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# Uncovering the effects of the Common Agricultural Policy (2023-2027) on women

Project Acronym

**SWIFT**

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**Supporting Women-led Innovation in Farming  
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## Supporting Women-Led Innovations in Farming Territories (SWIFT)

This report has been developed as part of the SWIFT project. SWIFT is a 4-year multi-actor, transdisciplinary and feminist EU-funded research project. The project aims to engage with, challenge and disrupt the underlying social, political, and economic structures and institutions in rural areas that generate and perpetuate gendered-forms of exclusion while demonstrating the ways in which women-led innovations can foster inclusive, transformative and sustainable agriculture and rural development. A focus on women-led innovations is key to addressing high levels of gender inequality across the European agricultural sector, as is understanding the policy landscape within which European women, in all their diversity, are engaging. It is this latter point that this report seeks to address.

More on SWIFT at: <https://swiftproject.eu/>

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## Executive Summary

Despite decades of expressed commitment to gender equality by the European Commission, European agriculture is marked by persistent gender inequality.

However, in the most recent reform of the Common Agriculture Policy (CAP) 2023-2027, for the first time, the European Commission (EC) included gender equality and increasing the participation of women in farming as part of a specific objective (European Commission, 2024b). This aligns with the EU Gender Equality Strategy 2020-2025 that presents policy objectives and actions to make significant progress by 2025 towards a gender-equal Europe.

This report presents analysis of the Common Agricultural Policy (CAP) 2023-2027 and its possible effects on women in rural territories, specifically on farms. After reviewing the EU's commitment to gender equality, the CAP is introduced, with a focus on the history of the CAP and the objectives of the CAP 2023-2027. The findings of a systematic analysis of the CAP are then presented, focusing on payments, rural development, and monitoring and data collection. The analysis applies to specific rules that mention women and gender, as well as the effects of the CAP on women. Based on the analysis, several conclusions are drawn:

- Objectives related to gender and women's participation are not adequately prioritized in the CAP. Member States are not required to take up equality as a specific objective in their National Strategic Plans. Related, the lack of specific provisions to attract and support women (especially non-young women) in farming risk widening the existing gender gap.
- While a focus on gender-disaggregated data in the CAP's indicator framework is most welcome, there is a concern that not all relevant indicators require gender-disaggregated data. The analysis also shows that the focus on gender remains on data collection and there are no clear pathways to translate the analysis of this data into concrete gender-responsive policies.
- The analysis shows that subsidy programmes do not adequately consider structural inequalities (i.e. access to land, financing or education). As such, in their current form, the subsidies continue to reinforce existing inequalities. Acknowledging and accounting for structural inequalities when designing subsidies is key to achieving a more gender-equitable CAP and, in turn, agricultural sector.

- Social conditionality is an important innovation in the CAP, but it does not yet target key sectors where migrant work is most prevalent. To ensure benefits extend to those made most vulnerable by our agricultural systems, social conditionality needs to be extended to all recipients of EU agricultural funds, including operational funds. Additional support is needed to ensure adequate monitoring and enforcement.
- There are currently no clear guidelines in the CAP to ensure gender diversity (or any other form of diversity) across recognized advisors. Enhancing diverse representation amongst advisors is needed to support translation of knowledge and expertise.
- All committees associated with the CAP should aim for gender parity. Concrete guidance for Member States to facilitate this, and to align with broader EU norms around gender equality, is lacking.

On the basis of these conclusions, we present the following recommendations.

1. In future reforms of the CAP, gender equality should be its own specific objective. To be effective, it is imperative that a specific objective on gender equality be obligatory in all CAP National Strategic Plans.
2. To continue to collect gender-disaggregated data. Recognizing data is a means and not an end, ensures that the analysis of this data is translated into future reforms to address gender inequalities at the EU and at the level of the Member States.
3. The CAP requires more indicators that capture gender differences. Wherever there is an indicator measuring number of farms/persons benefitting from any type of payment, it should be supported by gender disaggregated data and Member States should be required to monitor them as part of their National Strategic Plans.
4. The CAP needs to undergo gender mainstreaming. Towards this end, the EC and Member States need to take into account structural inequalities underlying access to subsidies. Existing interventions need to be reformed so as to create a more equitable distribution. Adopting widely recognized methods such as gender-responsive budgeting, gender audit, gender-responsive evaluation, gender impact assessment, and institutional transformation are relevant methods here.
5. An observatory should be established to monitor social conditionality to ensure that this functions to protect agricultural workers.
6. Member States need to ensure diverse representation across the approved advisors providing advisory services.
7. Hard quotas are required to ensure that all committees related to CAP processes reach gender parity.

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## Glossary

**CAP (Common Agriculture Policy):** The EU's Common Agricultural Policy (CAP) is a partnership between agriculture and society, and between Europe and its farmers (European Commission, 2023e). The CAP is a set of laws adopted by the EU to provide a unified policy on agriculture in EU countries with the aim of providing affordable, safe and quality food, ensure a fair living standard for farmers and preserve the environment (European Council, 2023c). Created in 1962 by the six founding countries of the then European Communities, it is the oldest EU policy still in operation (European Council, 2023c).

**Dual approach:** Since 1996, the European Commission (EC) has committed to a 'dual approach' towards realizing gender equality. This approach involves mainstreaming a gender perspective in all policies, while also implementing specific measures to eliminate, prevent or remedy gender inequalities. Both approaches go hand in hand, and one cannot replace the other (European Institute for Gender Equality, n.d.b).

**Gender:** Gender refers to the socially constructed roles, behaviours, expressions and identities of girls, women, boys, men, and gender diverse people. It influences how people perceive themselves and each other, how they act and interact, and the distribution of power and resources in society. Gender identity is not confined to a binary (girl/woman, boy/man) nor is it static; it exists along a continuum and can change over time. There is considerable diversity in how individuals and groups understand, experience and express gender through the roles they take on, the expectations placed on them, relations with others and the complex ways that gender is institutionalized in society (Canadian Institutes of Health Research, 2023).

**Gender transformative:** A gender transformative approach seeks to actively examine, challenge and transform the underlying causes of gender inequality rooted in inequitable social structures and institutions (UNESCO, 2017, p. 7). As such the gender transformative approach aims at addressing imbalanced power dynamics and relations, rigid gender norms and roles, harmful practices, unequal formal and informal rules as well as gender-blind or discriminatory legislative and policy frameworks that create and perpetuate gender inequality. Such an approach seeks to eradicate the systemic forms of gender-based discrimination by creating or strengthening equitable gender norms, dynamics and systems that support gender equality (FAO, n.d.).

**Intersectional:** Intersectionality, a concept first coined in the frame of critical race theory, is a framework that identifies how interlocking systems of power affect those who are most marginalized by society. Discrimination can affect all aspects of social and political identities (gender, race, class, sexuality, disability, age, etc.) and these aspects overlap (or 'intersect'). Applying an intersectional approach means assessing how multiple forms of oppression come together (Duncan & Claeys, 2020).

**Non-binary:** Non-binary refers to gender identities that cannot be defined within the margins of the gender binary. Non-binary recognizes gender in a way that goes beyond simply identifying as either a man or woman (LGBT Foundation, n.d.).

**Sex:** Sex refers to a set of biological attributes in humans and animals. It is primarily associated with physical and physiological features including chromosomes, gene expression, hormone levels and function, and reproductive/sexual anatomy. While there is variation in the biological attributes that comprise sex and how those attributes are expressed, sex is usually categorized as female or male (Canadian Institutes of Health Research, 2023).

## Definitions of key concepts in the CAP

The CAP provides definitions for key concepts. We summarize these here, while also noting that Article 4(1) states that:

- (1) Member States shall provide in their CAP Strategic Plans the definitions of ‘agricultural activity’, ‘agricultural area’, ‘eligible hectare’, ‘active farmer’, ‘young farmer’ and ‘new farmer’, as well as the relevant conditions in accordance with this Article.

**Active farmer:** ‘Active farmer’ shall be determined in such a way as to ensure that support is granted only to natural or legal persons, or to groups of natural or legal persons, engaged in at least a minimum level of agricultural activity, while not necessarily precluding the granting of support to pluri-active or part-time farmers. When determining who is an ‘active farmer’ Member States shall apply criteria, such as income tests, labour inputs on the farm, company object and inclusion of their agricultural activities in national or regional registers.

**Young farmer:** ‘Young farmer’ shall be determined in such a way as to include: (a) an upper age limit set between 35 years and 40 years; (b) the conditions for being ‘head of the holding’; (c) the appropriate training or skills required, as determined by Member States.

**Agricultural activity:** ‘Agricultural activity’ shall be determined in such a way that it allows to contribute to the provision of private and public goods through one or both of the following: (a) the production of agricultural products; (b) the maintenance of the agricultural area in a state which makes it suitable for grazing or cultivation.

**Agricultural area:** ‘Agricultural area’ shall be determined in such a way as to comprise arable land, permanent crops and permanent grassland, including when they form agroforestry systems on that area. The terms ‘arable land’, ‘permanent crops’ and ‘permanent grassland’ shall be further specified by Member States.



## 1. Introduction

“Do people nowadays still visualise a man when they hear the words ‘farmer’?”

This question was put forward by the former chair of a women’s farming organisation in the Netherlands (Koning-Hoeve, 2021). And the question remains an important one. The European agricultural sector is marked by high levels of inequality. Despite women playing an integral role in agriculture, research shows that it is often men who claim the identity of ‘farmer’ (Shortall, 2014). Farming, as an occupation, is strongly tied to expressions of rural masculinity (Farnworth & Hutchings, 2009). The perception that agriculture is a ‘male’ industry has proven difficult to break down (Bock & Shortall, 2017). It has also led to the creation and reinforcement of strongly male-dominated spaces, e.g. farm fairs, to which women farmers and farmers with diverse gender identities may have less access or feel less welcome (Farnworth & Hutchings, 2009). Such perceptions often translate, directly and indirectly, to agricultural policy.

Research shows that including women in agricultural policy is often an afterthought (Arora-Jonsson & Leder, 2020) and women’s farming organizations are not always consulted for policy matters (Shortall & Marangudakis, 2022). Reflecting back on the opening question – do people still visualize a man when they think about a farmer? – the answer is most probably yes.

The European Commission has been committed to the realization of gender equality. In the most recent reform of the Common Agricultural Policy (CAP) 2023-2027, for the first time, the European Commission included a specific focus on gender equality and increasing the participation of women in farming (European Commission, 2024b).

This report presents an analysis of the Common Agricultural Policy (CAP) 2023 - 2027 and its possible effects on women in rural territories. Given that the CAP is interpreted at the national level through National Strategic Plans, we have sought, where relevant, to illustrate this translation using the case of the Netherlands.

This report focuses on the CAP, but we recognize that the CAP alone cannot address gender inequality in agriculture. As the European Commission notes: “the CAP cannot provide the sole support for accomplishing these aims; therefore, enhanced awareness and integration of all available and relevant EU and national funding tools and policies is needed.” (European CAP Network, 2022). Given this, it is also relevant to note that much of the EU’s focus on gender equality in relation to rural areas, not in agriculture, comes not through the CAP but through the EU Rural Action Plan and targets the uptake of female entrepreneurship, women’s participation in decision-making and the provision of adequate services in rural areas. Analysis of these documents falls outside the scope of this research. Also, we recognise a feminist analysis of CAP goes beyond gender to question the industrial model of farming, the conflicts, justice dimensions and human rights associated to it. This is part of the objectives of the SWIFT project and will be address in other tasks.

The report is structured as follows. The EU's commitment to gender equality is presented. This is followed by an introduction on the history of the CAP, the objectives of the CAP 2023 - 2027 and the funding of the CAP. The methodology for the report is then presented, outlining the areas of analytic focus of this report. Here, the analytic framework, based on feminist institutionalism, is explained. The results of the analysis are presented in section 4. Following our analytic approach, we first present an analysis of the rules of the CAP that specifically mention gender or women. We then elaborate on rules with possible effects on women and provide an informed analysis of the effects of the selected articles of the CAP. We have structured these according to Pillar 1 (direct payments) and Pillar 2 (rural development interventions) of the CAP. We then present an analysis of the gendered effects of the monitoring and data collection interventions of the CAP. The report concludes with a synthesis of the analysis and advances concrete proposals for aligning the CAP with the EC's commitment to gender equality.

## 2. Overview of Europe's commitment to gender equality

Gender equality is enshrined in primary law as a key value and norm of the Union. The principle of equality is a right captured in Article 23 of the Charter of Fundamental Rights. The principle declares that equality between women and men must be ensured in all areas, including employment, work and pay. Yet, looking back, it is clear that efforts to achieve gender equality across the EU have been mixed.

In 1996, the European Commission (EC) committed to a 'dual approach' towards the realization of gender equality: combining gender mainstreaming with targeted actions. By the 2000s, EU gender equality policy included five pillars: anti-discrimination laws; positive action; gender mainstreaming; funding and action programmes (Jacquot, 2015; Elomäki & Kantola, 2020). Research shows that when the economic crisis of 2008 hit Europe, EU's gender equality policies were dismantled (Jacquot, 2017) with negative implications in gender equality programmes and gender action programmes. Further, no new gender directives passed the legislative process (Jacquot, 2017). EU's austerity politics undermined commitments to mainstreaming gender, as economic goals and policies took precedence over goals of gender equality (Elomäki & Kantola, 2020). However, by 2015, the EC started to explicitly focus on the social dimension of the EU, opting to focus on the European Pillar of Social Rights (EPSR). Through the EPSR, gender equality moved back onto the EC's agenda. More recently, the EU Gender Equality Strategy 2020-2025 reaffirmed the EU's commitment to the dual approach, with intersectionality included as a horizontal principle for implementation.

Through the Gender Equality Strategy, the EC has affirmed its commitment to combat policy failures regarding gender inequality through 'gender mainstreaming' policy (Mergaert & Lombardo, 2014). When it comes to agriculture, gender mainstreaming aims to "bring women into the mainstream forefront of agriculture, rather than further marginalising them with small, isolated projects" (Karl, 2009). Gender mainstreaming has not been normalised in policy making (Minto & Mergaert, 2018). It lacks a clear methodology and sometimes goals remain poorly defined (Oedl-Wieser, 2015). As Shortall (2015) notes, "to be effective, and truly transformative, [gender mainstreaming] requires robust baseline information, careful monitoring, and evaluation against clear goals of change" (p. 718). Thus far, gender mainstreaming seems to have neither. Instead, gender mainstreaming efforts have been criticized for producing underwhelming outcomes, especially when weighed against their hefty promises of transformation (De

Rosa et al., 2020; Shortall, 2015). The concept has been criticized for its ‘add women and stir’ approach, for its subsequent failure to sufficiently address structural factors shaping gender relations, and for its lack of specific goals (Shortall, 2002).

A recent report by the European Institute for Gender Equality (2023, p. 8) notes that “[t]oo often, the government’s vision for gender equality is not translated into a concrete, well-costed and fully transparent action plan with clear and quantifiable targets for change.” The lack of concrete guidance and action around gender mainstreaming has led to the critique that gender mainstreaming bureaucratises gender; providing ways for organisations to avoid implementing substantive changes to gender inequality, with the result that women are reduced to a tick mark on a required form (Arora-Jonsson & Leder, 2020). As a result, “women and gender remain at the margins of agricultural policy” (C. Sachs & Alston, 2010).

### 3. Overview of the Common Agricultural Policy

The Common Agriculture Policy (CAP) of the European Union implements a system of agricultural subsidies and other programmes that target food supply, safeguards farmers' income, protects the environment and support rural areas. It was introduced in 1962 and has undergone several changes. While funding for the CAP has decreased over the years, it still makes up roughly a fourth of the entirety of the EU’s budget and remains the oldest and most financially resourced EU policy (European Council, 2023a). The latest version came into effect January 1, 2023.

The CAP was set up in **1962**, as a way to provide a rapidly growing European population with affordable food, and to maintain fair living standards for farmers. It sought to remedy the low productivity of agriculture at the time (largely a consequence of the Second World War) and to harmonise the different farming policies that led to difference in competition conditions (Delayen, 2007). Originally, the CAP provided farmers with a guaranteed price for their products, introduced tariffs on external products and introduced state intervention in case market prices fell (European Council, 2023a). In short, farmers received support on the basis of their total levels of production. The result was that in 1970-1980, because of food surpluses that resulted, food was either dumped or sold on the world market at much lower prices (European Council, 2023a). To prevent excessive drops in farmers' income, in **1984** the EU introduced a quota system for products such as milk so as to bring production closer to demand (European Council, 2023a). Each producer would receive a quota representing the amount of food they could produce, and be fined if they exceeded that.

A further reform in **1992** (MacSharry reform) signified the move away from unlimited guaranteed prices and the transition from market support to direct income support for farmers based on the area of the land cultivated or the number of livestock maintained (Delayen, 2007). In addition to this, new (voluntary) incentives for farmers to protect the environment and improve food quality were added (Delayen, 2007).

Soon after, the Agenda **2000**, introduced the second pillar of the CAP: ‘rural development’ (the first being direct support & market measures) (European Council, 2023a). The rural development pillar highlighted the goals of improving the competitiveness of agriculture, encouraging sustainable management of natural resources and climate action, achieving a balanced territorial development of rural economies and communities (European Parliament, 2022). A further boost in spending on rural development projects

came about with the reform of 2013 – which was also the first reform of the CAP under the ordinary legislative procedure (whereby the EP co-legislates with the EC on equal footing) established with the Treaty of Lisbon (European Council, 2019). This reform had the goals of strengthening competitiveness of sector, promoting sustainable farming and innovation, greening of payments, more equal distribution of support, limiting the budget for big farms, providing additional support for smaller farms through better targeting of income support, and creating incentives for young people to embark on a career in farming (European Council, 2019).

Finally, in **2021**, there was an agreement that further reform was needed, and a transition regulation was put in place until 2023, when the current CAP entered into force (European Council, 2023a). The CAP 2023-2027 contains a number of reforms aimed at supporting sustainability of the agriculture and forestry sectors in the EU. This report focuses specifically on this latest iteration.

The CAP 2023-2027 aims to address environmental and climate ambitions and has shifted from a focus on compliance with EU rules to greater emphasis on results achieved at national and regional level against the CAP’s objectives (European Council, 2023b). To facilitate this, Member States are required to design Pillar 1 and 2 interventions in an overarching plan based on a common needs assessment and intervention strategy making use of a common performance, monitoring and evaluation framework (PMEF).

This new ‘delivery model’, should facilitate the achievement of nine specific objectives (Article 6) organized around three general objectives (Article 5) pertaining to the economic, environmental and social aspects of the policy and a cross-cutting objective related to modernization, knowledge transfer and innovation (which is an addition from the previous CAP) (see *Table 1*).

*Table 1: CAP objectives from Article 5 and Article 6 of Regulation (EU) 2021/2115.*

| <b>CAP 2023-2027 Objectives</b>               |                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                       |                                                                                                                          |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
|                                               | <b>Economic</b>                                                                                                                                                                                                                                                           | <b>Environmental and Climate</b>                                                                                                                                                                                                                      | <b>Social</b>                                                                                                            |
| <b>General objectives (Article 5)</b>         | (a) to foster a smart, competitive, resilient and diversified agricultural sector ensuring long-term food security;                                                                                                                                                       | (b) to support and strengthen environmental protection, including biodiversity, and climate action and to contribute to achieving the environmental and climate-related objectives of the Union, including its commitments under the Paris Agreement; | (c) to strengthen the socio-economic fabric of rural areas.                                                              |
| <b>Cross-cutting objectives (Article 6.2)</b> | modernising agriculture and rural areas by fostering and sharing of knowledge, innovation and digitalisation in agriculture and rural areas and by encouraging their uptake by farmers, through improved access to research, innovation, knowledge exchange and training. |                                                                                                                                                                                                                                                       |                                                                                                                          |
| <b>Specific objectives (Article 6.1)</b>      | (a), to support viable farm income and resilience of the agricultural sector across the Union in order to enhance long-term food security and agricultural diversity as well as to ensure the economic sustainability of agricultural production in the Union;            | (d) to contribute to climate change mitigation and adaptation, including by reducing greenhouse gas emissions and enhancing carbon sequestration, as well as to promote sustainable energy;                                                           | (g) to attract and sustain young farmers and new farmers and facilitate sustainable business development in rural areas; |



|  |                                                                                                                                                                           |                                                                                                                                                             |                                                                                                                                                                                                                                                                            |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | (b), to enhance market orientation and increase farm competitiveness both in the short and long term, including greater focus on research, technology and digitalisation; | (e) to foster sustainable development and efficient management of natural resources such as water, soil and air, including by reducing chemical dependency; | (h), to promote employment, growth, gender equality, including the participation of women in farming, social inclusion and local development in rural areas, including the circular bio-economy and sustainable forestry;                                                  |
|  | (c), to improve the farmers' position in the value chain;                                                                                                                 | (f), to contribute to halting and reversing biodiversity loss, enhance ecosystem services and preserve habitats and landscapes;                             | (i) to improve the response of Union agriculture to societal demands on food and health, including high-quality, safe and nutritious food produced in a sustainable way, to reduce food waste, as well as to improve animal welfare and to combat antimicrobial resistance |

### 3.1 Funding the CAP

The CAP draws from two EU funds:

1. **The European Agricultural Guarantee Fund (EAGF):** The EAGF amounts to €291.1 billion and is associated with the first pillar (European Commission, n.d.b). Up to €270 billion will be provided for income support schemes, with the remainder dedicated to supporting agricultural markets (European Commission, n.d.a).
2. **The European Agricultural Fund for Rural Development (EAFRD):** The EAFRD accounts for €95.5 billion (European Commission, n.d.a). The objectives of the EAFRD are realised through national and regional rural development programmes (RDs), which are co-financed by the EAFRD and the national budgets of EU countries.

**National Strategic Plans (NSP):** Each EU country designs a National CAP Strategic Plan (NSP, also called CSP), combining funding for income support, rural development, and market measures. When designing their Strategic Plans, EU countries contributed to the nine specific objectives through a toolbox of broad policy measures provided by the Commission, which could be shaped around national needs and capabilities.

When it comes to **supporting young farmers, the new legislation calls on Member States** to distribute at least 3% of their direct payments budget towards young farmers, in the form of income or investment support, or start-up aid.

One important change to the legislation has been the inclusion of **social conditionality**, which links CAP payments to certain EU labour standards, incentivizing beneficiaries improve working conditions on farm.

With respect to the environment, in their NSPs EU Member States are obliged to display a higher ambition on environment and climate action compared to the previous programming period and at least 25% of the budget for direct payments is allocated to eco-schemes. At least 35% of funds are allocated to measures to support climate, biodiversity, environment and animal welfare.

**When it comes to the fairness of payments, under the new CAP**, EU member states need to dedicate at least 10% of direct payments to the redistributive income support tool with the aim of better addressing the income needs of smaller and medium-sized farms. As noted above in the introduction, the definition of **active farmers** includes a mandatory but flexible definition that takes part-time farmers more easily into account, also recognizing that only active farmers may receive certain EU support. In practice, this translated to a distribution of funding represented in *Table 2*.

Table 2: Distribution of the total public planned expenditure for direct payments underpinning the implementation of all 28 CAP strategic plans (2023-2027) (European Parliament, 2023).

| Type of intervention                                                      | EU contribution (EUR billion) | % as a share of total direct payments |
|---------------------------------------------------------------------------|-------------------------------|---------------------------------------|
| BISS – Basic Income Support for Sustainability                            | 96.69                         | 51.12%                                |
| CIS – ru Income Support                                                   | 23.03                         | 12.18%                                |
| CIS-YF – Complementary Income Support for Young Farmers                   | 3.40                          | 1.80%                                 |
| CRISS – Complementary Income Support for Sustainability                   | 20.09                         | 10.62%                                |
| Eco-scheme – Schemes for the climate, the environment, and animal welfare | 44.71                         | 23.64%                                |
| Cotton – Crop specific payment for cotton                                 | 1.23                          | 0.65%                                 |
| Total direct payments                                                     | 189.15                        | 100%                                  |

## 4. Methodology

### 4.1 Data selection and analysis

The focus of the analysis has been established on the basis of a systematic literature review of academic publications concerning EU agricultural policy and gender (Diamanti & Duncan, 2023), a participatory needs assessment of stakeholders from three EU member states (Austria, Poland and Spain), as well as an analysis and needs assessment of the women’s articulation of the European Coordination of La via Campesina. Comparing and synthesizing the above, led us to the selection of certain sections of the CAP (see Table 3). The three areas of analytic focus are:

1. Payments
2. Rural development
3. Monitoring and data collection

With regards to the data, the primary documents analysed are two of the regulations comprising the legal basis of the CAP 2023 reform. These are Regulation (EU) 2021/2115 and Regulation (EU) 2021/2116, which are concerned with the regulation of the strategic plans, and the financing, management and monitoring of the common agricultural policy respectively (European Commission, 2023e). The third Regulation that comprises the reform, Regulation (EU) 2021/2017 ‘on establishing a common organisation of the agricultural markets’ was omitted due to its scope being too narrow and a large part of it having to do with rules governing the relations between the EU and the Member States and being overall a very procedural regulation. Following the theoretical framework (described below), the selected thematic sections of the CAP were coded using Atlas.ti by two researchers to ensure reliability and to validate the coded data. For more details on the methods, see Appendix 1.

3



Table 3: Summary of sections of the CAP included in analysis.

| Category of analytic focus                            | Subsections selected for analysis                                       |                                                                                                                                                                                     |                                                                                      |                                                         |                                                                                              |
|-------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Pillar 1: Payments (Decoupled Direct Payments)</b> | Basic Income Support for Sustainability (BISS)                          | Complementary Redistributive Income Support for Sustainability (CRISS)<br><br>Minimum financial allocations for the redistributive income support<br><br>Payments for small farmers | Complementary Income Support for young Farmers (CIS-YF)                              | Schemes for the climate, environment and animal welfare |                                                                                              |
|                                                       | Article 20 + 21, Regulation (EU) 2021/2115                              | Article 29, Regulation (EU) 2021/2115<br><br>Article 98, Regulation (EU) 2021/2115<br><br>Article 28, Regulation (EU) 2021/2115                                                     | Article 30, Regulation (EU) 2021/2115                                                | Article 31, Regulation (EU) 2021/2115                   |                                                                                              |
| <b>Pillar 2: Rural Development</b>                    | Setting up of young farmers and new farmers and rural business start-up | Cooperation                                                                                                                                                                         | Investments                                                                          | Knowledge exchange and dissemination of information     | Farm advisory services                                                                       |
|                                                       | Article 75, Regulation (EU) 2021/2115                                   | Article 77, Regulation (EU) 2021/2115                                                                                                                                               | Article 73, Regulation (EU) 2021/2115                                                | Article 78, Regulation (EU) 2021/2115                   | Article 15, Regulation (EU) 2021/2115                                                        |
| <b>Monitoring and Data Collection</b>                 | Information Measures                                                    | System for Identification of beneficiaries<br><br>Publication of Information relating to beneficiaries                                                                              | Monitoring Committee<br><br>Annual performance reports                               | Elements of Integrated Systems                          | Social Conditionality<br><br>Control System for social conditionality                        |
|                                                       | Article 46, Regulation (EU) 2021/2116                                   | Article 71 + 74, Regulation (EU) 2021/2116<br><br>Article 98, Regulation (EU) 2021/2116                                                                                             | Article 124, Regulation (EU) 2021/2115<br><br>Article 134, Regulation (EU) 2021/2115 | Article 65 + 66 + 67, Regulation (EU) 2021/2116         | Article 14, Regulation (EU) 2021/2115<br><br>Article 87 + 88 + 89, Regulation (EU) 2021/2116 |

#### 4.2 Analytic framework: feminist institutionalism

Our analytic starting point is that institutions are gendered and that their gendered nature matters (MacRae & Weiner, 2021). Institution here refers to a rule, norm, or strategy that plays a coordinating function and creates incentives and behaviour in repetitive ways. As such, institutions shape political behaviour and outcomes (Gains & Lowndes, 2014). However, researching the gendered nature of institutions can be challenging, as gender is not always easily visible (Kenny, 2014, p. 679). To analyse these documents, we make use of feminist institutionalism. Here we offer synthesis to clarify our approach.

Feminist institutionalism helps move beyond description towards the systematic identification of particularly gendered institutional processes and mechanisms, and their gendered effects (Mackay et al., 2010). The approach outlines a methodology for studying the way gender plays out within institutions (i.e. gender as institutional), as well as how it is incorporated into institutions (i.e. the way it is institutionalized) (Weiner & MacRae, 2014; MacRae & Weiner, 2021). A key focus is thus to understand the interplay between institutions, actors and rules (formal and informal) (MacRae & Weiner, 2021).



Scholars have put forward a conceptual framework to analyse the gendered nature and effects of institutional formation (Gains & Lowndes, 2014, p. 524). For the purposes of this report, we recognize that gender is a relational concept and taking a gendered approach should expand beyond consideration of the effects of a policy on women. With that said, the barriers and challenges faced by women farmers are a specific focus of the SWIFT project and a particular focus on the effects of the EU's agricultural policy on women is warranted. Rather than reduce gender to a focus on women, thereby reducing the political potential of the concept, we here focus explicitly on the rules, effects and outcomes of the CAP for women. We do this cautiously, also because, as our analysis shows, the limited attention paid to sex and gender in the CAP reduces gender to the male/female binary. Though it is noteworthy that, in output indicator O.3 regarding beneficiaries, there is a provision for the data to be broken down by gender, with options included for “other” and “prefer not to say” - though these options are provided only for MSs which already have legal provisions or practices recognizing that individuals may not fall into man and woman categories (European Commission, 2024d). At the time of writing of this report, such states amount to only 6 (ILGA-Europe, 2022), and so the use of such categories is assumed to be limited across the EU. Furthermore, it is stated that the document is not legally binding, and so the extent to which these categories are implemented in the collection of data is unclear. Given this, we have adapted the feminist institutionalist framework to focus on the specific rules about women and rules that have effects on women.<sup>1</sup>

### **1) Rules about women**

These are the specific rules targeting gender, and in this case, specifically targeting women to better understand how institutions shape gendered behaviour and outcomes (Gains & Lowndes, 2014, p. 528). An example of such a rule is quotas for women's participation. In terms of application, this category is the most straightforward one and includes all mention of women and gender in the CAP.

### **2) Rules that have effects on women (but are not specifically about women or gender)**

These rules can include embedded assumptions about how women or men should behave, or may define roles and responsibilities in ways that appear neutral but that lead to gendered impacts. An example can be rules that define the farm-size required to receive subsidies. Such rules can disadvantage women who tend to farm smaller pieces of land. Consider that the average farm size for farms managed by women is 6.4 hectares, less than half the 14.4 ha for farms managed by men (Franić & Kovačiček, 2019, p. 36-37). Analysing rules that affect women is more challenging as it pertains to the ‘invisibility of gender’. In coding the policy for these rules, we analysed the selected sections of the policy (see *Table 3*) in relation to the literature on the women and farming in Europe to uncover (potential) gendered impacts of the new CAP reform (for an overview, see Diamanti and Duncan 2023).

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<sup>1</sup> The framework for feminist institutionalism that we draw from sets out a typology based on four orders of rules: rules about gender; rules that have gendered effects; gendered actors who work with rules; and gendered policy outcomes. Given the focus of this report, and time and space, we have opted to focus on the first two.

### 4.3 Limitations

All research has limitations. This report is limited in a number of ways. First, we do not expand our analysis to the gendered actors who work with rules or to the gendered policy outcomes of the CAP. Expanding the analysis in this way would provide a richer understanding of the gendered effects of the CAP. Further, the CAP 2023-2027 is relatively new and we can therefore not validate our analysis empirically. As such, our analysis remains interpretive, though it is based on a systematic and informed process.

Our report adopts a feminist approach but fails to address gender or intersectionality. There are at least two reasons for this. First, the CAP remains gender-blind and race-blind and it is already very challenging to analyse the possible effects of omission. This is a tension in this report. For example, though we wish our analysis to be inclusive of all women, we often find ourselves having to work with data that has only considered women farm managers. Second, while we do aim to adopt an intersectional approach in our work, the SWIFT project is particularly focused on the impact of agricultural policies on women farmers and it was deemed important for the Women-Led Initiatives that we work with to understand the specific constraints they can face. It was also important because the results of this report are linked to other project deliverables, including decision-support tools, gender-responsive budgeting and feminist agroecological indicators.

In our analysis we do not focus on operational programmes. These sectors are relevant for understanding gendered impacts, particularly of migrant workers.

## 5. Women and the CAP: results from a feminist institutionalist analysis

### 5.1 Rules about women

In this section, we present an analysis of the explicit mentions of women and gender within the analyzed regulations (nine in total). It is important to highlight that gender is mentioned only within Regulation (EU) 2021/2115 and there is no other mention of gender in Regulation (EU) 2021/2116. As shown in *Table 1*, gender is included under Article 6, which is the article where the specific objectives of the CAP are outlined. Specifically related to gender, Article 6(h) states that to achieve the general objectives of the CAP, specific objectives will be pursued, including:

(h) to promote employment, growth, gender equality, including the participation of women in farming, social inclusion and local development in rural areas, including the circular bio-economy and sustainable forestry

It is of note that gender equality and the participation of women is placed after promotion of employment and growth. Research has shown that gender goals tend to take a back seat to goals of economic growth (Diamanti & Duncan, 2023). Further, whether goals of gender equality can be simultaneously realized alongside goals of growth have been questioned, particularly given the high dependence on the exploitation of family labour and particularly that of women (Diamanti & Duncan, 2023).

Another mention of gender is made under Recital 33 of Regulation (EU) 2021/2115. Recital 33 states that:

(33) Equality between women and men is a core principle of the Union and gender mainstreaming is an important tool in the integration of that principle into to the CAP. There should therefore be a particular focus on promoting the participation of women in the socio-economic development of rural areas, with special attention to farming, supporting women’s key role. Member States should be required to assess the situation of women in farming and address challenges in their CAP Strategic Plans. Gender equality should be an integral part of the preparation, implementation and evaluation of CAP interventions. Member States should also strengthen their capacity in gender mainstreaming and in the collection of data disaggregated by gender.

It is of note that recitals are not themselves legally binding, but reflect expressions of the intentions motivating the particular law and set out the reasons for the contents of the following articles. As such, under Recital 33, Member States are not required, but encouraged, to assess the situation of women in farming and address challenges in their CAP Strategic Plans. Recital 33 states that gender equality *should* be an integral part of the preparation, implementation and evaluation of CAP interventions. Member States *should* also strengthen their capacity in gender mainstreaming and in the collection of data disaggregated by gender. Article 108, on the assessment of needs to be included in National CAP Strategic Plans, makes specific mention of gender-disaggregated data in where each Member State is obligated to include:

Member States shall use for their assessment of needs data which are recent and reliable and, where available, disaggregated by gender.

Related to this, there are two impact indicators and a results indicator that specifically mention gender (found in Annex I, Regulation (EU) 2021/2115). Result indicators assess the net effect of a CAP intervention, whereas impact indicators measure the impact of a CAP intervention in the long term (European Commission, 2024c). These indicators are as follows:

- I.23 Attracting young farmers: Evolution of the number of new farm managers and the number of new young farm managers, including a gender breakdown
- I.24 Contributing to jobs in rural areas: Evolution of the employment rate in rural areas, including a gender breakdown
- R.36PR Generational renewal: Number of young farmers benefitting from setting up with support from the CAP, including a gender breakdown

It is interesting to note that within the same Regulation, there is also Annex XIV which contains the ‘core indicators’ on the basis of which the European Commission reports to the European Parliament and the European Council. While both frameworks (Annex I and Annex XIV) address the CAP’s specific objectives, Annex XIV only contains the indicator on generation renewal, and not the other two impact indicators that include a gender breakdown (I.23 and I.24).

A focus on gender-disaggregated data is welcome. Sex-disaggregated data are typically collected and analyzed in two biological categories: males and females. However, biological sex is not a proxy for gender as it disregards power relations and gender norms that exist between and among males, females, and people with other gender identities, ignoring inequalities that exist. Gender-disaggregated data distinguishes between genders, which allows you to see and quantify the different experiences between genders. Importantly, gendered data asks “who” questions: who does specific work, who has higher prevalence of decision making, and who is accessing subsidies (Data for Health, n.d.).

We do question whether Member States are collecting sex or gender-disaggregated data. A review of the Gender Statistics Database of the European Institute for Gender Equality (n.d.a) currently lists nine indicators for agriculture, fisheries and forests all disaggregated by sex and not gender. Further, while collecting sex and gender-disaggregated data is fundamental to making visible gendered inequalities, such efforts do not directly translate to policy and practice that advance gender equality. We note a concerning lack of such policies in the CAP.

Within the CAP, there are two rules regarding the involvement of bodies that promote gender equality. Article 106 describes procedural requirements for the CAP Strategic Plans and Article 106(c) states:

(c) relevant bodies representing civil society and where relevant bodies responsible for promoting social inclusion, fundamental rights, gender equality and non-discrimination.

Specifically, the CAP National Strategic Plans should be drawn up on the basis of transparent procedures, and where applicable in collaboration with their regional and local authorities. The body of the Member State that is responsible for drawing up the CAP Nation Strategic Plan, will also ensure partnerships with competent authorities; among others, bodies promoting gender equality.

However, we note that it is also written that such bodies should be included where relevant. It can therefore be concluded that, depending on the Member States’ considerations, these bodies may or may not be included.

The second article addressing the involvement of bodies that promote gender equality is Article 123. This Article mentions that bodies involved in promoting gender equality shall be informed of the possibilities offered by the CAP Strategic Plan and the rules for gaining access to funding. Specifically, Article 123(2) (k)(i) states:

(k) publicity is made for the CAP Strategic Plan, including through the national CAP network, by informing:

(i) potential beneficiaries, professional organisations, the economic and social partners, bodies involved in promoting equality between men and women, and the non-governmental organisations concerned, including environmental organisations, of the

possibilities offered by the CAP Strategic Plan and the rules for gaining access to the CAP Strategic Plan funding;

Another mention of gender is within Article 99, where there is a possibility for Member States to allocate funding through the EAFRD for young farmers and women in rural areas to participate in transnational learning mobility in the field of agriculture.

We welcome the focus on young farmers and women but caution that of the limited inclusions of women and gender in the CAP, much focuses on young farmers and women. The grouping of women with young farmers can be problematic in so far as the needs of non-young women become overlooked. Note that only 4.2% of women farmers are below the age of 35 and 42% of women farmers are above the age of 65 (compared to 29% of men that are above the age of 65) (European Commission, 2021b). Further, there are questions to be raised about the assumptions that go into aligning women with youth, risking a paternalistic approach to gender equality. This concern is reinforced by the impact and results indicators described above: two out of three indicators calling for a gender breakdown focus specifically on young farmers (1.23 and R36PR).

## 5.2 Rules that have effects on women

This section of the analysis is divided according to the first and second pillar of the CAP: direct payments (BISS, CRISS, CIS-YF and eco-schemes) and rural development interventions (setting-up young farmers, cooperation, investments). Within the section on direct payments, articles on social conditionality are included because by 2025 farmers receiving area-based funding who do not adhere to basic labour standards can face a reduction in their CAP subsidies. The analysis below pertains to one or more (related) articles from Regulation (EU) 2021/2115 and Regulation (EU) 2021/2116.

### 5.2.1 Direct payments (Pillar 1)

This subsection analyzes direct payments, which are financed by the European Agricultural Guarantee Fund, and primarily consist of income support schemes. Consider that Commission data suggests that men receive around 60% of income support subsidies, women around 12.5% and companies the remaining 27.5% (European Court of Auditors, 2019, paragraph 30), whereas across the EU, on average 29% of farms are managed by women. These figures must be interpreted carefully given that they mask important differences between countries. We elaborate and provide examples of this below. Yet, even being cautious, the figures do provide an indication of the vast differences in the distribution of funds and point to disproportionately negative effect for women. Some of the reasons for this are expanded upon in the rest of the analysis.

#### *The minimum threshold: not all farmers are eligible for direct payments*

It is also important to clarify one point that is true for all direct payments: all Member States are obligated to set a minimum amount of subsidies a farmer needs to qualify for in order to actually receive any direct payment. The justification for setting a minimum threshold can be found in the recitals of Regulation (EU) 2021/2115 where it is explained that this is done in order to: avoid excessive administrative burden caused by managing numerous payments of small amounts, and; to ensure an effective contribution of the

support to achieving the objectives of the CAP. Across Member States, the minimum threshold ranges between 100 and 500 euros (European Parliament, 2023). In the Netherlands, for example, the minimum threshold in the National Strategic Plan for 2023 – 2027 is set to 500 euros in direct payments (Ministerie van LNV, 2022).

To give a simplified example, in 2023, a farmer in the Netherlands (one who does not fit the category of ‘young farmer’ and who does not participate in any eco-schemes) would need to have at least 1.82 hectares in order to be eligible for receiving CAP direct payments (not applicable to rural development funds) (see *Table 2*). The reason why we exclude farmers that qualify as ‘young farmers’ alongside eco-schemes is because ‘young farmers’ in the Netherlands receive an annual lump sum of 2800 euros, and therefore automatically reach this minimum threshold. Furthermore, any potential direct payments received through eco-schemes are also not taken into consideration in this example because the calculation of eco-schemes is more complex. The reasons behind this are made clearer in the section below on eco-schemes.

#### *Basic Income Support for Sustainability (BISS)*

Regarding direct payments, the Basic Income Support for Sustainability (BISS) (Article 20 and 21 of Regulation (EU) 2021/2115) is arguably the most important CAP tool to support farmer’s incomes, and accounts for 51% of the total EAGF budget or 31% of the total CAP public expenditure (European Commission, 2023a). It has the largest allocated share of the direct payments (see *Table 2*) and is paid in the form of an annual decoupled payment per eligible hectare (unless Member States decide to grant the BISS on the basis of payment entitlements).<sup>2</sup> It is this attachment of the BISS and the majority of CAP payments to cultivated hectares that has been criticized for producing gendered effects. As the BISS is paid on the basis of hectares farmed, there is little attention given to who is doing the work, or to differences between people receiving direct payments (Shortall & Marangudakis, 2022). Direct payments in general have indeed been characterised for being gender-blind, and DG-AGRI is seen to “view the support as going to farmers without considering the gender composition of the workforce” (Shortall & Marangudakis, 2022, p. 754).

It is worth mentioning that the BISS is set to decrease annually up until 2027 (see *Table 2*). This decrease is projected in order to shift funds to other direct payments. For example, Member States are obligated to allocate 25% of the direct payment funds to eco-schemes (European Parliament, 2023). Recognizing variability across Member States, we consider the implications of this policy shift in the Dutch context.

Expanding on our example above, used to illustrate the minimum threshold, in 2022, a (non-young) farmer in the Netherlands only required 1.46ha as a minimum farm size in order to receive direct payments, whereas this will increase to 2.19ha in 2027 (see *Table 2*). The policy, as translated to the Dutch context

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<sup>2</sup> Some Member States applied a system of payment entitlements under the Basic Payment Scheme (the income support scheme before the BISS was introduced) and can continue to do so under the BISS. Payment is only granted for eligible hectares for which a payment entitlement has been activated, and the amount of payment is based on the value of the payment entitlement. The following Member States implement a payment entitlement system under the BISS: BE, IE, EL, ES, FR, HR, IT, LU, PT (European Commission, 2023b).

through the National Strategic Plan, thus risks increasing the minimum farm size to receive direct payments. This trend towards increasing farm size for payments in the Netherlands holds even when considering the introduction of the new complementary redistributive income support for sustainability (CRISS) for small and medium farms (elaborated upon in the following subsection). That said, we note the importance of engaging cautiously with these figures and explicitly recognize that it is difficult to predict the gendered effects of changes to funding schemes. On the one hand, some women farmers may be disadvantaged on the basis of farm size. The average farm size for farms managed by women is 6.4 hectares, less than half the 14.4 ha for farms managed by men (Franić & Kovačićek, 2019, p. 36). However, this refers only to a specific sub-group of women farmers: farm managers. We highlight this because available data on women in farming has a tendency to only include farm managers, rendering invisible other roles that women have (e.g. seasonal and migrant workers) (Franić & Kovačićek, 2019). Women that are not a farm manager or sole holder are often not included in this data, and are often considered as ‘family labour’, which does not take into account their contribution to decision making on family farms (Sutherland, 2023).

On the other hand, this progressive decrease of the BISS over the coming years also results in large-scale farms receiving fewer benefits. While the BISS, by virtue of being tied to the number of hectares a farmer has access to, remains inequitable, the degree to which it is so lessens. This is also an important step for a more equitable CAP as research shows that in the past, “richer farming regions receive[d] substantial CAP payments that bring them further above the EU median income, on average, while CAP payments to the poorest 40% of regions are not sufficient to make farm income reach the EU median disposable income” (Scown et al., 2020). Similarly, Coppola et al. (2020) identified in their study of Italian farms that CAP payments can change the weight of factors affecting farm viability; for example, without any CAP aids, the effect of the farm’s size on viability significantly decreases, so highlighting the unfair present support system. The study further highlighted how socio-demographic variables such as gender have an effect on farm viability. More specifically, female gender was linked with a reduction of 30% of the probability of being viable. Notably, viability was positively influenced by factors such as farm size and capital intensity (Coppola et al., 2020).

Table 4: BISS (before 2023: the Basic Payment Scheme and the Single Area Payment Scheme), CRISS and minimum hectares for required for direct payments in the Dutch NSP (Ministerie van LNV, 2022, p. 265 & 273).

| BISS, CRISS and minimum hectares for required for direct payments in the Dutch NSP |             |                    |                    |                    |                    |                    |
|------------------------------------------------------------------------------------|-------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Year                                                                               | 2022        | 2023               | 2024               | 2025               | 2026               | 2027               |
| BISS per ha decrease (in euros)                                                    | €342        | €221               | €207               | €193               | €179               | €165               |
| BISS per ha decrease (in percentages)                                              |             | -35.4%             | -6.3%              | -6.8%              | -7.3%              | -7.8%              |
| BISS and CRISS per ha (for first 40ha)                                             |             | €221 + €54 = €275  | €207 + €51 = €258  | €193 + €49 = €242  | €179 + €46 = €225  | €165 + €63 = €228  |
| Minimum hectares required for direct                                               | 500 / 342 = | 500 / 275 = 1.82ha | 500 / 258 = 1.94ha | 500 / 242 = 2.07ha | 500 / 225 = 2.22ha | 500 / 228 = 2.19ha |

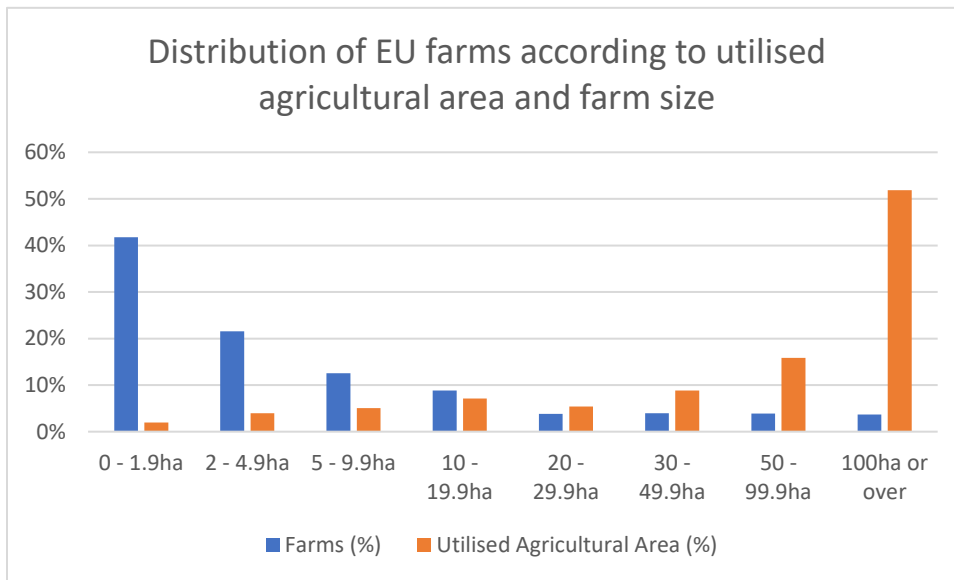
|                            |        |  |  |  |  |  |
|----------------------------|--------|--|--|--|--|--|
| payments (including CRISS) | 1.46ha |  |  |  |  |  |
|----------------------------|--------|--|--|--|--|--|

*Complementary Redistributive Income Support for Sustainability (CRISS)*

At European level, approximately 52% of the total utilised agricultural area<sup>3</sup> to be supported through BISS will also benefit from the Complementary Redistributive Income Support for Sustainability (CRISS) (European Parliament, 2023). The CRIS (Article 29 of Regulation 2021/2115) aims at the redistribution of direct payments to smaller or medium-sized holdings and, like the BISS, is paid per eligible hectare. Member States must set at least 10% of the allocated direct payment funds toward the CRIS (European Parliament, 2023).

The CRIS was introduced with the 2023 CAP reform. Prior to this there was the possibility for Member States to participate in redistributive payments on a voluntary basis. Notably, before 2023, only 10 Member States included redistributive payments in their NSPs (the Netherlands was not among these) (European Commission, 2023d). Making the redistributive payment obligatory means that the financial allocation to CRIS is 2.5 times the allocation of the voluntary redistributive payment in the previous programming (European Commission, 2023c). Related to the CRIS and another form of support to small farms, is Article 28 of the same regulation pertaining to payments for small farmers. This is separate from the CRIS and may be awarded by Member States in the form of either a lump sum or a payment per hectare (however this payment cannot exceed 1200 euros per farmer, annually).

Figure 1: Distribution of EU farms and utilised agricultural area according to farm size (Eurostat, 2023a).



<sup>3</sup> This refers to the total area taken up by arable land, permanent grassland, permanent crops and kitchen gardens used by the holding, regardless of the type of tenure or of whether it is used as a part of common land.



To allow for the differences in farm structures across the EU, Member States can set different amounts of CRISS support for different ranges of hectares in their National Strategic Plans. In the Netherlands, farms can get funded through the CRISS for the up to 40 hectares (Ministerie van LNV, 2022). This number was calculated as being the average farm size in the Netherlands (Ministerie van LNV, 2022). However, 40 hectares, especially when looking at the distribution of EU farm size, strays far higher than the lower percentile (see *Figure 1*). Moreover, since the CRISS payments are awarded per hectare, those farms closer to 40 hectares benefit disproportionately more than smaller farms. This phenomenon has also been highlighted by the literature. Coppola et al. (2020) shows that the benefits of CAP payments are disproportionally distributed in favour of larger holdings, not only due to the absolute financial aid received being higher, but also due the fact that larger farms are often able to lower production costs due to economies of scale.

Regarding the Dutch NSP, the Netherlands set the CRISS funds to the minimal 10% providing as a justification that differences in farm sizes are smaller compared to other European countries (Ministerie van LNV, 2022, p. 267). Within the Dutch NSP it is also stated that the goal of the direct payments is not to artificially sustain so-called ‘unviable’ farms (Ministerie van LNV, 2022, p. 271). It is furthermore elaborated that keeping CRISS minimal prevents large farms from being harmed or ‘going backwards’, and not investing in sustainable measures (Ministerie van LNV, 2022, p. 271). According to the Netherlands, there is no identified need to redistribute the direct payments (Ministerie van LNV, 2022, p. 269). The Dutch NSP also states explicitly that there is no expectation that the CRISS will stop the trend of farms that keep growing in size (Ministerie van LNV, 2022, p. 268). Lastly, it is mentioned that instead of redistributive payments, education is more helpful intervention to support small farms (Ministerie van LNV, 2022, p. 276).

There is evidence of a strong productivist bias in the Dutch NSP, but we do not expand upon this analysis here as it is beyond the scope of this report. We do note however that the application of the CRISS is welcome to the degree that it seeks to address historic inequalities in direct payments that favour large land holders. At the same time, as our analysis shows, at least as it is being applied to in the Netherlands, the tendency is to continue to support larger farms and it remains to be seen what the effects of this policy will be. However, by allowing leeway for Member States to define small and medium-sized farms, it seems that the principal motivation behind the CRISS can become distorted. Interestingly, the CAP requires Member States to redistribute the direct payments to eligible farms that fall below the average farm (result indicator R.6). Member States do have the option to better target support based on needs, to apply ranges of hectares with different amounts of support per hectare (nine Member States have implemented this) (European Commission, 2023a). Yet this raises important questions regarding the definitions of concepts such as farm and active farmer and consequently, what farms are included in the calculation of these averages used to determine who receives the CRISS.

#### *Complementary Income Support for Young Farmers (CIS-YF)*

The Complementary Income Support for Young Farmers (CIS-YF) (Article 30 of Regulation (EU) 2021/2155) offers funding for young farmers who have newly set up a farm for the first time, for a

maximum duration of five years. Member States can decide whether this financial support can be offered in the form of annual payment per hectare or as an annual lump sum. As defined in Article 4(6) of Regulation (EU) 2021/2115:

‘Young farmer’ shall be determined in such a way as to include:

- (a) an upper age limit set between 35 years and 40 years;
- (b) the conditions for being ‘head of the holding’;
- (c) the appropriate training or skills required, as determined by Member States.

In the case of the Netherlands, CIS-YF is provided in the form of a lump sum amounting to 2800 euros per year. The lump sum in this case may contribute to a more equal distribution of direct payments as opposed to payments per hectare: a larger farm will not take more of these funds from smaller farms. However, aligned with the definition provided above, there are two requirements to receive CIS-YF, which can lead to gendered effects:

- (a) Farmers have to comply to the definition of ‘young farmer’. A ‘young farmer’ in the Dutch NSP is a ‘head of the holding’, which means that the farmer has a farming business and is involved with the daily operating of the farm (Ministerie van LNV, 2022, p. 231).
- (b) A ‘young farmer’ is required to have the appropriate training: either a diploma of an agrarian education or proof of two years of experience combined with a course on taking over a farm, farm management, etc. (Ministerie van LNV, 2022, p. 232).

The first requirement to be ‘head of the holding’ can be problematic for women farmers. The European average for female farm managers is approximately 29%. However, as discussed above, this number hides big variations between states (see *Figure 1*), as well as within states. As women farmers are thus less often a ‘farm manager’, one could infer that women are excluded from even qualifying for young farmer benefits. However, that is not necessarily true depending on the data used. There are two distinct concepts used in this intervention: ‘farm holder’ and ‘farm manager’. While in most cases, the roles of ‘head of the holding’ and ‘farm manager’ are held by the same person (the ‘holder-manager’), that is not necessarily the case (Eurostat, 2023). More specifically, whereas the title of ‘holder’ is tied to legal and economic responsibility of the farm, the term ‘manager’ denotes the person responsible for the day-to-day activities (Eurostat, 2023). From the information available on the percentages of female farm managers and given that we know that the two roles of farm manager and holder to coincide, one could also assume that the number of female heads of agricultural holdings, does not diverge hugely, and therefore can disproportionately exclude women farmers.

However, in the case of the Netherlands, the proportion of farm managers who are women is skewed in a dramatic manner due to the fact that at in the Netherlands there is the possibility of the ‘maatschap’ (legal partnership). The ‘maatschap’ is a common form of partnership in the Netherlands, which allows a couple to be co-owners of a farm, or a partnership between parents and children so the children can gradually take over the farm (Agrimatie, 2020). The EU uses figures for owners, but not for partnerships, including partnerships in which women are co-owners of the farm; using those figures, the Netherlands rises to approximately the European average of 28% women farm managers (from that of 5% when

partnerships are not accounted for) (Welink, 2021). The Dutch Central Bureau of Statistics marks the person who is most involved as ‘farm manager’, which is often a man, and thus women farm managers are not included in the data of the EU (Welink, 2021). Furthermore, this statistic does not include the practical realities of a farm: a farmer can be the farm manager on paper, but a partner could be doing the actual work (Welink, 2021).

This raises questions about how labour is recorded in data, as ‘farm manager’ does not always cover the practical realities of farms. The data collection method at EU-level, which does not include partnerships, also contributes to making women farmers more invisible. As described in the literature, the contribution of women to agriculture has in many cases been described as substantial but “invisible”, which is mainly due to a lack of any registration in the statistics (Fanelli, 2022).

The second requirement of the definition of ‘young farmer’ relates to minimum educational requirements. The literature highlights women’s lesser access to appropriate education and training (Pilgeram & Amos, 2015; Shortall, 2010). It is in this manner that, the very definition of ‘young farmer’ can in this way favour men over women. Research shows that women are underserved in agricultural education and technical assistance (Pilgeram & Amos, 2015). Because women are usually not landowners, they are targeted less by agricultural training services when compared to men (Dunne et al., 2021). Women are less likely to have followed agrarian education: in the case of the Netherlands, only 28% of women farmers have received an agrarian education, compared to 82% of the Dutch male farmers (CBS, 2018). Learning spaces are generally male-dominated and based on ‘expert knowledge’, and women are rarely included as sources of knowledge (Trauger et al., 2008). Women’s demands for agricultural education are not always met by education services (Dunne et al., 2021). As a consequence of the above, training groups are also frequently viewed as for men only, and women have indicated to feel unwelcome in these settings (Bock & Shortall, 2017).

Reflecting on the CIS-YF, we note that access to land is a gendered issue. Unequal and gendered patterns of inheritance and acquisition of agricultural land been clearly highlighted in the literature (Shortall, 2015). It is of note that the output indicator for CIS-YF (Annex 1, O.6) does not measure the support provided to young farmers but rather considers the number of hectares benefitting. And while the CAP indicators need to include gender-disaggregated data related to young farmers, as it is described in the CAP, CIS-YF pays no specific attention to attracting young female farmers and does not address the unequal patterns of inheritance and acquisition of agricultural land. It thereby risks perpetuating the trend of male domination within the farming profession. Further, given that women farmers are to a large degree older in age (Peter et al., 2009), the lack of gender provisions within the CIS-YF presents a risk to the widening of the gender gap in agriculture in the near future. This intervention could have been an opportunity to contribute to the specific objective that includes addressing the participation of women in farming.

#### *Schemes for the climate, the environment and animal welfare (eco-schemes)*

The schemes for the climate, the environment and animal welfare (Article 31 in Regulation (EU) 2021/2115), also called ‘eco-schemes’, financially help farmers who commit to agricultural practices that are beneficial to the climate, the environment and animal welfare, in the form of an annual payment per hectare. Member States decide the specific eco-schemes they will offer to farmers, based on a SWOT

analysis to determine the specific country's needs. The eco-schemes are a sizeable portion of the direct payments, as at least 25% of a Member States' national direct payment budget must go towards the payment of eco-schemes.

To illustrate this, in the Dutch NSP, one particularity of eco-schemes is that activities must be registered at the start of the season and are only reimbursed at the end of each season. This means that any farmer wanting to participate must already possess the necessary funds to invest in their eco-schemes. This could have specific effects on women farmers when considering that lack of access to financial capital as a major obstacle for farmers, and even more so for women farmers (Euractiv, 2019). Consider for example a study commissioned by the European Parliament in 2019 that concluded “women farmers have significantly less access to, control over, and ownership of land and other productive assets compared to their male counterparts” (Franić & Kovačiček, 2019, p. 15).

### *Social conditionality*

While not a category of direct payments, ‘social conditionality’ is a newly introduced section (Section 3, Article 14, and expanded in Annex IV of Regulation (EU) 2021/2115) and could improve the position of women in agriculture. Social conditionality is introduced as a system for applying administrative penalties to CAP beneficiaries who do not comply with the rules regarding the health and safety of workers, transparent and predictable working conditions and minimum health and safety requirements for use of work equipment by workers. In short: farmers who fail to adhere to basic labour standards risk a reduction in their CAP subsidies. Social conditionality is set to become a mandatory requirement in 2025, and remains voluntary until then – with only three Member States (Austria, France, and Italy) having chosen to implement it already from 2023.

Social conditionality makes no explicit mention to women. If implemented correctly is expected to make the work of women who may be in informal employment visible, thereby enabling the possibility of further gender analyses in the future – ideally, ones that incorporate women of all roles in agriculture, and not only farm managers. It remains too early to assess its possible effects but if implemented effectively, social conditionality could greatly impact the types of data publicly available. That is because agriculture is a field notorious for its high level of informal workers and women are also much more likely to be employed in agriculture informally (Franić & Kovačiček, 2019). The article on social conditionality – the first ever provision in the CAP aimed to secure workers' rights – could also bring improvements to the status of many (migrant) women farmers that are subjected to vulnerable working conditions and simultaneously make their role and contribution in agriculture much more visible (Fanelli, 2022). That said, it is of note that the policy is applicable only to recipients of area-based direct payments. This means that farms receiving subsidies through operational programs will remain exempt from social conditionality. We do not cover operational programs in this report, but in practice, the EC organizes support for horticulture, for example, differently with these farms receiving few direct payments (Dahm, 2023). This means that the policy is expected to have limited effect on the fruit and vegetable sector, as well as in sectors such as wines, apiculture, and olive oil (Willard, 2023). This is significant given the high dependence of these sectors on migrant and seasonal labour. There are also questions as to the capacity of Member States to monitor, implement and enforce social conditionality (Willard, 2023).

To support the implementation of social conditionality, the European Coordination Via Campesina (2021) has called on the EU to take direct responsibility for the implementation of social conditionality by Member States. To support this, ECVC has put forward a proposal to create a public observatory and permanent social dialogue systems on the conditions of workers in the food chain. The purpose would be to ensure transparency, information and participation in social conditionality.

## 5.2.2 Rural development (Pillar 2)

### *Setting-up of young farmers*

The setting-up of young farmers is a rural development intervention that, as the name suggests, financially supports young farmers to setting-up farms and start-up of rural businesses as is described in Article 75 of Regulation 2021/2115. Recipients need to comply with the definition of ‘young farmer’. Further, as outlined in Article 75(2):

Member States may only grant support under this Article to help:

- (a) the setting-up of young farmers who fulfil the conditions provided for by Member States in their CAP Strategic Plans in accordance with Article 4(6);
- (b) the start-up of rural businesses linked to agriculture or forestry including the setting up of new farmers, or farm household income diversification into non-agricultural activities;
- (c) the business start-up of non-agricultural activities in rural areas related to the community-led local development strategies set out in Article 32 of Regulation (EU) 2021/1060.

Member States may grant support for the start-up of rural businesses linked to agriculture or for farm household income diversification into non-agricultural activities. In order to receive funding, under this article, a business plan, for which Member States shall set the conditions for the content of the business plan, must also be submitted. It should be noted that this support can be set at a much higher rate than the aforementioned CIS-YF: the maximum amount of aid is 100.000 euros (Recital 81). For example, in the Dutch National Strategic Plan, young farmers applying for this intervention will receive a minimum of 25.000 euros (Ministerie van LNV, 2022, p. 474).

In addition to the ‘young farmer’ definition requirements that were listed above, the Dutch NSP highlights another condition required for receiving financial support for this intervention. In the Netherlands, the setting-up of young farmers intervention is only for young farmers that have either inherited or (partially) bought a farm and can show a deed of sale (Ministerie van LNV, 2022, p. 474). It is Important to clarify here that a deed of sale refers to the deed of sale of the right to the land, therefore renters are not excluded. Yet, we further reiterate that access to land is highly gendered and thus the policy has gendered effects that create inequalities for women.

### *Cooperation*

The intervention on cooperation (Article 77 of Regulation (EU) 2021/2115) makes financial support available for cooperation for various projects, such as the support of EIP (European Innovation Partnership) projects, LEADER, quality schemes, producer groups, producer organisations and interbranch organisations, smart-village strategies, and other forms of cooperation. This intervention both supports new forms of cooperations and existing cooperations if starting a new activity.

The cooperation intervention is described rather generally in the CAP, and Member States can grant financial support in diverse ways. There is a noteworthy measure in the Dutch NSP that holds the potential to make access to resources more equitable: cooperation for generational renewal. This intervention financially supports young farmers, but they do not have to comply with the definition of ‘young farmer’ as mentioned above (being ‘head of the holding’ and having proof of education), in contrast to the interventions CIS-YF and setting-up of young farmers (Ministerie van LNV, 2022, p. 501).

Young farmers applying for this intervention are not required to comply with the definition of ‘young farmer’ because the measure is also used to help young farmers access land. In this measure, collaborations can be created to help potential young and new farmers (excluding new farmers that are older than 40 years) to access land and start a farm, and these collaborations can receive funding for productive, non-productive investments and knowledge-related activities, and are encouraged to use creative methods to access land (Ministerie van LNV, 2022, p. 502). Notably, if the young farmer is a woman, this is valued higher in the selection procedure (Ministerie van LNV, 2022, p. 503). Whether this is simply an intention or if this is actually enforced, is not clear. The measure is newly introduced, and we do not expect it to have an important impact as the current goal is set to support only five projects a year (with an average support of 50.000 euros per project) (Ministerie van LNV, 2022, p. 501).

### *Investments*

The intervention on investments (Article 73 of Regulation 2021/2115) provides financial support for investments in tangible and intangible assets that contribute to achieving one or more of the specific objectives of the CAP. Member States will establish a list of investments that are ineligible based on a list as included in the CAP.

Investments for this intervention are only required to contribute to one of the specific objectives of the CAP. Member States and farmers can choose to which specific objective they are contributing. Further, the maximum support rates for investment can be increased for certain investments. For example, there can be an increase of up to 80% for investments made by young farmers as well as investments linked to specific objectives such as: (d) climate change mitigation and adaptation, (e) sustainable development, (f) halting and reversing biodiversity loss, though not specific objective (h) which includes gender equality. Additionally, it is possible to have an increase of up to 85% for investments in small farms and up to 100% for investments in afforestation or agro-forestry systems and investments in basic services in rural areas.

The opportunity to choose which specific objectives in relation to investment means that the participation of women in agriculture remains an optional objective. In turn, despite wider EU commitments, gender is not actively mainstreamed into such interventions. To illustrate how this can translate to the national

level, the Dutch NSP divides the investments into five different categories: investments in modernisation of farms; investments in ‘green’, ‘blue’ and animal welfare; investments in young farmers; investments in non-productive investments on farms and investments in non-productive investments on non-farms (Ministerie van LNV, 2022, p. 437-468). The focus of these categories is either to improve the general earning capacity of farmers, or towards climate and environmental goals. These categories do not incorporate all of the specific objectives listed in Article 6, and certainly not the specific objective (h). Furthermore, in the Dutch NSP, selection of investment to receive funding focuses on ‘efficiency, effectiveness and potential of success of the innovation’ (Ministerie van LNV, 2022, p. 437). Depending on who is responsible for selecting investment projects, this can have effects on women farmers. Research shows, for example, that men’s ideas are considered to be more marketable by male stakeholders (Franić & Kovačićek, 2019). This last point is expanded upon further, in the paragraph below.

At aggregate level, women often run small businesses in less financially profitable sectors and many empirical studies have focused on systematic gender differences in business performance (Adinolfi et al., 2020). Two main arguments are generally considered as explanatory factors to the above. The first views women as relatively disadvantaged, and as a result their profitability is impacted due to discriminatory factors, which also impacts their ability to access resources for business development (as has also been highlighted throughout this report) (Poggesi et al., 2016). The second identifies the gender-related differences in socialization processes which result in different priorities. This is used to explain why female-owned business financially may under perform when compared to male-owned businesses (Calás & Smircich, 2006; Robb & Watson, 2010). In short, narrow definitions of performance (and associated indicators) based on productivity and economic limited assumptions may further embed gender inequalities.

#### *Advisory services*

The intervention for advisory services (Section 4, Article 15 of Regulation (EU) 2021/2115) requires Member States to implement a system providing services for advising on land and farm management to farmers and other beneficiaries of the CAP. These advisory services should cover economic, environmental and social dimensions, and Member States should ensure that the advice given is impartial and that advisors are suitably qualified, appropriately trained and have no conflict of interest. Under Article 15(4), in Regulation (EU) 2021/2115, there is a list outlining that advisory services should at least cover the following topics:

- farming practices preventing antimicrobial resistance;
- risk prevention and management;
- digital technologies;
- innovation support;
- sustainable management of nutrients; and,
- conditions of employment, employer obligations, occupational health and safety and social support in farming communities.

In the Dutch NSP, the advisory system consists of private parties, and they will provide farmers impartial and objective advice (Ministerie van LNV, 2022, p. 554). Members of the association of approved agrarian advisors are appointed as advisors that farmers can consult. We note that on the list of approved advisors in the Netherlands, male advisors are over-represented (see Vereniging Agrarische Bedrijfsadviser, n.d.). The direct impact of this on Dutch women farmers is not known, but as noted above, research has shown that women have indicated that they often feel unwelcome in male-dominated training settings (Bock & Shortall, 2017). Research from the US also shows that women farmers prefer peer-learning through a more hands-on format and that they tend to trust other women farmers (as they have often not been taken serious by male farmers or male-dominated forms of education) (Trauger et al., 2008). Ensuring more diverse representation amongst advisors is recommended.

### 5.3 Monitoring and data collection

#### *System for the identification of beneficiaries*

For the CAP, there is a system in place for the identification of beneficiaries (Article 71 and 74 of Regulation (EU) 2021/2116). This has been established in order to guarantee that all applications submitted by the same beneficiary can be identified as such. Member States are also required to have annual ex-post publication of the beneficiaries of Pillar 1 (European Agricultural Guarantee Fund (EAGF)), and Pillar 2 (European Agricultural Fund for Rural Development (EAFRD)), and to make this information available in order to promote transparency and trust in EU funding measures (European Commission, 2024a). Though there is, under the CAP transparency rules, the requirement for this data to be broken down by parameters such as location and sector type, this data is not disaggregated by sex or gender and the CAP does not specify that the data needs to be. While Recital 33 of Regulation 2021/2115 does note that “Member States should also strengthen their capacity in gender mainstreaming and in the collection of data disaggregated by gender” there are only three impact and result indicators that specifically require data to be disaggregated by gender. We can thus question whether Member States will collect and publish such data.

In the case of the Netherlands, in order to apply for CAP subsidies, Dutch farmers are required to fill in a form about their farming business and this information is used in the annual publication of the beneficiaries. In 2021, the question regarding the gender of the farm manager, working family members and employees was dropped, prior to 2021, these questions were included in the application form (CBS, n.d.). For 2023, the form again asked for the gender of both the farmer and other family members that are working on the farm, as well as questions about who does the daily operating of the farm (CBS, n.d.). This latter part referring to the members working on the farm is particularly interesting, given that most of the current EC data around gender and farming focuses on farm managers. This approach thus cannot account for a large part of the population of (women) farmers. Unfortunately, the form only allows for the options ‘male’ or ‘female, which reinforces binary understandings of gender, and is based on an European regulation (Regulation (EU) 2021/2286). Whether the newly collected data disaggregated by gender will be used for the development of the CAP after 2027, remains to be seen. As for the Netherlands, for example, there has been data collected of the gender of farm managers and farm employees in the past twenty years, but this data is not clearly linked to the development of the NSP of 2023 – 2027.



### *Integrated administration and control system*

Agronomic data also collected through an integrated administration and control system (IACS) (Article 65, 66 and 67 of Regulation (EU) 2021/2116) that Member States are required to set up. The rules on the establishment and maintenance of IACS are specified by Regulation (EU) 2021/2116 on the financing, management and monitoring of the common agricultural policy; Delegated Regulation (EU) 2022/1172 on the integrated administration and control system in the CAP and the application and calculation of administrative penalties for conditionality; and, Implementing Regulation (EU) 2022/1173, relating to the integrated administration and control system in the CAP. The IACS is key to the monitor the performance of the CAP 2023-2027.

IACS make use of a range of data sources, including meteorological data and forecasts, existing maps and statistics, positional information and remotely sensed data. This, and other data contained in the IACS from Member States (i.e. a system for the identification of the beneficiaries and, where applicable, a system for the identification and registration of payment entitlements) is used to write the Annual Performance Report required by the European Commission.

These systems are all digital and technology-based, such as geographic information systems and area monitoring systems. The focus of the data collection hints at a bias towards more mechanised and larger-scale farming. It would thus be interesting to know if these integrated administration and control systems are also capable of, and suitable for, collecting data on smaller farms or whether these farms are excluded. Also, we note that such a system might not be suitable to capture the complexity and diversity of smaller, agroecological farms. Indeed, NASA Harvest, a consortium commissioned by NASA to enhance the use of satellite data in agriculture, has stated that current satellite imagery has high levels of accuracy when mapping large agricultural systems, ones that have set cropping regimes and clear field boundaries (Esri ArcNews, 2023). It added further that, even at high resolution, satellite imagery can lack the detail required to accurately map small-scale agricultural systems (Esri ArcNews, 2023).

### *Annual performance report and monitoring committee*

Under Article 123, Member States are required to set up a monitoring committee that shall monitor the implementation of the CAP National Strategic Plan. Member States are responsible for monitoring the implementation of the CAP Strategic Plan by providing an annual performance report that should reflect the progress on reaching the objectives of the CAP. In the Netherlands, 'LTO Vrouw en Bedrijf' is a part of the national farming organization LTO, but focuses on women farmers, and they are represented on the monitoring committee (Overheid.nl, 2023).

Representation of women on monitoring committee is welcomed but efforts should be made to ensure gender parity. Such an approach would be aligned with the non-binding EU parliament resolution of July 2011: that gender quotas for company boards should be implemented in all EU member states to raise the level of female board representation to 30% by 2015 and 40% by 2020 (Möhring & Teney, 2020). Research shows that to be effective, 'hard quotas' are needed to ensure uptake (Mateos De Cabo et al., 2019). If the EC and Member States are truly committed to gender equality, then at a minimum, they should ensure gender parity on monitoring committees and ensure that gender equality is being monitored and addressed. Here support from gender experts could be invaluable. At the same time, we

need to recognize that participation does not automatically translate to women being heard, or to them being able to equally participate. Nor can we assume that women will represent feminist positions on such committees. Quotas for committees need to be accompanied by awareness of biases and cultural shifts.

### *Information measures*

Finally, there is also an intervention about information measures from the CAP (Article 46 from Regulation (EU) 2021/2116) with the aim to raise public awareness on the CAP's content and objectives. This information measure shall help explain, implement and develop the CAP and raise public awareness of its content and objectives, including both farmers and citizens. The European Commission publishes a report on its communication activities concerning the CAP every two years. In the previous report from 2021, women farmers are not mentioned (European Commission, 2021a). Such communications could provide opportunity to raise awareness about women in farming, including their successes and challenges.

## 6. Conclusion and recommendations

This report has analysed the Common Agricultural Policy (CAP) 2023 – 2027 using a feminist institutionalist framework to identify the possible effects on women. Our analysis shows that despite stated commitments to address gender inequality and enhance the participation of women in farming, in its current form, the CAP is likely to continue to privilege men over women. In the above analysis we focused on rules about women and rules with effects on women. In what follows we summarize our conclusions.

With respect to **rules about women**, the following conclusions can be drawn from the analysis.

While the European Commission has expressed a clear commitment towards gender equality and has actively promoted the focus on gender in the CAP 2023-2027, the ambition remains relegated to the Recitals of the CAP and does not directly translate into Articles. As a result, there are no obligations under CAP for the Member States to work on this specific objective (Regulation (EU) 2021/2116 Article 6(1)(h)). Within the Articles, gender equality is included alongside other objectives. However, the “tendency to include gender as part of a wider equalities remit may limit the resources and thus also the capacity to focus specifically on gender issues” (European Institute for Gender Equality, 2023, p. 8). The inclusion of gender and women's participation after growth and employment in the specific objective has two further possible implications. First, the inclusion of gender and growth as compatible goals depoliticises the gendered relations of power and often the forms of exploitation that exist in the formal labour sector. To avoid this, the CAP needs to address such inequities directly. Second, evidence shows that when gender and economic goals are combined, the latter takes precedence over the former. To avoid such competition, gender and women's participation need to be their own specific objectives, or better, a general objective.

This conclusion is supported by the European Court of Auditors (2019, 39). In a recent report, they remarked that key income instruments are largely fixed by EU legislation. In turn, a Member State that is concerned about the gendered impact of subsidies has few options for changing income support distribution. While we recognize the political sensitivity of negotiating the CAP, the EC has

to take a stronger leadership role in advancing gender equality and this needs to translate into the CAP and through to the National Strategic Plans.

Next, the focus on gender-disaggregated data in the CAP is welcome. Under Regulation (EU) 2021/2286, it is explained that for the duration of the CAP 2023-2027 there will be data collected on the gender of farmers (farm holders, family members and non-family labour force). This is promising, yet as we saw with the Dutch example, it must be remembered that is one thing to collect sex-disaggregated data, and another to incorporate it into policy reform. When it comes to the output and results indicators (see Regulation (EU) 2021/2116, Annex 1) we note that not all relevant data is required to be gender-disaggregated, leading to important knowledge gaps. The analysis presented above raises concerns that the focus is on data collection and there are no clear pathways to translate the analysis of this data into concrete gender-responsive policies.

Data is a means and not an end, and more clarity is needed on how gender-disaggregated data is to be analysed to support more equitable policies. We also note that not all relevant data is being collected (particularly around smaller and more diversified farms). Already in 2017, the European Parliament called on the Commission and the Member States to measure the contribution of women to rural income and to identify women's roles in agriculture. It also stressed the need for Member States to provide up-to-date statistics on female land ownership (European Court of Auditors, 2021, p. 41)

Related, of the three indicators calling for gender disaggregated data to inform the assessment of the CAP's objectives, we note that two focus on young farmers. There is thus, a possibility that the CAP overlooks non-young women, while also reinforcing a patronizing narrative about young women. We note that there is a difference in how specific objective 6(h) is addressed across the indicator frameworks: Annex 1, used to assess the goals of the CAP where relevant indicators focus on impact and are gender disaggregates; and, Annex XIV, pertaining to so-called 'core indicators' used by the European Commission to report to the European Parliament and the European Council where gender disaggregation remains only for generational renewal. This raises questions about the EC's commitment to reporting on gendered results of the CAP. To achieve gender equality, the EC and Member States need to enhance their data collection to include gender and the diversity of women's farm contributions where appropriate (also following ethical guidelines and GDPR rules). The European Commission needs to support Member States to collect gender-disaggregated data (beyond sex-disaggregated data) and to include more concrete requirements on gender-disaggregated indicators. In short, indicators to measure progress on gender equality and women's participation are lacking.

With respect to **effects on women**, the following conclusions can be drawn from the analysis.

Income support has been historically unbalanced and critiqued for creating an unlevel playing field. The programmed decrease in the Basic Income Support for Sustainability (BISS) payments, towards eco-schemes and complementary redistributive income support for sustainability (CRISS) does not address inequities associated with area-based payments.

Further, an examination of how these reductions are translated at the Member State level (in our case, through the Dutch NSP from 2023 to 2027), shows that the number of hectares required to access direct payments will increase. While the progressive decrease of the BISS over the coming years will increase the number of hectares needed to access basic income support, it will also result in large-scale farms receiving fewer benefits. This is also an important step for a more equitable CAP. At the same time this could place smaller farmers and women at a disadvantage.

We note that there are innovations in the CAP 2023-2027 that importantly target small and medium farms (e.g. CRISS) and young farmers (e.g. CIS-YF). However, across these innovations there has been inadequate attention paid to the gendered nature of the criteria used to access support. Most indicators included in the CAP measure either persons or utilized agricultural area (UAA) benefiting from the different CAP subsidies (the majority falling into the latter category). Given the EU's stated commitment to gender equality, it is surprising that it is not already the case that all the indicators falling in the former category are not at the very least, disaggregated by sex.

For example, access to land, farm size, and formal education are all gendered and data from the EU and the Netherlands show that all are disproportionately accessed by men. We conclude that a failure to account for these inequalities in the design of direct payment policy risks reifying the inequalities. There is an urgent need to take such inequalities into account if the CAP is serious about achieving gender equality in agriculture. We further conclude that the lack of specific provisions to attract women into farmer risk widening the existing gender gap.

To address these challenges, the Commission and Member States need to carefully track the impact of changes to direct payments from an intersectional gender perspective to assess the degree to which under-served demographics (particularly those made vulnerable by the agricultural system, including women and migrant workers) are impacted. Acknowledging and accounting for structural inequalities when designing subsidies is key to achieving a more gender-equitable CAP and, in turn, agricultural sector.

Recognizing the deeply complex and political nature of CAP negotiations, our analysis shows that in some interventions (e.g. young farmers and eco-schemes) the lack of specificity in the CAP leads to possible risks or weaknesses in the translation to National Strategic Plans. Whilst the principle of subsidiarity (meaning that the EC only takes action when it is more effective than action taken at the national, regional or local level) is core to the philosophy underpinning EU governance, a better balance needs to be struck. Currently, Member States are allowed too much space to leave out gender equality as an objective in their National Strategic Plans. As our example from the Netherlands showed, young farmers as required to already have assets (notably land and financial capital) to be able to meet the pre-conditions for funding. Yet, as we outline in the report, women have been shown to have less access to farm resources, including land and capital, putting them at a disadvantage. This reinforces the conclusion above, and the call to explicitly address gender inequalities in the CAP to avoid reinforcing such inequalities.

The analysis suggests that social conditionality could be an important innovation in the CAP, but it remains limited in scope and there are risks in assigning monitoring and implementation to the Member States. We conclude that while social conditionality is an important innovation in the CAP, it does not yet target key sectors where migrant work is most prevalent. We also conclude that there are risks that Member States will not be able to adequately monitor and implement social conditionality, in part due to a lack of resources.

In the provisions for advisory services, we note, at least in the Dutch case, a lack of diversity in the approved list of advisors. We conclude that enhancing diverse representation amongst advisors can facilitate the translation and uptake of advisory services for more farmers who are not male and white.

When it comes to monitoring of the CAP, the EC and member states do not currently need to ensure gender representation on committees. We conclude that all committees should aim for gender parity and that these monitoring committees should ensure that gender equality is being monitored and addressed. Towards this end, there are examples that can be adopted. LEADER, specifically the Local Action Groups, offer an indication of good practice related to gender. Local Action Groups are the main tool for the application of the LEADER approach and have been criticized for their underrepresentation of women and the consequent risk that women's views and interests are not considered in the process (European Court of Auditors, 2022). In in the Dutch NSP, there is specific mention of stimulating gender equality as an important criterion for setting up a Local Action Group (Ministerie van LNV, 2022). This is also recognized by other Member States: 11 Member States explicitly refer to the involvement of women in LEADER decision making (European Commission, 2023a). Further, in the Dutch NSP, it is explained that during the funding selection, a Local Development Strategy scores lower if the Local Action Group consists of less than 50% women (Ministerie van LNV, 2022, p. 514). However, it is uncertain whether scoring lower during the selection process creates enough incentive for Local Action Groups to include more women, and so it may still be that LEADER projects might not represent women's views and interests.

Communications required under CAP could provide opportunity to raise awareness about women in farming, including their successes and challenges. We conclude that Member States can take advantage of this to communicate about women and farming to counteract social perceptions of farming as a male activity.

### **The CAP remains gender-blind but the EU does have the capacity to rectify this.**

Looking ahead, a more rigorous and intersectional assessment of rural and agricultural policies and their impacts are needed to achieve gender equality and a sector which empowers and allows women farmers agency over their own futures. Structural sexism, racism, ableism, patriarchy, colonialism and other forms of exploitation must also be addressed. Adopting a strong rights-based approach as well as intersectional feminist approach can be effective here.

The EU is not close to realising its own commitments to gender mainstreaming, let along gender equality in the agricultural sector. To achieve its own objectives, the CAP needs to take gender seriously and

address the structural impacts of gender inequality. Failure to do so can continue to exacerbate gender inequalities and risk further excluding future farmers. This is something Europe simply cannot afford. Given this, we put forward the following recommendations.

## 6.1 Recommendations

The EU has expressed a commitment to gender equality. To ensure this translates to agriculture, it remains imperative that the gender-blind nature of the CAP be addressed. Towards this end, and on the basis of the analysis and conclusions of this report, we put forward the following recommendations.

1. In future reforms of the CAP, gender equality should be its own specific objective. To be effective, it is imperative that a specific objective on gender equality be obligatory in all CAP National Strategic Plans.
2. Continue to collect gender-disaggregated data. Recognizing data is a means and not an end, ensure that the analysis of this data is translated into future reforms to address gender inequalities at the EU and at the level of the Member States.
3. The CAP requires more indicators that capture gender differences. Wherever there is an indicator measuring number of farms/persons benefitting from any type of payment, it should be supported by gender disaggregated data and Member States should be required to monitor them as part of their National Strategic Plans.
4. The CAP needs to undergo gender mainstreaming. Towards this end, the EC and Member States need to take into account structural inequalities underlying access to subsidies. Existing interventions need to be reformed so as to create a more equitable distribution. Adopting widely recognized methods such as gender-responsive budgeting, gender audit, gender-responsive evaluation, gender impact assessment, and institutional transformation are relevant methods here.
5. An observatory should be established to monitor social conditionality to ensure that this innovation functions to protect agricultural workers.
6. Member States need to ensure diverse representation across the approved advisors providing advisory services.

7. Hard quotas are required to ensure that all committees related to CAP processes reach gender parity.

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## Appendix 1: Expanded methods

For the analysis, we use the qualitative data analysis software Atlas.ti. Following the analytic framework, we focus on formal institutional rules and utilize two (of the four) analytical categories as defined by Gains & Lowndes (2014), refocusing the categories from gender to women to reflect the focus of the report (see methodology section). The categories used in our framework are: rules about women; rules that impact women. These serve also as our main high-level, deductive analytic codes (see *Table 5* for the codebook). It was these high level codes that we coded for, within each of the selected CAP articles (see *Table 2*).

Table 5: Codebook

| Theme                                   | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Code                                | Example                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Rules about gender</b>               | These are the specific rules targeting gender. Feminist institutionalism calls on us to move beyond analysis of ‘rules in form’ to ‘rules in use’ (i.e. formal and informal prescriptions) to better understand how institutions shape gendered behaviour and outcomes.                                                                                                                                                                                                                                                                              | 1 Explicit mention of Women/ Gender | “There should therefore be a particular focus on promoting the participation of women in the socio-economic development of rural areas, with special attention to farming, supporting women’s key role. Member States should be required to assess the situation of women in farming and address challenges in their CAP Strategic Plans.” (2021/2115, (33), p. 6)<br>“R.36PR Generational renewal: Number of young farmers benefitting from setting up with support from the CAP, including a gender breakdown” (2021/2115, p. 127) |
| <b>Rules that have gendered effects</b> | These are rules can include embedded assumptions about how women or men should behave, or may define roles and responsibilities in ways that appear neutral but that lead to gendered impacts.                                                                                                                                                                                                                                                                                                                                                       | 2 Rules that have gendered effects  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Farm payment (decoupled)</b>         | The following direct payments (that function as a safety net and make farming more profitable, guarantee food security in Europe, assist them in the production of safe, healthy and affordable food and reward farmers for delivering public goods not normally paid for by markets):<br>a) the basic income support for sustainability;<br>b) the complementary redistributive income support for sustainability;<br>c) the complementary income support for young farmers;<br>d) the schemes for the climate, the environment and animal welfare. | Farm Payment (Decoupled)            | “Member States shall ensure redistribution of direct payments from larger to smaller or medium-sized holdings by providing for a redistributive income support in the form of an annual decoupled payment per eligible hectare to farmers who are entitled to a payment under the basic income support referred to in Article 21.” (2021/2115, Art. 29, p. 39)                                                                                                                                                                       |
| <b>Farm payment (coupled)</b>           | The following direct payments (that support a specific agricultural sector or sub-sector to address difficulties they are facing, where those sectors are important for socio-economic and/or environmental reasons):<br>a) the coupled income support;<br>b) the crop-specific payment for cotton.                                                                                                                                                                                                                                                  | Farm Payment (Coupled)              | “1. Member States may grant coupled income support to active farmers under the conditions set out in this Subsection and as further specified in their CAP Strategic Plans.” (2021/2115, Art. 32, p. 42)                                                                                                                                                                                                                                                                                                                             |
| <b>Rural development</b>                | The following payments (that support the vibrancy and economic viability of rural areas through                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Rural development                   | “Member States may only grant support under this Article to help: (a) the setting-up of young farmers who fulfil the conditions provided for by Member                                                                                                                                                                                                                                                                                                                                                                               |

|                                              |                                                                                                                                                                                                                                                                                                                                                    |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                              | <p>funding and actions that support rural development):</p> <p>(a) environmental, climate-related and other management commitments;</p> <p>(d) investments, including investments in irrigation;</p> <p>(e) setting-up of young farmers and new farmers and rural business start-up;</p> <p>(f) risk management tools;</p> <p>(g) cooperation;</p> |                                | <p>States in their CAP Strategic Plans in accordance with Article 4(6); (b) the start-up of rural businesses linked to agriculture or forestry including the setting up of new farmers, or farm household income diversification into non-agricultural activities; (c) the business start-up of non-agricultural activities in rural areas related to the community-led local development strategies set out in Article 32 of Regulation (EU) 2021/1060”</p> <p>“Member States shall set conditions for the submission and the content of a business plan which beneficiaries must provide in order to receive support under this Article.”</p> <p>(2021/2115, Art. 75, p. 69)</p> |
| <b>Education and knowledge dissemination</b> | <p>The support of Member States for knowledge exchange and dissemination of information, contributing to the objectives of the CAP, and a system provided for by Member States to advise farmers and other beneficiaries of the CAP on land and farm management.</p>                                                                               | Education                      | <p>“2. The farm advisory services shall cover economic, environmental and social dimensions, taking into account existing farming practices, and deliver up-to-date technological and scientific information developed by means of research and innovation projects, including as regards the provision of public goods.”</p> <p>(2021/2115, Art. 15, p. 33)</p>                                                                                                                                                                                                                                                                                                                   |
| <b>Monitoring and data collection</b>        | <p>Monitoring and data collection concerns the provision of information on the CAP to the public, the system for recording the identities of beneficiaries, the ex-post publication of the beneficiaries of the EAGF and EAFRD, the certification body, the integrated system and the control system for social conditionality.</p>                | Monitoring and data collection | <p>“For the purposes of Article 63(7), first subparagraph, of the Financial Regulation, the certification body shall issue an opinion, drawn up in accordance with internationally accepted audit standards, which shall establish whether: [...] the performance reporting on output indicators for the purposes of the annual performance clearance referred to in Article 54 of this Regulation and the performance reporting on result indicators for the multiannual performance monitoring referred to in Article 128 of Regulation (EU) 2021/2115, demonstrating that Article 37 of this Regulation is complied with, is correct;”</p> <p>(2021/2116, Art. 12, p. 23)</p>   |

#### Motivating our selection of different CAP sections (low level codes)

- Concerning Regulation (EU) 2021/2115:

With regard to the chapter about direct payments, we included all articles under decoupled direct payments, due to clear connections to both the literature and the participatory needs assessment. We have not included coupled direct payments (the direct payments linked to specific production or farming activities) for several reasons; first, seeing as they are linked to production goals there is less room for social equity concerns, second, the Netherlands which we use to illustrate the application of the CAP does not use coupled payments and lastly, they take up a much smaller percentage of the direct payments budget.

In the subsection ‘Rural development’ we made the decision to exclude four types of interventions (out of a total of eight) - these were: interventions regarding natural or other area-specific constraints;



interventions regarding area-specific disadvantages resulting from certain mandatory requirements; risk management tools; and environmental, climate-related and other management commitments. The first two interventions are highly specific and context-dependent, and the Articles are more procedural than descriptive of the interventions. Regarding risk management tools, it was difficult to make predictions about their impact on women, especially given that existing literature focuses almost exclusively on the developing world. Finally, with regards to environmental, climate-related and other management commitments, it was difficult to draw conclusions as this specific intervention can take very varied forms (ECORYS et al., 2023) – for example, in the Netherlands it is paid to collectives of farmers for environmental management on their land, and the collective, in turn, pays the participating members. Since this is paid to collectives, it is difficult to comment on the impact on women.

- Next, regarding Regulation (EU) 2021/2116

While the content here was much more procedural than 2021/2115 and therefore lies farther outside of the scope of this report, several articles stood out as they relate to issues brought up within the literature. These articles, we clustered under the theme of ‘Monitoring and Data collection’. A common thread connecting these articles is that they are a response to the problem of insufficient data regarding not just the CAP beneficiaries but also farmers.

- Regulation (EU) 2021/2117 was excluded altogether, as mentioned in the methods due to its scope being too narrow and relating mostly to rules governing the relations between the EU and the Member States.

#### Framework informing our overarching focus

Finally, it is important to note that, in order to determine which CAP sections to analyse in the first place, we drew from several sources. These are the following three:

- (1) a previous SWIFT report which included a review of the academic literature on EU agricultural policy and gender.
- (2) Second, a participatory needs assessment conducted by Oxfam in Brussels as part of a workshop on Gender Responsive Budgeting. The needs assessment resulted from the participation of researchers, experts and farmers (28 participants in total, both from and outside of the EU, and the majority of which were women).

The objective of the needs assessment was to gather insights from participants about the challenges affecting women farmers in Europe and how current policies and budget do not address those properly. In order to facilitate this, participants were divided into subgroups whereby the discussions took place and key points were noted. Special care was taken to ensure that all subgroups were diverse (included equally, farmers, researchers and experts). At a second stage, the results of all groups were used to formulate 15 gender justice goals which were subsequently discussed openly between all participants in order to determine, among them, a more concentrated set of key issues. These were:

- Access to data to show inequalities and address them
- Need to involve men and make everyone aware of inequalities

- Champions to lead by example
  - CAP logic needs to change
  - Work with root causes = patriarchy, capitalism, racism, colonialism
  - Visibilizing not enough, we need actions!
  - Focus on renewal of agriculture
- (3) Third, notes from the concerns of the ECVC women, taken during the 8<sup>th</sup> International conference of Via Campesina that took place in Colombia in December of 2023 were also incorporated. It was these documents that guided us when determining which sections of the CAP make most sense to analyse when it comes to impacts on women.