

**9 May 2012 - Brussels**

**Press release: Immediate**

### **New privacy rules keep 92% of Common Agricultural Policy beneficiaries secret**

Farmsubsidy.org, the pro-transparency group of journalists and activists, meeting in Brussels this week, has expressed its dismay at the reversal of transparency in EU funds.

The group estimates that fewer than one in ten beneficiaries of EU farm subsidies has been published this year. The total value of payments published is €22 billion, or 45 per cent of the annual CAP budget of €54 billion.

The backsliding on transparency has come in the wake of a ruling by the Court of Justice of the European Union which states that EU rules on transparency were 'invalid' because of concerns that publication of data on payments to private individuals ('natural persons') would violate their right to privacy. It seems some member states are using a very broad definition of 'natural person' to keep as much data as possible from entering the public domain.

Following the ruling, the Commission has been consulting widely on a new law, considering all the arguments in favour and against transparency in public funds. However, the new law has not yet emerged, even as EU institutions are now deciding on the long term future of the CAP.

Farmsubsidy.org's Jack Thurston said:

“We are experiencing a backlash against open government at the EU level and much of it is founded upon a misplaced sensitivity about personal privacy. These are subsidies to farm enterprises, not medical records. We believe they should be out in the open. Both to guard against fraud and abuse and to promote a better understanding among citizens of how the CAP works. At at this moment when the future of the CAP is being decided, transparency is needed now more than ever.”

Three countries have published no data at all: Cyprus, Greece and Luxembourg. Governments in four countries have designed systems specifically designed to thwart access to the data, which must be published under EU laws on financial transparency. These countries are Ireland, France, Italy and the Netherlands.

Farmsubsidy.org's Nils Mulvad has managed to overcome these barriers, apart from for the Italian data, which remains partly inaccessible. He said:

“It's really crazy the way governments are trying to keep this data secret. They use all kinds of technical tricks but I am confident we will succeed in the end.”

Farmsubsidy.org's Brigitte Alfter, who runs the project, said:

“Farmsubsidy.org is one of the pioneering projects in a new movement of cross-border data journalism. We are building a powerful new community of journalists and programmers who are working together on complex investigative stories. This year's Data Harvest brought together almost a hundred participants.”

Despite the reduction in the amount of data published and the technical tricks used to keep the

data secret, farmsubsidy.org has compiled a list of 1,539 beneficiaries that receive more than €1 million. In total these large beneficiaries received €3.8 billion, or 7 percent of the entire CAP budget. Given the scale of the withheld and redacted data it is likely that the true list of CAP millionaires is much longer.

This year, the farm subsidy millionaire list is dominated by public bodies. This suggest governments are failing to publish end beneficiaries as required by EU law and are instead publishing intermediary bodies such as local and regional government agencies. For instance, the top recipient across the entire EU for 2011 is the Junta de Andalucia (€98.3 million). The Spanish government lists its own environment ministry as a top recipient of EU funds, apparently paying itself some €31.9 million euros.

This problem is across the board, with municipalities and government agencies listed as major beneficiaries, most commonly of rural development funds. Romania boasts 235 beneficiaries getting more than €1 million in CAP funds, more than any other member state. Most of these are 'comuna' or municipal authorities that receive significant rural development funds. No information is given of the purpose of these funds.

Topping the list of biggest recipients of the CAP's direct payments is Gesba, the state-owned banana company of the Portuguese island of Madeira (€6.6 million) followed by tropical fruit grower SA Bois Debout in Guadeloupe (€4.3 million) and the National Trust, a British charity with large landholdings (€4.2 million).

Rather than removing the payment records from the data published, as all other countries have done, the UK took the unusual step of redacting the names and locations of certain recipients but publishing the rest of the payment information. Some of the redacted beneficiaries are large recipients. One mystery UK recipient got €1.97 million and thirteen other unnamed beneficiaries got more than €1 million. The notion that all 'natural persons' are just small farmers is clearly untrue.

Full details on payments over €1 million are set out in a Google Spreadsheet, compiled from official data by farmsubsidy.org: <http://tinyurl.com/2011cap>

The table below sets out the extent of the secrecy of CAP funds

Country	Estimated beneficiaries redacted	Estimated funds redacted
Austria	97%	86%
Belgium	84%	69%
Bulgaria	94%	36%
Cyprus	No data	No data
Czech Republic	79%	27%
Denmark	12%	4%
Estonia	80%	15%

Finland	95%	86%
France	68%	35%
Germany	97%	72%
Greece	No data	No data
Hungary	0%	19%
Ireland	Extraction underway	Extraction underway
Italy	Data inaccessible	Data inaccessible
Latvia	82%	Unknown
Lithuania	99%	74%
Luxembourg	No data	No data
Malta	99%	84%
Netherlands	56%	20%
Poland	99%	71%
Portugal	96%	49%
Romania	95%	11%
Slovakia	79%	17%
Slovenia	98%	71%
Spain	94%	56%
Sweden	10%	3%
UK	94%	74%

The estimates are made with reference to aggregate spending data in the 2010 budget and data on individual CAP payments in 2009, the last year of budget transparency.

**Contacts for further information:**

Brigitte Alfter, co-founder and project manager +45 40 82 21 68  
Nils Mulvad, co-founder +45 51 50 48 08  
Jack Thurston, co-founder + 44 7973 155 278

**Notes to editors:**

1. Farmsubsidy.org was founded in 2005 by investigative journalists, researchers and activists. For more information visit [www.farmsubsidy.org](http://www.farmsubsidy.org)

2. Farmsubsidy.org is currently a project of the Pascal Decroos Foundation, a Belgian journalism foundation, and is currently supported financially by the Open Society Foundations.

3. If quoting the data please attribute the source as follows: “official data compiled and republished by farmsubsidy.org”.