. NGOs may also register with the Department of Public Information. NGOs may also obtain consultative status with individual UN bodies.

### European Union Treaty of Lisbon

Lisbon Treaty: Article 10 of the Lisbon Treaty states that, “Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen.” Article 11 elaborates as follows:

1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.
2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.
3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union’s actions are coherent and transparent.
4. Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.

### EU Commission Principles and Minimum Standards<sup>22</sup>

Although not legally binding, this document guides Commission officials when they make consultations. The document explains that, “By fulfilling its duty to consult, the Commission ensures that its proposals are technically viable, practically workable and based on a bottom-up approach.” In other words, good consultation serves a dual purpose by helping to improve the quality of the policy outcome and at the same time enhancing the involvement of interested parties and the public at-large. The principles and standards call for consulting all relevant groups, providing clear consultation documents, allocating adequate timelines for participation, and providing feedback.

### Council of Europe Code of Good Practice

The principal objective of the Code of Good Practice is the definition of a set of European principles and guidelines for NGO participation in decision-making processes and as a basis for the empowerment of citizens to be involved in conducting public affairs in European countries. It is to be implemented at local and national level in Council of Europe member States.

### South Africa Template for Guidelines on Public Participation

The Constitution of South Africa, itself a product of a participatory process, states in Section 195 (1) (e) that “people’s needs must be responded to, and the public must be encouraged to participate in policy- making”. The Constitution further mandates both the national and

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<sup>22</sup> The full formal title of this document is *Towards a reinforced culture of consultation and dialogue - General principles and minimum standards for consultation of interested parties by the Commission (2002)*.

provincial levels of government to facilitate public participation. The Constitution also created a Public Service Commission to facilitate and monitor quality in government, including the exercise of public participation. The Constitutional intention for public participation has not been systematically realized in many departments and levels of government, and where it does occur, it is typically ad hoc. The Public Service Commission investigated how to facilitate improvement, and it learned that individual government departments need to tailor their public participation activities to their unique circumstances and individual mandates. Against this background, the Public Service Commission developed a Template for Developing Guidelines on Public Participation, which has been widely distributed throughout government. The six-step process flow includes goals, roles, action plans, implementation, feedback and evaluation.

### **United States Open Government Initiative**

The Open Government Initiative is an effort by the administration of President of the United States Barack Obama to "creating an unprecedented level of openness in Government." The directive starting this initiative was issued on January 20, 2009, President Obama's first day in office. The philosophy of the initiative is that the government should be transparent, participatory and collaborative. The introduction to this initiative states "In many domains, government should develop policies, rules, and plans with close reference to the knowledge, expertise, and perspectives of diverse members of the public. Knowledge is widely dispersed in society, and public officials benefit from having access to that dispersed knowledge" and hence to "collective expertise and wisdom."<sup>23</sup> The President's Open Government Directive obligates federal agencies to take specific actions to implement the principles of transparency, participation, and collaboration set forth in the President's Open Government Memorandum. Each agency is required to have an open government plan that addresses these principles. The initiative emphasized the use of communication technologies in the development and implementation of open government plans.

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<sup>23</sup> <http://www.opengovpartnership.org/country/united-states>

## Case examples

### South Africa: Building the sector through public-private collaboration

#### A government strategy study for organic agriculture

Among the pioneers who founded the International Federation of Organic Agriculture in 1972 were organic farmers in South Africa. However, the sector itself failed to stably organize until catalyzed in 2008 by a government study on the situation and strategy for organic agriculture. While it is usually an organized organic sector that leads government towards interest and support for developing national policy and strategy for organic agriculture, in this rare case the South African Department of Trade and Industry (DTI) in cooperation with the Department of Agriculture, Forestry and Fisheries (DAFF) moved this study on its own with encouragement from a few individuals engaged with organic agriculture. The Ministry attributes the motivation to the complementary mandates of DTI and DAFF, and a growing awareness of the potential of organic agriculture to address their objectives. The mandate of both Departments is collaborative and mutual, DAFF ensures that agriculture production is improved and increased to address the apex/national priorities while the DTI promotes the establishment and development of various industries and sectors including agriculture through the promotion of trade and export. Based on their respective mandates, the study and strategy on organic agriculture was vital and essential to motivate both departments to document how organic agriculture related to their goals and objectives, and establish a vision and blueprint. The report established the value of organic agriculture in addressing sustainable development issues, which encompass economic growth, social equity and environmental protection. It was noted that increased production of organic products will have economic spin-offs which in turn will address:

- National triple challenges of poverty, unemployment and inequality (the economic dimension).
- Uplifting the welfare of people, improving access to basic health and education services, fulfill food security needs and respect for human rights (social dimension).
- Conserving, preserving and enhancing of the physical and biological resource base and ecosystems (environmental dimension).

#### Unifying and building the organic sector

Small to begin with, the organic sector as such was highly fragmented in 2008 and had no organized program to promote the development of organic agriculture in South Africa. An Organic Agriculture Association South Africa, comprised of middle-class white producers and a few other stakeholders in organic value chains, had formed in 1994 but never really gelled, and



it was plagued by infighting. It changed its name to Organic South Africa, and finally in 2006 permitted the membership of black farmers. This increased the organization's dysfunction and it eventually ceased to exist. A few other NGOs such as the Organic Freedom Project and the Biodynamic Agriculture Association of South Africa also had agendas related to organic agriculture. The various groups lacked coordination, and one consequence is that reliable statistics for most of that decade are not available. Without much coordination with the sector, the government prepared a national organic standard in 2003, but it failed on a legal technicality. That the government in this context then committed to a serious study and strategy formulation for organic agriculture in 2008 was seen as remarkable. This time the government managed to organize dialogue with a relatively broad group of organic sector actors. Contrary to what might be expected, the government study appeared to catalyze organization of the sector and the beginnings of partnership. The five main recommendations of the study were (1) the establishment of an effective and inclusive sector body with broad based support; (2) a clear and inclusive policy and regulatory environment; (3) appropriate support and development of aspirant farmers; (4) setting a clear market objectives of organic agriculture and (5) maximizing the benefits of organic agriculture to the environment and society. In the wake of the study, a joint public-private committee - namely Organic Sector Strategy Implementation Committee (OSSIC) - was formed mainly to lead and drive the implementation of the findings and recommendations from the organic value chain study. Other government agencies were brought into the efforts, such as the South African Bureau of Standards (SABS), Department of Health and Department of Rural Development and Land Reform (DRDLR). DAFF established an Organic Desk to coordinate among agencies and also serve as a go-to point for the private organic sector.

By now, there is a new South African Organic Sector Organization (SAOSO), which has the potential to be more inclusive and cohesive and is based on good governance principles. SAOSO membership is open to farmers, input suppliers, certification bodies, processors, traders, retailers and related non-government organizations. SAOSO has strong ties to OSSIC and various government agencies. Together with OSSIC, it reaches out to related interest groups in the sector to ensure full dialogue on strategy and policy. SAOSO and OSSIC have jointly developed a draft National Policy for Organic Agriculture and a draft National Standard, which was subjected to a public comment process. A national organic logo has been entrusted to SAOSO for administration.

However, challenges remain. Farmers in SAOSO remain mostly white and middle-class. SAOSO is looking for means to address both the needs for supporting subsistence-and-smallholder organic community farmers mainly supplying local markets and those of the larger certified producers aiming at large retail and export markets. The groups are divided along racial lines

and therefore the government is addressing this as an opportunity to achieve national social objectives. A 2011 study conducted by the Institute of Natural Resources concluded that broad-based black economic empowerment as well as farm and farm worker objectives can be achieved through organic production as a platform for development. It further concluded that managers in the national and provincial Departments of Agriculture, agricultural extension services, and the private organic sector all have key roles to play in pursuit of social development and environmental preservation through organic production. The organic policy is tied to national and intergovernmental policy agendas such as the Kyoto Protocol, Millennium Declaration, the South African Constitution, National Environmental Management Act, National Policy on Agriculture and Sustainable Management and the Green and Clean Economy strategy. A key aspect of the policy is to build the sector across the board, including subsistence-and-smallholder farmers.

### From public-private collaboration to full partnership

Currently, the role chosen by the government is a facilitative one rather than instituting a control system. It is not establishing a mandatory regulation, although that could be considered further down the road. Instead, it is finalizing the organic standards and policy and anticipating use of resources for other purposes, including support for further organizational development of the sector. The draft policy analyzed options for implementation including a government-led approach, a sector-led approach, and a government-sector partnership approach, with the following results:

| Leadership Options | Advantages                                                                                                                                                                                                                           | Disadvantages                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Government-led     | <ul style="list-style-type: none"> <li>• Government will be able to guarantee the implementation and success of the policy</li> <li>• Lower certification costs</li> <li>• Representative of whole organic farming sector</li> </ul> | <ul style="list-style-type: none"> <li>• Government will have insufficient funds to run the projects.</li> <li>• Government will face a challenge with regard to buy-in from other stakeholders.</li> <li>• Skills shortage</li> <li>• Need to increase number of staff.</li> <li>• Inadequate public infrastructure.</li> <li>• Relatively long decision making processes</li> </ul> |
| Sector-led         | <ul style="list-style-type: none"> <li>• Access to modern technologies.</li> <li>• Limited red-tape.</li> <li>• Access to wider skills pool</li> <li>• Representative of rural sector</li> </ul>                                     | <ul style="list-style-type: none"> <li>• Development, (social and environmental agendas) is not a priority, i.e. profit-driven.</li> <li>• Their actions may not be</li> </ul>                                                                                                                                                                                                        |

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                           |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | (small-holder farmers)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>government priorities.</p> <ul style="list-style-type: none"> <li>• Organic produce will become more exclusive, or commoditized along value chains owned by the Industry, barring the access of the small producer to markets.</li> <li>• Insufficient funds for sector development (developmental agenda).</li> </ul> |
| Government-Sector partnership | <ul style="list-style-type: none"> <li>• Access to modern technologies.</li> <li>• No red-tape.</li> <li>• Access to the best skilled personnel.</li> <li>• Government will be able to guarantee the implementation and success of the policy.</li> <li>• Development, social and environmental agendas will be a priority.</li> <li>• Increased funding due to pooling of financial resources.</li> <li>• Create a united approach to the Sector, and reinforce its role as a solution to the shift to the green and clean economy and the Mitigation and adaptation to climate change.</li> <li>• A PPP regulatory body for the sector.</li> </ul> | <ul style="list-style-type: none"> <li>• Role clarity might be a challenge.</li> <li>• Alignment of decision-making processes.</li> <li>• Some of the players (industry) might use the platform to save costs and be “subsidized” hence become more competitive.</li> </ul>                                               |

The recommended policy option is the government-sector partnership.

## Lessons

- Ramping up supportive government policies and strategies for organic agriculture does not have to start with an organized sector, even though that usual the way it works best.
- The prospect of supportive government policies, strategies and programs can help to coalesce the organic sector in cases where there this has not happened on its own. Sector actors look toward the greater good that can be achieved instead of holding on to individual interests.

- Intra-agency governmental collaborations can bring more power and synergy to bear on supporting organic policies, strategies and programs. Mutual or complementary goals and objectives motivate inter-agency collaboration and private sector collaboration.
- Designation of a central coordinating function in government is important to ensure information sharing, coordination of interrelated activities including interaction with the private sector.
- Organic strategies and policies can gain strength and visibility by aligning them with other government policies and strategies.
- Mobilization of resources for implementation of organic agriculture support programmes and incentive schemes is crucial for the development of a fully-fledged organic sector.

## Denmark: A culture of collaboration

### A history of collaboration and change

The extraordinary case of partnership between the government and organic sector in Denmark is rooted in the general history and culture of collaborating. From the late 1800s to the turn of the 20<sup>th</sup> century, a major shift occurred in Danish agriculture from extensive grain production for export to cooperatives of smallholders with intensive livestock production. The cooperative movement was a social innovation, where a new organizing strategy created the basis for investment, innovation, improved product quality and export promotion. This was facilitated in part by a movement of community land distribution to smallholders, which was led by socially minded community actors such as the clergy in cooperation with government (Ingemann, 2006). This collaboration extended to other support for building the new agriculture system. In one case, the Danish government branded butter (Lurpak) and established quality standards, which were administered by a Danish dairy association. In the period from the 1950s through the 1970s, agricultural development was characterized by a movement to secure farmer income parity with comparable workers in other sectors. The mechanism for this included strict vertical integration, subsidies and technology infusion, all of which were guided by collaboration from the government and the agricultural sector. The result was a large increase in productivity and a large decrease in the number of farmers. Since then, the government has always taken a large activist role in agriculture, and in general is trusted by the general public.

### Organic agriculture

Organic agriculture in Denmark emerged in the 1970s pioneered by collectives and back-to-the-land enthusiasts, largely outside of mainstream agriculture. In 1981, the National Association for Organic Farming (LØJ) was formed by farmers and consumers, followed in 1982 by the founding of the National School for Organic Farming, which had the effect of professionalizing the organic farming system. Early on these organizations established links with organizations

such as the Danish Family Farmers in the case of LØJ and research institutions in the case of the National School. LØJ members established the first sales in traditional supermarkets, largely through collaboration with Coop, a supermarket group owned by over 1 million consumers. Parallel to this uptick for organized organic agriculture and sales in the 1980s was increasing awareness of the relationship between conventional agricultural practices and environmental problems, particularly the nitrification of Denmark's groundwater and waterways.

Organic farmers achieved a dialogue with leading politicians, who spearheaded ministry consideration of policy options. The Ministry of Environment was the first to recommend support for conversion to organic agriculture in a 1986 report, followed by a report from the Ministry of Agriculture that same year acknowledging organic agriculture as an emerging market opportunity for farmers and recommending subsidy and a government certification scheme, which would be free to farmers. The recommendations were promptly taken up and passed the world's first organic law in 1987, which also established work for the first national organic food label (1990) and a high-level stakeholder Advisory Council to determine standards and provide guidance to the agricultural ministry.

This marked the first step for organic farming to access the agro-political complex and collaboration with government, which intensified with the increasingly professional political advocacy from the organic sector, lead by LØJ. Two action plans for organic farming formulated by the Council (in 1995 and 1999), have guided the support for organic farming. The first plan developed the groundwork required to establish a structure developing the primary production and encourage conversion. This contributed to the first waves of conversion of larger scale farms in the mid and late 1990s. The second plan aimed at putting Denmark in the forefront of the development, production and sales of organic foods. Most points of the action plans have been implemented. And by the end of the 1990s large scale farms and processors were active in organic production and sales.

Collaboration between Organic Denmark and the government has also resulted in the active use of organic farming as a policy tool in broader policy areas, such as environment, drinking water quality and green growth. A political boost for the support measures for organic farming came from three aquatic environment plans and two plans for rural development and reducing the use of pesticides carried out in this period, all including organic farming as a tool for a better environment (CBTF 2006).

In 2002 LØJ and seven other organic organizations merged to form a consolidated national organic organization, Organic Denmark, which could serve as a single organic sector counterpart in collaboration with the government on organic policy and program implementation. Project support for consumer information and marketing, development of organic farm practices and export promotion built critical capacities in Organic Denmark, so it could be utilized as a motor for market development, farm conversion and innovation in organic farm practices. Private sector standards development and certification, which had

continued in parallel with government certification, was dropped, freeing Organic Denmark to pursue market development initiatives and innovative policy supports to organic farming. The government system of standards and certification was accepted and trusted well enough to enable this change. There are still ways and means for the sector to participate in the preservation of quality standards and certification.

### Today

Today, the central role of Organic Denmark as sector mover and voice is well established. It works collaboratively with a wide variety of related agricultural and public interest groups (environment, animal welfare, consumer, trade unions) and government agencies in the cycle from ideas through implementation of policies and programs for organic agriculture. Organic Denmark's relationship to the conventional farm organization in Denmark is described by research as "constructive conflict", where Organic Denmark is politically in conflict on some issues, but is still able to collaborate broadly with conventional farm organizations, which also now work with organic farming. There is outreach by the organic sector to politicians ranging from the far left to the far right, and in general support converges from both ends. Organic Denmark collaborates closely with cities and counties on the active use of organic conversion of farms in areas where ground water must be protected as drinking water. The Organic Council remains an important organ for vetting policy ideas and language. Because the national government has responsibility for organic inspection and certification, it has gained a lot of technical knowledge and practical understanding of organic farming and processing. This enhances the quality of the public-private dialogue and decision-making on supportive policy for organic agriculture.

Novel support policies and programs have been implemented. Policy development identifies and implements "push policies" (to support production) and "pull policies" (to increase demand for organic products). One example of a push-policy is that since 1998, revenue from a tax on pesticides supports research and advisory projects on organic farming, as well as "grassroots research" at the farm level, and "conversion checks". Applications are made for this funding, and an advisory board decides which of them are funded. There is also a separately funded government program for mobile advisory teams to advise farmers on conversion and also to work on product development and marketing assistance for small organic companies. Pull policies range from sales campaigns and consumer information, to export promotion. A major pull-policy is on public procurement of organic food. This policy is among the most advanced worldwide for such procurement and has established a goal of 60% organic food in all public kitchens by 2020. The policy represents a high intensity collaborative strategy, where government goals and financing for education in the public kitchens, combines with Organic Denmark's efforts in the food service production chain (farmer-company-wholesaler) and trade union/House of Food education activities for kitchen staff for a green conversion of public meals. Health and climate interests also support the effort because meals now have a strong climate and health profile, waste is reduced and greens replace some meats.

## Results

In 2012, retail sales of organic groceries represented nearly 8% of total grocery sales, the highest market share of all countries worldwide. This compares to 4.3% market share in the United States, 3.7% in Germany and 2.4% in France<sup>24</sup>. Export sales have grown at rates from 10% to 22% from 2009 to 2012 despite economic downturn. Organic sales in the food service sector, including public and private canteens, have tripled during the economic crises, with the capital city of Copenhagen leading the way at 80% organic in all public kitchens. Nearly 7% of all agricultural land in Denmark was organically managed in 2012, compared to an average for the European Union of 5.6%. These achievements have been made despite the fact that the rate of direct subsidies for organic farming conversion, 2400 DKK/ha over five years, and area subsidies 870 /DKK annually ranks toward the lowest among EU Member States.

## Lessons

- Culture impacts the ease and level of public-private collaboration. In Denmark collaboration is culturally embedded whereas not so much in many other countries. It will be important to determine the size and nature of the task to build collaboration, and be realistic about what can be expected.
- A variety of government ministries and offices can use organic farming and food production to achieve their goals, if they become aware of the broad bouquet of positive effects that organic agriculture can have. Lobby efforts can target not only ministries of agriculture, but also for environment, business and rural development.
- Common themes are effective for public-private dialogue and policy development. In the case of Denmark two major themes are market opportunity and environmental protection under the banner of Green Growth. This is the basis for clear and shared goals and objectives.
- Targeted and measurable action plans for the organic sector are valuable. These plans should be collaboratively developed between government and the private sector and change over time to reflect new opportunities as the sector develops.
- Denmark's experience with Organic Denmark, shows that the organic sector organization itself can be a powerful motor for market development, export and innovation in organic farm practices. But this requires a close dialogue between government and the organic NGO, and investment in capacity building in the organic NGO, for example, through government project support.
- Government certification programs or other means to build government knowledge and expertise on organic agriculture can be valuable for developing government capacity for effective organic policy making.
- Production subsidies are only one tool for organic agriculture development, and may be ineffective without corresponding market-oriented policies and programs.

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<sup>24</sup> Source: IFOAM/FiBL (2014), The World of Organic Agriculture, Frick and Bonn.

## Pacific Island nations: Piecing together a plan for organic agriculture

### Geopolitical landscape

The Pacific Islands refer collectively to 20,000 to 30,000 small islands in the Pacific Ocean lying south of the Tropic of Cancer, and traditionally grouped into three divisions of Melanesia, Micronesia, and Polynesia. The islands are classified into two main types. Volcanic high islands generally have more fertile soil and support more people. Low islands, comprised of reefs or atolls, are relatively small and infertile. Both physically and culturally diverse, the Pacific islands region has a collective population of approximately 8 million people, and a combined island landmass of 525,000 square kilometers in a sea area of more than 14,000,000 square kilometers. Most of the population resides in rural areas and its livelihood comes from agriculture, forestry and fisheries. Economic growth and food security in these islands are constrained by numerous factors including small size, geographic dispersion, remoteness, vulnerability to natural hazards and climate change, and influence of external economic conditions. Once dominated by colonial powers, Most of these islands have become independent sovereign nations while some remain territories of other sovereign states, in particular of France and the United States.

Twenty-two of these islands and territories now form an intergovernmental organization, the Secretariat of the Pacific Community (also called SPC or Pacific Community, and formerly called the South Pacific Commission)<sup>25</sup> which aims to provide technical, scientific, and planning capacity and advisory services to the people of the islands. SPC works with and relies on donor and technical assistance organizations such as the Australian Department of Foreign Affairs and Trade (DFAT) and various United Nations bodies. Another intergovernmental organization, the Pacific Islands Forum (PIF), addresses political cooperation within and beyond the Pacific Island nations. These intergovernmental organizations and others such as the University of the South Pacific, the South Pacific Tourism Organization, Secretariat of the Regional Environment Programme and the Pacific Power Association, come together in the Council of Regional Organizations in the Pacific (CROP), which meets once annually and also works through various sectoral committees.

### The landscape for organic agriculture and dawning of a sector

Those islands that have arable land are well suited for the development of organic agriculture, given that traditional agriculture involving native crops is customary, agricultural chemicals have not much come into use, and agro-ecosystems are relatively intact. Historically most farming was at subsistence level, but the emergence of cash society in these islands has now

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<sup>25</sup> These islands are American Samoa, Cook Islands, Federated States of Micronesia, Fiji Islands, French Polynesia, Guam, Kiribati, Marshall Islands, Nauru, New Caledonia, New Zealand, Niue, Northern Mariana Islands, Palau, Papua New Guinea, Pitcairn Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu and Wallis and Futuna. Australia, France and the United States are also members of the intergovernmental organizations.



brought agricultural export into the picture. Pockets of certified organic agriculture have existed since the 1980s, for example on Vanuatu where organic beef has been raised for export. The development of organic agriculture has been driven mainly by farmers and NGOs with rural development missions. In 1998, Women in Business Development, an NGO aiming for niche export markets for their members, began an organic training process for organic coconut oil production, and the first certified farms provided product starting in 2001. The project now includes more than one hundred Samoan villages and has expanded to other products. Starting in 2000, several national organic producer associations began to form, although some have not developed to their potential. In the mid-2000s the organic sector received a boost through two channels, both initiatives at the regional level. The University of the Pacific, specifically its Institute for Research, Extension and Training in Agriculture (IRETA), began training and extension for organic agriculture. IRETA served as the secretariat for the Pacific Organic Producers Association, which had ceased functioning by 2006. Also, the International Federation of Organic Agriculture Movements (IFOAM) and International Fund for Agricultural Development (IFAD) joined forces in a project to analyze the situation for organic agriculture and to develop a regional organic standard for the Pacific Islands, employing a public-private collaborative model that had been successful in East Africa. The latter project catalyzed a strong cooperation between the emerging organic sector and the regional organizations (especially the Secretariat of the Pacific Community and University of the South Pacific) and also drew in the national government structures. The sector as a whole had no formal organization, but a strong lead emerged from Women in Business Development, who assigned a coordinator to work closely with an assigned coordinator at the SPC on the collaborative standard development process.

The standards project was the core that was needed to organize communication with other sector groups and island governments, and it provided a forum for dialogue not only on technical matters, but also on values, principles and objectives for organic agriculture and the future of the Pacific Community people. The result was a common vision and shared goals and objectives. The resulting standard features many guidance examples for regional application of production requirements, and is a source of identity for Pacific Organic. This identity has since been augmented with an “Organic pasifika” mark of conformity. This provides the network and lays the groundwork for facilitating the development of broader support policies for organic agriculture at the regional and national levels. The project also gave rise to a regional umbrella sector organization. A regional organic task force had been instituted in the standard development project and charged with developing, in a widely collaborative mode, both the standard and an action plan for organic agriculture in the region. While not completely representative, the task force was comprised of a variety of stakeholders and government/intergovernmental representatives and coordinated by SPC. After completion of the project, it was decided that the task force should be re-cast as the regional sector representative body for organic agriculture, and also include fair trade in its mission. The Land

Resources Division of SPC is currently providing the Secretariat for the new organization, the Pacific Organic and Ethical Trade Community (POETCom). POETCom is responsible for implementing the action plan developed by the project. In order for POETCom to demonstrate independence in representing the sector, an inclusive membership structure and a democratic governance structure have been implemented and plans are underway for it to be incorporated as an independent organization.

### Shifting attention to the government level

The commitment of regional institutions, especially SPC, has set an example and created a base from which the sector in collaboration with the regional bodies can reach out to governments to encourage development of national policies and action plans to support development of organic agriculture and fair trade. A Pacific High Level Organics Group was organized, chaired by the Prime Minister of Samoa, and it launched the Pacific Organic Standard at the 2008 Conference of Ministers of Agriculture and Forestry. This visibility and prestige are important indicators for governments. Most of the island governments recognize the potential of organic agriculture to achieve national goals for environment, food security and economic development, but they have limited resources and room on their agendas and must establish priorities. The Samoan government has set an example by providing certification cost support to its organic farmers and establishing a national organic advisory committee. The governments also look at signals from the regional level for these decisions, which the Pacific High Level Organic Groups provides. A significant development in 2012 was the resolution at the bi-annual meeting of the Heads of Agriculture and Forestry Services (HOAFS) for the Pacific Islands to “promote and mainstream organic agriculture into the Secretariat of the Pacific Community (SPC) and national agriculture strategies in recognition of its role in food and nutritional security, climate change adaptation and mitigation, enhancement of biodiversity and the livelihood opportunities it can provide”. The Ministers of Agriculture then endorsed this resolution in the Communiqué following their 2012 meeting.

In addition, POETCom has organized lead sector organizations in each Pacific Island country, which drive the outreach from the national sector to the government. Support is also being fueled through donor funded regional organic agriculture projects, which are implemented at national level. One such project, funded by IFAD and coordinated by SPC, is aimed at the establishment of participatory guarantee systems, which are appropriately designed alternatives to third party certification for local and regional markets, and is coordinated at country level with the organic sector and governments. Through these activities, support from the national governments is building, although few have yet arrived at national organic plans or substantially incorporated organic agriculture into general action plans and legislation. This is the work that remains ahead, and for which a foundation is being established based on network mobilization and private-public collaboration. Starting with laying in place the bigger regional pieces of organic agriculture infrastructure, attention now shifts to filling in the smaller spaces in this Pacific Island Community jigsaw.

## Lessons

- The complexity of the Pacific Island situation required carefully chosen starting places for starting to organize networks, which turned out to be regionally influential institutions. Smart, stepwise approaches can meet the most challenging situations.
- The collaborative development process for a regional standard facilitates regional identity of organic agriculture which leads to the development of regional and national policies and action plans for organic agriculture.
- Having started without an umbrella (“peak”) organic organization in the region, the regional standards project led to putting this important piece in place. A visible project with multifaceted support can produce much more than the original objective.

## Moldova: Partnering on organic agriculture in a sea of change

Moldova is a landlocked country with fertile soils where agriculture is about 12% of the GDP, and about 42% of total export. Moldovan agriculture has experienced waves of change over time, mostly notably starting in 1990 with the transition of agriculture from Soviet-era collective property and central planning to private land ownership and a market economy. This transition is still ongoing, and rural development is a key priority for Moldova. Foreign assistance and investment programs play significant roles in this respect. With agriculture in such a key role, it is natural that care and consideration is given to forging government policy and planning for agriculture that is consistent with other key goals, which in the case of Moldova include environmental protection, public health, and economic development.

Organic agriculture has come into focus relatively recently, since about 2004. It gained stature rapidly in a short period, so much so that a UNEP Report observed that in 2009 it received more government subsidy support than in many Western European countries, and 11% of the country's agriculture exports were organic (primarily field crops like wheat and oilseed). The idea of organic agriculture for Moldova was imported in the late 1990s from economic development organizations in Austria, Germany, and the Netherlands and distributed further by Moldovan consultants who worked closely with these organizations. These organizations and related private sector investors established organic agriculture projects whose produce was then exported mainly to their home countries. Moldovan consultants have played a large role as catalysts and leaders in establishing organic agriculture in Moldova. Originally linked with the early organic projects, several of them moved into positions that enabled them to influence organic agriculture at national scale and policy levels. Currently, one hub of organic agriculture development lies in ProRuralInvest (PRI), an NGO whose goal is to facilitate rural development through sustainable agriculture. PRI is an outgrowth of a rural development project funded by the United Kingdom and implemented by a UK-based consulting firm in 2000. PRI staff conducts outreach to producers and other value chain actors, and in partnership with government, it prepares and implements policies and programs to develop organic agriculture and markets.

The other hub of organic agriculture development lies in the Organic Agriculture Department in Moldova's Ministry of Agriculture. This department is headed by a former consultant who worked in the original organic production projects, and then joined the Ministry in 2004 aiming to engage government support for organic agriculture. Connecting the benefits of organic agriculture systems with the government's rural sustainable development goals made a good case for the Ministry's establishment of the Organic Agriculture Department at a high level (reporting to the Minister) and related allocation of resources. Thereafter, supportive government structures, programs and policies were established in the short span of seven years through a partnership of the PRI and the Ministry. The policies and programs were established with joint dialogue and relatively easily due to the longstanding relationship of the principal actors in PRI and the Ministry. The subsidies attracted both larger producers for export markets and small-scale producers growing vegetables and fruits for local markets, who received an

additional 20% subsidy on domestic market sales. Sector-building via the PRI and Ministry partnership included capacity development for government and PRI staff, an organic regulation which was passed in 2006 and aligned to that of the European Union, establishment of two local certification bodies, a subsidy policy for conversion to organic agriculture, training programs and demonstration projects, export market development, and regional networking. The strategy has aimed to support larger producers with export markets and small producers participating in the domestic organic market. However, initially the government focused mainly on supporting and developing production, a necessary element of support, but did not in parallel invest in market development.

From 2003 to 2013 the area under organic cultivation increased from 162 ha. to 61,000 ha., about 1.7% of Moldova's total farmed area, and the number of organic producers grew from 112 to 166. Exports of organic crops peaked in 2010 at 22 million Euro (MIEPO, 2012), but then experienced a 30% drop in 2011. Export crops were mostly cereals, oilseeds, aromatic oil plants, and nuts.

### **Riding a wave of change**

Subsidies were a major original component of the strategy for organic agriculture development. The original subsidy scheme was for 700 MDL/ha. Year 1 of conversion and 400 MDL/Ha in Years 2 and 3, capped at 200 ha. In 2010, a situation of budget austerity emerged, and the Agriculture Committee of Parliament removed the organic sector from the list of specific target measures. Conversion subsidies started to phase out. By 2013, although organic land area increased to 61,000 ha., the number of organic producers dropped to 59, reflecting the exit of many small producers without subsidies and sufficient markets. However, organic agriculture remains attractive as an agricultural policy approach. Biodiversity conservation and environmentally friendly technologies are among the top targets for the period 2014-2020. Now without subsidies, the approach to developing organic agriculture is being reconsidered. Increased attention is given to helping producers overcome technical challenges, and to stimulating the development of domestic organic markets and export opportunities.

One large technical challenge is that organic producers experience lack of access to appropriate inputs, including allowable seeds, and pest controls. Among the problems for access are the bureaucratic requirements for registration of these substances in Moldova. An initiative to recognize inputs that are approved under EU controls is now underway, which would greatly increase access and remove production barriers. There are also new efforts to network with neighboring governments, researchers and producers to identify improvements in practices that could reduce input requirements. Market development has come into play as a major strategic focus for PRI and the Ministry. A Green Growth project with UNEP, PRI and the Ministry is enabling Moldova to build an export promotion program for organic products and to plan a public procurement of organic food for school meals. For domestic market development PRI has established a weekend market for organic and traditional products on the grounds of

the Ministry, and recruits and assists small producers to participate. Public education programs are also planned. The new activities are not seen as merely measure to work around the subsidy gap, but rather as shifts that will be more sustainable investments in developing organic agriculture. Also foreseen is the development of a national organic sector organization to give voice to many more stakeholders in establishing policy and programs for organic agriculture. The public-private model of partnering by a government ministry and an NGO to lead initiatives on organic agriculture has worked in Moldova for nearly a decade. However, in the longer term a fully inclusive and integrated sector is a next step in securing the role of organic agriculture in the country.

### Lessons

- In countries with emerging organic sectors where there are few highly engaged actors, it can be effective for a non-representative civil society organization to partner with government to develop implement supportive policies and programs.
- Strong government support for organic agriculture can be attained in a variety of ways, including as in this case, when a prominent expert is hired and placed in a high position in a key ministry.
- Producer subsidies, while producing strong effects in the short term, do not represent a complete or long-term sustainable approach to developing organic agriculture. A comprehensive and systematic plan, accounting for all aspects and stages of building a sector, should be developed.
- Public-private cooperation in countries with emerging organic sectors should include parallel support of production and market development.

## United States: Collaboration to enhance trade opportunities

### The organic sector in government context

In 2011, the gross agricultural output of the United States was valued at more than \$374 billion; \$136 billion of this was exported. Although the United States is a large country with fertile soils, agriculture did not get to be this way without a high degree of organization and leverage, both in the government and private sector. The main aims of United States Department of Agriculture (USDA) are to foster the health of the country's agricultural production and markets, and to provide nutrition services through domestic and foreign aid programs. For agricultural marketing support alone, the USDA's budget in 2015 for general marketing services is \$1.3 billion and additionally, \$1.8 billion is allocated for the USDA Foreign Agriculture Service to promote and facilitate trade of agricultural commodities. In the private sector, longstanding and powerful commodity-based trade organizations influence allocation of these resources. These organizations include groups for dairy, meat, soybeans, rice, sugar and cotton – to name some of the most prominent – and they have organized mechanisms and long-standing relationships in the USDA ranks to ensure allocation of their shares.

In the USDA context, organic agriculture is a production sector (or “industry”) under the Agricultural Marketing Service, which regulates and promotes the economic activity of agriculture. It is not formally connected and supported by the USDA in relation to other social and environmental policy goals as it is in countries of the European Union and elsewhere. Relatively speaking, the United States organic sector is small (2013 domestic sales were \$35 billion at retail). The sector is a relative newcomer to trade promotion and facilitation, but export in addition to domestic transactions represents opportunity for many individual producers and a key way to increase organic agricultural demand. Breaking into exporting can be a complex process, made even more complex by the need to deal with national organic labeling regulations in key importing countries. This case is about how the organic sector, represented by the Organic Trade Association, and the United States Department of Agriculture (USDA) forged a collaboration on trade, including reducing trade barriers through equivalence and promoting exports of organic products.

Several NGOs based in the United States have interest in organic agriculture and food and interact with the USDA. The main counterpart for the USDA on matters related to international trade is the Organic Trade Association (OTA), which focuses on the organic industry and business in North America. Originally founded in 1984 as the Organic Foods Production Association of North America, OTA provides the traditional trade association functions of political advocacy and analysis to advance organic food and agriculture. It also conducts international promotions, exporter education, facilitates business-to-business connections, and

tracks organic market information<sup>26</sup>. As a main caretaker of the organic “brand” in the United States (which is regulated through the USDA National Organic Program) OTA has been heavily involved over the years in lobbying political representatives from both major parties in the United States Congress, and interacting with the USDA and other government agencies in matters related to food and agriculture. Historically, the emphasis has been on setting standards for organic food and agriculture, but now that the standards have matured, OTA has increased its attention to building organic markets and opportunities, including for exports.

### **Establishing attention to organic trade**

Organic regulations in the United States and elsewhere have historically limited trade opportunities for US organic businesses, as they had to bear the added costs and occasional technical challenges of meeting not only the USDA National Organic Program Regulation, but also complying with standards and control requirements in Europe, Canada, Japan, and other export markets. OTA had long advocated that the United States seek equivalence arrangements on organic trade with these and other trading partners according to the equivalence provisions in the original organic legislation. The industry also had a vested interest in how these arrangements would be negotiated, taking into consideration that the main expertise on technical standards lay within its ranks as did the interests to maintain fair competition. Trade arrangements such as equivalence for agricultural trade are undertaken jointly by the Office of the United States Trade Representative and the USDA, including the USDA Foreign Agriculture Service and the Agricultural Marketing Service/National Organic Program. On analyzing technical matters the USDA commonly consults with the affected industry, certification bodies, industry advisors, and commodity trade associations.

What is uncommon is for the USDA to allocate considerable resources for equivalence and trade promotion initiatives to a small sector such as organic, which does not fit into the conventional mold of a single commodity such as sugar or soybeans, and was not equipped with the history and relationships that normally set the wheels of the agency into motion. But the organic sector had some advantages in gaining attention. Government could see that through the OTA, the sector was well organized. It had the potential to organize one industry voice on these matters. Also, the OTA was able to provide credible technical analysis. Furthermore its representatives had expressed organic sector priorities through repeated contacts with USDA, and as a result mid-level government understood the needs of the industry. Historically, the OTA had established USDA connections through its work on the organic regulations, finalized in 2000. In the late-1990s, OTA became connected to the Foreign Agricultural Service, and applied for Market Access Program funds to begin doing market research for organic production in foreign markets. As the trade work evolved, OTA was able to use its legislative and agency connections to gain seats on several USDA technical advisory committees. This introduced OTA’s representatives to the other major trade groups, from

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<sup>26</sup> In Canada it functions through a subsidiary organization, Canada Organic Trade Association



which OTA was able to learn the approaches necessary to work inside USDA and gain access to resources and tools necessary to accomplish organic trade objectives. The support building at mid-level in USDA was complemented by less-evident top-down influence. The Deputy Secretary of Agriculture, who had a long history of championing organic agriculture in various government institutions, reinforced the organic sector's requests for trade assistance. The result of the influences from top and bottom enabled a degree of assistance to the organic sector that exceeded its relative weight in terms of economic position.

### **A strategic relationship with a shared goal**

Collaboration on trade promotion and equivalence is now institutionalized in the USDA, with OTA serving as the key partner. The shared goal is to grow the organic industry and help organic farmers. To ease organic trade restrictions, the USDA has now made equivalence arrangements on organic trade with Canada, the European Union, Japan and the Republic of Korea. With funding from USDA, the OTA prepared side-by-side analyses of technical requirements, an integral part of starting equivalence discussions with another country. This assistance was valuable to USDA particularly because the National Organic Program at USDA has a small staff, not all of them having specific technical capacity on organic standards. Through a set of organic industry task forces OTA also organized input from the sector to the USDA on reconciling gaps during the equivalence negotiations. This was important for creating credible and sustainable negotiations on the final arrangements.

To promote United States organic products, the OTA and USDA jointly implement information and promotion services. With USDA funding, OTA prepares export guides and directories and published them on its website.<sup>27</sup> USDA's Foreign Agriculture Service furnishes analysis of organic markets in specific countries through its Global Agricultural Information Network (GAIN)<sup>28</sup> and it hosts pavilions for US organic businesses at relevant trade fairs.

The established interactions between OTA and USDA on the trade initiatives have led to cross-pollination of knowledge and expertise. USDA personnel have acquired both common knowledge and shared values with the organic sector, which have increased their capacity for working on organic issues. Development of organic knowledge within USDA has also been undertaken on a formal basis with an "Organic 101" training program on offer to personnel. The organic sector has learned about the administrative and political processes within USDA and thereby gained expertise in achieving their interests.

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<sup>27</sup> [www.ota.com](http://www.ota.com)

<sup>28</sup> see <http://gain.fas.usda.gov/Pages/Default.aspx>

## Lessons

- In a government department with a large and elaborate machine such as USDA, it is crucial to have an organized organic sector speaking with one voice.
- The organic sector can learn much from other agriculture sectors and trade groups which will assist its cause. In so doing, it is important to develop collegial as opposed to combative relationships.
- Having high-level support and champions inside governments can provide needed leverage.
- Clearly articulated and shared goals and objectives are important for effective collaboration.
- Learning, and in the collaboration process, developing shared perspectives and language, is valuable to both sector and government actors to achieving common goals.

## Common Themes and Lessons

Although situations of the five countries that are the subject of case examples are diverse, there are some common themes in the lessons learned. These are:

- Common themes and goals identified and shared between the government and the private sector are important underpinnings of collaboration. (All cases)
- An organized national sector in the form of an umbrella NGO is ultimately ideal (Denmark, United States) and becomes more necessary as the sector grows. In absence of such, surrogate organizations (Pacific Islands, Moldova) can represent the sector to governments as long as the government is not faced with multiple conflicting sector voices (South Africa).
- Focused initiatives, whether originating in government or the private sector, can catalyze organization of the sector and sector-representative bodies (South Africa, Pacific Islands nations).
- Aligning organic agriculture initiatives with broad government agendas and policies for sustainable development can be effective for collaborations. (South Africa, Denmark, Pacific Islands, Moldova)
- Collaborations on sector development should consider a multiple tools and levers, taking into account both production and market development. Resist temptation to rely mainly on production subsidies. (Denmark, Moldova)
- Intra-agency governmental collaborations can bring more power to bear on supporting organic policies, strategies and programs and create synergies. (South Africa, Denmark) It is not just for the ministries/departments of Agriculture to support the sector.
- Champions and high-level support inside government can assist other actors in the private and government sectors to function effectively and achieve goals. (Moldova, United States)
- It should be a shared objective to build expertise on the organic sector within government. (Denmark, United States)

- With collaboration comes mutual learning, which builds joint capacity for moving forward. The sector should also learn how to work with their government structures (all).

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## ANNEX 1

### Recommendations on Best Practices for Organic Policy: what developing countries can do to promote the organic agriculture sector

**Prepared for CBTF, UNEP-UNCTAD Capacity Building Task Force on Trade, Environment and Development, 2008**

1. A country wanting to develop its organic sector needs to perform an in-depth integrated assessment of its general agriculture policies, programs and plans, to understand how they affect the competitiveness and the conditions of the organic sector.
2. The objectives for government involvement for the development of the organic sector need to be clarified before actions are undertaken. All stakeholders should be involved in the policy development and development of plans and programs.
3. General and organic agriculture policies should support each other to the greatest extent possible to promote effective policy coherence, especially if organic agriculture is promoted as a mainstream solution.
4. An action plan for the organic sector should be developed based on analysis of the state of the sector, participatory consultations, a needs assessment and proper sequencing of actions. The action plan should state measurable targets for the organic sector to help agencies and stakeholders focus their efforts.
5. One government ministry or agency should be assigned a leading role and organic desks should be established in other relevant ministries and agencies.
6. Governments should recognize the diverse interests represented in the organic sector and ensure that all of them are considered properly as well as direct special attention to disadvantaged groups.
7. A permanent body should be established for the consultations between the Government and the private sector.
8. Governments should actively contribute to raising awareness for organic agriculture on all levels.
9. Data about organic production and markets need to be collected over the years, analyzed and made available to the sector and policymakers.

#### Standards and regulation

10. A national or regional standard for organic production should be developed, through close cooperation between the private sector and Government. It should be well adapted to the conditions in the country and mainly focus the domestic market.
11. Governments should facilitate the access to certification services, either by stimulating foreign certification bodies to open local offices or by supporting the development of local service providers. In some countries, especially where the private sector is weak, the Government could consider establishing a governmental certification service.

12. Compulsory requirements for mandatory third-party certification should be avoided as they will not enable other alternatives to emerge. Other conformity assessment procedures, such as participatory guarantee systems, should be explored.
13. Mandatory regulations should only be considered when the need is clearly established and other simpler options have been ruled out. In the early stage of development, a mandatory organic regulation is not likely to be a priority. Regulations for domestic markets should be based on local conditions, and not mainly on the conditions in export markets.
14. The recommendations from the International Task Force on Harmonization and Equivalence in Organic Agriculture (ITF) for regulatory solutions, in particular those relating to import access should be considered.
15. Producers, especially smallholders, should be supported to comply with standards, certification procedures and regulations. Special considerations should be taken for certification of smallholders. Training programs for farmer groups to set up internal control systems should be supported.
16. Before establishing regulations, Government should clarify the objectives. Governments regulating the sector should develop the regulations in close consultation with the sector and ensure that the regulation is enabling rather than controlling in nature.

## Markets

17. Public procurement of organic products should be encouraged, including featuring organic food in important public events.
18. Consumer education and awareness should be actively promoted.
19. A common (national, regional or international) mark for organic products should be established and promoted.
20. Domestic market development strategies should include measures for both the supply and demand side, including the role of imports.
21. The organization of farmers in regards to marketing, joint distribution and storage should be supported.
22. Market information systems should be established.
23. Export promotion activities should be supported, recognizing the special nature of organic markets. Organic exporters should be encouraged to join forces to promote and market their products.
24. Organic products should be excluded from any mandatory phytosanitary treatments that are not permitted for organic products. Alternatives for fumigation should be supported.

## Production

25. Direct support measures to producers need to be adapted to small farmers as well as to commercial operations.



26. Organic extension services need to be established and the staff trained. Organic extension should be developed and implemented in a participatory manner and have the farm and the farmer as the centre of attention.
27. Traditional knowledge about pest control treatments et al. should be surveyed and brought into the extension service and disseminated in other ways.
28. Recycling of agriculture and food waste into organic farming systems should be promoted.
29. Government (or others) should establish basic controls of biological inputs such as pest control agents and organic fertilizers.
30. Seed breeding and seed testing should be oriented to organic production. Compulsory seed treatments should be waived for organic farmers and untreated seed should be made available. Alternative seed treatments should be developed and promoted.