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**The role of interest groups in the EU**  
**Multi-Level Governance system: the case study of the**  
**European Green Deal**

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## List of abbreviations

BEUC	Bureau Européen des Unions de Consommateurs
CAN	Climate Action Network
CCS	Carbon Capture and Storage
CCU	Carbon Capture and Utilisation
CSO	Civil Society Organization
DG	Directorate-General
ECL	European Climate Law
EEB	European Environmental Bureau
EGD	European Green Deal
ENGO	Environmental Non-Governmental Organization
EP	European Parliament
EU	European Union
GHG	Greenhouse Gasses
IG	Interest Group
IOGP	International Association of Oil and Gas Producers
IPCC	Intergovernmental Panel on Climate Change
LT	Lisbon Treaty
MEP	Member of the European Parliament
MLG	Multi-Level Governance
MS	Member State
MSF	Multiple Streams Framework
NGO	Non-Governmental Organization
OECD	Organisation for Economic Cooperation and Development
PA	Paris Agreement
SEA	Single European Act
TEU	Treaty on European Union
TFUE	Treaty on the Functioning of the European Union
WWF	World Wildlife Fund

## *Introduction*

Climate change can be considered the most important international challenge that the world is facing: the measures necessary to tackle it have a scope that transcends the frontiers of nation-states and requires long-term collective efforts. The European Union is committed to be at the forefront of this fight: with its recent action plan, the European Green Deal, the EU intends to become the world's first climate-neutral continent by 2050 and to pave the way for a transition that, while transforming every sector of its economy, will leave no people or region behind.

The present work is aimed at analysing how the institutional structure of the European Union, with its complex and multi-level decision-making processes, enables interest groups to pursue their objectives and influence the policy outcome. In particular, a focus will be made on the European Green Deal and on one of the main measures it entails, the European Climate Law. The research question guiding this analysis is: have interest groups contributed to raising the environmental ambitions of the European Green Deal? The answer will be provided utilizing the Multi-Level Governance (MLG) perspective in combination with the Multiple Streams Framework (MSF) as developed by John Kingdon in 1984<sup>1</sup>. The MLG perspective, first proposed by Marks in 1992, is a theoretical framework aimed at understanding the decision-making dynamics within the European Union, taking into account the dispersion of authority «above, below, and beyond the nation state» (Coen et al., 2020: 6). As pointed out by Piattoni (2009)

the term multi-level governance denotes a diverse set of arrangements, a panoply of systems of coordination and negotiation, among formally independent but functionally interdependent entities that stand in complex relations to one another and that, through coordination and negotiation, keep redefining the interrelations. The levels connected by MLG must be understood primarily as territorial levels (supranational, national, sub-national), each commanding a certain degree of authority over the corresponding territory and the individuals residing in it, but also more generally as jurisdictional levels, identified with regard to specific functions and to the constituents who are interested in the performance of those functions (Piattoni, 2009: 172).

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<sup>1</sup> The combination of these two methods was utilised in a report entitled “Multilevel Governance of Global Climate Change – Problems, Policies, and Politics” and published in 2020 by GLOBE – The European Union and the Future of Global Governance, a project funded by the EU under the Horizon 2020 Framework.

From this quote it is possible to understand that this perspective is applicable to the European Union.

The MLG framework is also appropriate to the study of interest groups' influence as this theory draws the attention to the role of non-state authorities and non-governmental organizations in the daily politics of the EU and to «their capacity to cross the gates to the non-domestic (European and international) arena without the keepers' permission» (Piattoni, 2009: 166). Prominent authors that have used this approach for the study of interest groups' participation in EU policy-making processes are Edgar Grande, with his book "Institutions and interests Interest groups in the European system of multi-level governance" (2001), and Joost Berkhout, Marcel Hanegraaff and Patrick Statch, with a recent paper entitled "Interest Groups in Multi-Level Contexts: European Integration as Cross-Cutting Issue in Party-Interest Group Contacts" (2020). Furthermore, the choice of this method derives from the fact that, in the field of environment policies, the MLG system explains how multiple actors can position themselves as leaders, allowing for a multilevel reinforcement (Schreurs and Tiberghien, 2007), i.e. a vertical and horizontal upscaling of best practices (Coen et al., 2020). The MLG framework will be combined with the Multiple Streams Framework (MSF) approach. According to this theory, it is possible to identify three "streams" that determine and influence policy-making processes. The first one is the problem stream, according to which new evidence or crises determine the identification of a problem requiring policy action. The second is the policy stream, and it is based on the solutions proposed by different actors. The third stream considered is the politics stream: in this case, elements such as election outcomes, interest groups' campaigns or changes in national priorities define how receptive policymakers are to the solutions offered. As observed by Coen et al. (2020)

policy change occurs if and when these three streams overlap, thus creating a "window of opportunity" during which people pay high attention to a problem, a viable solution exists, and policymakers have the motive and opportunity to select it. [...] By highlighting opportunity structures as well as the importance of agency, the MSF emphasizes the interactive, strategic, and contingent nature of policymaking and its effect. This is especially pertinent within complex MLG systems that accommodate a diversity of actors, each with their own incentives, values, and interests (Coen et al., 2020:8).

The present work will be developed as follows. The first chapter will be dedicated to the Multi-level Governance (MLG) system of the EU, considered as the independent variable of the present research. A section will focus on the definition of the European Union as a compound

polity, whose power is dispersed both vertically and horizontally (Fabbrini, 2010), and to the relationship between intergovernmental and supranational institutions. Subsequently, the decision-making structure of the European Union will be outlined, taking as a reference the legal basis that allows it to act in order to tackle climate change. Environmental governance is nowadays a matter of shared competence: both the European Union and its Member States have the competence to legislate and adopt binding environmental acts. One of the main institutional actors in this field is the European Commission, and in particular two of its Directorates General: DG Environment, created in 1973, and the more recent DG Climate Action (DG CLIMA), established in 2010. Finally, this chapter will examine the different types of leadership, i.e. structural, entrepreneurial and intellectual, that European institutions have been able to exercise in the international environmental governance – with the Green Deal being its most recent example.

The second chapter will provide a conceptualization of the lobbying activity and of the different Non-State Actors involved in the decision-making of the European Union, such as Civil Society Organizations (CSOs) and business groups. These actors will be considered as the intervening variable of the present work. Interest groups – here intended as societal actors that have a political goal, are organized and do not aim at a political office (Beyers et al., 2008) – are able to influence the policies of the European Union due to a variety of factors, such as the multiple access points, or leadership points, inherent to its decision-making structure. Since the beginning of the European project, the process of Europeanization has brought radical changes, shifting the governmental power to the EU, and «moving the *locus* of interest access and influence from national capitals to Brussels» (Schmidt, 2004: 115). This chapter will initially provide a definition and a classification of the various lobby activities. Secondly, it will underline the main strategies interest groups employ in order to reach their objectives, distinguishing them between insider and outsider tactics. The subsequent section will highlight the role lobby groups have in the European governance, the inherent problems they can solve – such as the democratic deficit of the institutions or the lack of technical expertise – and thus the ways in which they can find windows of opportunity for their action, namely the access points they have and which kind of resource they provide to European institutions. Some authors argue that it is the features of the European Union, with its complex system of Multi-Level Governance (Marks, 1993) and its differentiated and segmented processes (Richardson, 1994), that allow for the interference of interest groups. The present work will also mention some negative aspects of the lobbying activity, especially the issue of transparency during informal meetings with institutional representatives. The last part of this chapter will focus on the environmental lobby, pointing out the numerous constraints that CSOs and Environmental

NGOs (ENGOS) have to face. The work will then explain how these groups can overcome the obstacles related to financial resources and political influence by exploiting the media salience of an issue, pooling resources with other organizations, extending their membership base and being identified as a trusted actor by citizens.

The third chapter will illustrate the case study, i.e. the dependent variable of the present research: the European Green Deal, whose main aim is to transform the Union into a fair and prosperous society, with a modern, sustainable and competitive economy that leaves no one behind, where there are no net emissions of greenhouse gases in 2050 (European Commission, 2019a). On the basis of the analysis that will be conducted in chapter two, it is possible to affirm that the resources of an interest groups are centred around a multiplicity of factors, namely the funds available, the capacity to apply a wide variety of strategies to lobby European institutions and the ability to develop relationships with key policy-makers. The hypothesis guiding this research is: the more resources a group is provided with, the higher its capacity is to influence the policy-making process. The purpose of the third chapter will be to verify this hypothesis and thus understand the role of civil society organizations and business groups in setting the targets of the Green Deal, with a particular focus on the Climate Law. The first part will be dedicated to providing an empirical analysis of how interest groups can support the functioning of the European Union decision-making processes and how they succeed in shaping policy outcomes. The work will highlight the ways in which IGs try to influence the European institutions and the characteristics that ensure their success. The second part of the chapter will be dedicated to the first two streams of the Multiple Streams Framework, i.e. the problem and the politics streams. It will suggest how the momentum for dealing with the climate issue has been determined by the reports of scientific bodies urging for strong and comprehensive measures to tackle climate change, and the declarations of national parliaments about the climate emergency (problem stream). Furthermore, it will highlight that the European Commission has seized the moment of a green revolution, characterized by youth movements and the rise of Green forces in the European Parliament (politics stream). The third part will explain the policy stream aspect of this case study, i.e. the solutions offered by NGOs and business groups to the problem outlined above. A focus will be made on the European Climate Law, considering the different occasions that interest groups had to provide their inputs to European institutions. A section will be also dedicated to the issue of the influence of industry in the EU policy-making processes. Finally, an answer to the research question will be provided. It will be demonstrated that the European Green Deal can be considered as the institutional response to an increased awareness of the civil society, calling for ambitious climate action, and therefore that interest groups contributed to setting higher environmental standards.

Nevertheless, the presence of industry lobbies – capable of offering practical solutions and having potentially unlimited means to influence – has watered-down the ambitions of the EGD and hampered the EU to adopt a Climate Law truly in line with scientific requirements.

The concluding section will provide a summary of the work done and an assessment of the objectives of the Green Deal, especially considering the capacity of the EU to pose itself as a credible international leader in the fight to climate change. Some avenues for future research will be suggested, such as an analysis of the impact of the COVID-19 pandemic on the implementation of the Green Deal measures.

As far as the methodology is concerned, the present research will combine the document analysis and semi-structured interviews, whose added value can be understood in light of the limitation of documents available regarding the influence of interest groups in the case of the European Green Deal, as well as the possible distortions resulting from a study based on a single methodology. Data will be gathered from academic papers, books and official documents, as well as from webinars attended by the author of the present work and position papers issued by different interest groups. Given the intensity of data collection required for a comprehensive analysis of interest groups' influence, the author will limit the data collection to the positions taken by some prominent groups as well as to two cases of interaction with policy-makers – the high-level public conference on the European Climate Law, held in January 2020, and the public consultation on the Climate Law roadmap, open from January to February 2020. The criteria guiding the selection of official documents, scientific papers and books will be their capacity to support or disregard the hypothesis elaborated by the author, and to provide further inputs to the research. As far as the interviews are concerned, the author will personally collect the points of view of representatives of European institutions, environmental NGOs, think tanks, trade unions, employer associations and consulting companies. The interviews will be individual and conducted in a semi-structured manner: the key questions will be the same for all respondents, but they will be adapted according to the role they have. The meetings will be held online, using mainly MS Teams and Skype, since the COVID-19 pandemic does not allow to conduct them in person. The interviewees will be selected for their relevance to the topic under discussion, taking into account the need to differentiate the points of view. The empirical data collected through the interviews will constitute the basis of chapter three. The data analysis method will be the one of process-tracing, since the work, through a qualitative research, will try to unveil the causal relationship between the independent variable and the dependent variable. Particularly relevant in Political Science and International Relations, this approach has gained ground in recent years as a strategy to understand causal mechanisms in



single-case research designs. Prominent authors are Alexander George, Derek Beach and Rasmus Brun Pedersen. Even though the main shortcoming of process-tracing is its inability to make cross-case causal inferences, this method is particularly suitable for this research as it allows to «make strong within-case inferences about the causal process whereby outcomes are produced» (Beach and Brun Pedersen, 2016: 2), thus increasing the accuracy of a theorized causal mechanism. Specifically, the type of process tracing employed will be theory-testing process-tracing, aimed at deducing a theory from the existing literature and demonstrating whether the hypothesized causal mechanism occurs in a given case (Beach and Brun Pedersen, 2016). The case selection is based on a case study that, though limiting the possibility of generalization, enables to deeply understand the phenomenon and to take into consideration multiple variables. The choice of this case derives from the fact that, in the environment sector, the European Union was able to present itself as a leading international actor: the Green Deal can be considered a watershed moment and a starting point for even greater changes. The European Green Deal is also related to the discussion about multiple centres of power within the EU, since it will involve numerous institutional and non-institutional actors for its implementation.

This research might be academically and socially relevant since it will underline how the decision-making structure of the Union intersects with a democratizing function of interest groups: the European institutions have to reconcile many economic, social and political interests and through lobbying they maintain a constant dialogue with the representatives of these interests. Moreover, studies have shown that there is a substantial congruence between public opinion and public policy (Page and Shapiro, 1987). According to a 2021 Eurobarometer survey, 93% of European citizens see climate change as a serious problem and 90% of respondents believe that GHG emissions should be reduced in order to render the EU climate-neutral by 2050 (European Commission, 2021b). The European Green Deal is therefore a prominent example of how the EU succeeded in responding to the needs of its citizens and in promoting an environmental leadership. Most importantly, the EGD represents a transformational opportunity for the EU to continue to be a site of integration and improvement.

## *Chapter one: the European Union*

### **1.1 A *sui generis* political actor**

The European Union is a peculiar actor, whose identity cannot be included in standard classifications of political entities. This chapter will aim at explaining the Multi-level Governance (MLG) structure of the EU, that, with its compound system of actors and levels of government, allows for the influence of interest groups, leading to a particular policy outcome. The EU is neither an International Organization or an alliance of States, nor a national federal state. It cannot be assimilated to an International Organization since its founding treaties have conferred rights and obligations directly to European citizens, and not only to Member States. This principle is called “direct effect”<sup>2</sup> and was affirmed by the European Court of Justice (ECJ) during the judgement of *Van Gend en Loos*, in 1963. The European law has also the supremacy over the national one, a principle supported by the ECJ with the ruling of *Costa v. Enel*, in 1964. Even though international organizations enjoy a certain degree of autonomy, in the case of the EU, Member States have gradually pooled part of their sovereignties to supranational institutions, that have become independent from the States that created them. This has occurred since political elites realised that interstate agreements had to be safeguarded by institutions separated from the will of individual actors. As underlined by Telò (2008), «the European Union is not only a set of international regimes of intergovernmental cooperation, but also a political system where common institutions weight more than in any other international organization» (Telò, 2008: 147).

The European Union cannot be considered as a state either. It has no competences comparable to the ones states have, especially in some fields traditionally inherent to national sovereignty, such as security and defence, and it does not have an autonomous capacity to tax and spend. Furthermore, it has not an original legal personality, since it was established by an agreement among states, and it does not have the monopoly of the use of force over its territory. It cannot be defined as a federation by aggregation of previously independent states due to its horizontal separation of powers which, in a federal state, only exists at a vertical level. The most important distinguishing element is that the EU does not have an ultimate decision-maker: it lacks a single

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<sup>2</sup> This principle enables individuals «to immediately invoke a European provision before a national or European court». Even if subject to conditions, it serves to ensure the application and effectiveness of European law in every Member State. More information available at: <https://eur-lex.europa.eu/legal-content/SK/TXT/?uri=LEGISSUM:114547>.

institution as the *locus* of last decision, a government as such. Instead, it has «a quadrilateral system of institutions contributing to the decision-making process» (Fabbrini, 2015: 244). As underlined by Fabbrini (2015), the EU «has the basic properties of a federation [...], but at the same time it differs from the other federal unions because it operates according to a plurality of different decision-making regimes» (Fabbrini, 2015: xxiv).

As far as the future prospects of the EU are concerned, Member States are still considered masters of the treaties, and the unanimity requirement strongly hampers the capacity of the Union to evolve. In general, treaty reforms occur during critical junctures, i.e. historical moments when, due to major changes in the international context, the path-dependent logic is suspended (Fabbrini, 2015), and a window of opportunity for changes is opened. Even though Jean Monnet hoped for a gradual emergence of a federation<sup>3</sup>, a future integration in a supranational sense is unlikely to happen, unless a critical juncture occurs. After the failure of the project of a Constitutional Treaty, the intergovernmental perspective «emerged as the main perspective for relaunching the process of integration» (Fabbrini, 2015: 151).

In order to delineate the identity of the European Union, the previous analysis has served as an introduction to underline the aspects which differ from other polities. It is now of great relevance to illustrate the main qualities that characterize its nature and form. The European Union is «located in an intermediate level between the states and the global one; it is at the same time an international organization and a political system in the making, with a constitutional tendency, that represents only a region of the world» (Telò, 2008: 212). This contribution gives a sense of how complex it is to elaborate a definition of the EU.

The European Union can be classified as a federal union, based on a *foedus*, a treaty between states, and the creation of supranational institutions. The concept of union was used for the first time in the preamble of the Treaty establishing the European Economic Community, in 1957. The intention of the signatories was to create «an ever-closer union among the peoples of Europe» (Treaty establishing the European Economic Community). This notion was then maintained in the following treaty amendments and it assumed a particular importance in 1992, when, with the Treaty of Maastricht, the European Economic Community became the European Union. Moreover, with the Treaty of Lisbon, the Treaty establishing the European Community was renamed as the Treaty on the Functioning of the European Union (TFEU), where the term

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<sup>3</sup> In its memoirs, Monnet wrote that «we believed in starting with limited achievements, establishing a de facto solidarity, from which a federation would gradually emerge». Monnet, J. (1978), «Memoirs», New York: Doubleday.

“community” was replaced by “Union” throughout the text. Its federal element derives from the fact that it has a vertical separation of powers, whereby central institutions share their competences with the institutions of the constituting units – both national and subnational. Federal unions disperse the decision-making power also at the horizontal level in order to preclude the formation of a powerful federal centre (Fabbrini, 2015). In the EU, the governmental process has to pass through «separated and concurrent majorities» (Fabbrini, 2010: 288): each institution owns a quota of decision-making power and has to cooperate with the others in order to generate a policy outcome. This creates a weak decision-making system, often subject to delays and stalemates, but nevertheless necessary in order to prevent the creation of a group of powerful states or the prevalence of an institution assuming the control over the others. Moreover, each actor has a distinct base of legitimacy: the members of the European Parliament have been elected directly by European citizens since 1979, the states’ representatives in the Council and the European Council are legitimated by national procedures, and the President of the European Commission is nominated by the EP and the European Council. The inter-institutional accountability is also safeguarded by national courts and by the European Court of Justice.

A prominent example of interaction among institutions is the election of the President of the European Commission. This has been one of the prerogatives of the European Parliament since the approval of the Lisbon Treaty, but the debate on the modalities of this election dates back to the 1980s. The underlying idea was to create a link between the Commission and the European Parliament, and at the same time to ensure the control over the European Council’s nomination. Since 2009, the candidate has been proposed by the European Council – that votes by qualified majority – taking into consideration the outcome of the European Parliament’s elections (TEU, Article 17(7)). The candidate is then elected if approved by the absolute majority of the Members of the European Parliament (MEPs). This political function is stressed by TEU, article 14(1), which states that «the European Parliament shall, jointly with the Council, [...] exercise functions of political control and consultation as laid down in the Treaties. It shall elect the President of the Commission» (Official Journal C 326, 2012a). A similar procedure exists for the College of Commissioners: the Council and the Commission President agree a list of candidates, one for each MS, who then are to be approved by their respective parliamentary committees. The Commission in its entirety is finally approved by the Parliament during a plenary session and formally appointed by the Council. In 2012, the EP adopted a resolution urging «the European political parties to nominate candidates for the Presidency of the Commission» (European Parliament, 2012) and stressing «the importance of reinforcing the political legitimacy of both Parliament and Commission by connecting their

respective elections more directly to the choice of the voters» (European Parliament, 2012). With the Parliament's elections of 2014, the system of lead candidates – or *Spitzenkandidat* – was introduced, in order to «foster the emergence of a genuine European political sphere» (European Commission, 2012: 37). Each European political party designates a candidate for the role of president of the Commission, and the party which obtains the highest share of votes in the elections can propose him or her to the Parliament. During the European Council held on June 2014, Jean-Claude Juncker, the *Spitzenkandidat* of the European People's Party – the group that obtained the plurality of seats in the EP – was proposed as president of the Commission and later approved by the Parliament in July. With this new procedure, the Union evolved in a parliamentary direction, establishing a direct relationship between the legislative and the executive organ: as pointed out by Fabbrini (2015), from this year on «the Commission president was chosen from a popular vote» (Fabbrini, 2015: 155), and a clear link was created between the outcome of European elections and the President of the Commission.

Another aspect that characterizes the EU and that needs to be introduced is the concept of “compoundness” (Fabbrini, 2015: 213), the systemic property of federal unions by aggregation. A polity is compound when it has a multiple separation of power system, implying a dispersion of decision-making authority both at the vertical and at the horizontal level. Compound polities possess intergovernmental and supranational characteristics, thus presenting some analogies with a confederal entity and some others with a federal organization. The European Union has assumed this configuration by necessity: a unified polity would have been impossible due to the structural asymmetries among its constituent members. Moreover, this peculiar form was the response to the Member States' realization that a Westphalian system of balance of power was no longer feasible. In order to preserve Member States' prerogatives but, at the same time, be able to proceed with common goals, the European Union combines two different systems: national interests are forwarded by the intergovernmental Council and the European interest is elaborated and implemented by the European Commission. Since a polity is democratic if «its decisions are taken respecting specific criteria and are binding on individuals as well as corporate bodies» (Fabbrini, 2010: 200), and the EU fulfils these requirements, it can be defined as a compound democracy. It has a dual legislature, represented by the EP and the Council – working together in the ordinary legislative procedure – and a dual, or “Janus-like” (Fabbrini, 2015: 38), executive, embodied by the Commission and the European Council.

Some authors point out (Fabbrini, 2010) that Europe cannot become a full-fledged compound democracy, since it lacks a formal constitution: an attempt to approve a Constitutional Treaty has been made in the first years of the new millennium, but it was halted by French and Dutch

voters. This is a prominent example that demonstrates how the diversity of European Member States hampered a political integration. A constitution might have created *e pluribus unum*: on the contrary, the distance among the peoples of Europe hindered the ratification of such a document. However, the Treaty of Lisbon includes most of the elements of the Constitutional Treaty, except proper constitutional symbols such as the flag, the anthem and the Preamble. Furthermore, thanks to the role of the European Court of Justice, the founding treaties have acquired a constitutional value, meaning that they are sources of law superior to national legislations and cannot be easily amended: consequently, the EU can be considered a constitutionalized regime (Fabbrini, 2010). The treaties provide «a vertically integrated legal order that confers judicially enforceable rights and obligations on all legal persons and parties, public and private, within the EU territory» (Fabbrini, 2010: 244).

An interesting point of view about the nature of the European Union has been offered by Nicolaidis (2013). This scholar has elaborated the concept of European *demoicracy*, defined as

a Union of peoples, understood both as states and as citizens, who govern together but not as one. It represents a third way against two alternatives which both equate democracy with a single demos, whether national or European. As a *demoicracy-in-the-making*, the EU is neither a Union of democratic states [...] nor a Union-as-a-democratic state to be [...]. A Union as-*demoicracy* should remain an open-ended process of transformation which seeks to accommodate the tensions inherent in the pursuit of radical mutual opening between separate peoples (Nicolaidis, 2013: 3).

Even though the Maastricht Treaty «celebrated the EU as a Union of both states and their citizens» (Fabbrini, 2015: 12), the EU is a «*demoicracy in the making*» (Nicolaidis, 2013: 3), since there is still a plurality of *demoi* within its territory.

The Lisbon Treaty tried to rationalize the decision-making structure of the EU. Nevertheless, as Moravcsik (2002) underlines, the EU requires concurrent majorities: «Consistent and effective EU policy-making tends to be possible only where there exists not just a supermajority of national representatives, but a supermajority of European technocrats, judges and parliamentarians as well» (Moravcsik, 2002: 610). This happens in every field of the EU action, and particularly – as regards the scope of the present research – for the Environment Policy.

## 1.2 The Environment Policy: legal basis and actors

During the process of European integration, European Member States have gradually recognized the need to delegate crucial policy functions to institutions independent from their will: they have pooled their powers, managing to build a supra-state order through peaceful means (Fabbrini, 2015). Nevertheless, states are still reluctant to completely yield their authority: this is particularly true for fields such as the environment and climate change, where the issues involved potentially fall under the remit of national sovereignty. States thus try to maintain a certain degree of control over environmental policy.

The early concerns of European Member States were of mere economic nature, and the climate was still not recognized as something to be protected and that could potentially impact all sectors of human activity. Indeed, the European integration proceeded according to a neo-functional logic<sup>4</sup>: as soon as a new issue emerged, the EU needed to acquire the competences to approve policies in new fields. A Treaty revision thus followed.

The Treaty establishing the European Economic Community, signed in Rome in March 1957 and entered into force in January 1958, established the main decision-making bodies and their authority, but it did not address environmental concerns. Nonetheless, even though it made no explicit reference to the environment, article 2 stated how the Community had to promote «a harmonious development of economic activities, a continuous and balanced expansion, [...] an accelerated raising of the standard of living and closer relations between its Member States» (Treaty establishing the European Economic Community).

It was the Single European Act (SEA), signed in February 1986 and entered into force in July 1987, that, for the first time, enlisted the environmental policy among the recognised objectives of the European Union. The SEA, by revising the Treaties of Rome, expanded the competencies of the European Community to other policy areas and paved the way to further political and economic integration. Title VII was dedicated to the Environment, and articles 130 r-t established an explicit legal foundation for the adoption of environmental policy. The SEA represented a landmark also because it introduced the subsidiarity principle: decisions had to be taken at the European level only in case this would lead to a more effective policy outcome than the one obtained if they were taken at the level of an individual country (article 130r (4)). The SEA introduced some fundamental principles that are still guiding the European action

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<sup>4</sup> According to this approach – whose main supporter was Jean Monnet – achieving integration in a sector would lead to a “spill-over”, i.e. the conditions for integration in other policy areas.

nowadays. According to article 130r (2), «action by the Community relating to the environment shall be based on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source, and that the polluter should pay» (Official Journal of the European Communities, 1986). The precautionary principle entails that environmental policies shall be adopted even in the absence of scientific proof of environmental risks. Moreover, the polluter-pays principle places the burden of environmental protection on the producers of environmental negative externalities (Orsini and Kavvatha, 2020): these principles therefore imply an environmental liability, i.e. the obligation not only to prevent but also to repair the damage caused<sup>5</sup>. The SEA also introduced the integration principle, according to which «environmental protection requirements shall be a component of the Community's other policies» (Article 130r (2)). The same article proceeded (5) by stating that «within their respective spheres of competence, the Community and the Member States shall co-operate with third countries and with the relevant international organizations» (Official Journal of the European Communities, 1986). With this comma, the international scope of climate challenges was thus acknowledged.

The main authorities in the environmental field, and their decision-making method, were delineated by article 130s: «the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, shall decide what action is to be taken by the Community» (Official Journal of the European Communities, 1986). The SEA introduced new areas in which decisions in the Council would be taken by qualified majority: according to the same article, «the Council shall [...] define those matters on which decisions are to be taken by a qualified majority» (Official Journal of the European Communities, 1986). This change epitomised the recognition by national governments that renouncing to their veto power was necessary in order to ensure decision-making effectiveness. Nonetheless, in order to avoid an excessive limitation of Member States' sovereignty, it was then made a declaration on article 130r, stating that «the Community's activities in the sphere of the environment may not interfere with national policies regarding the exploitation of energy resources» (Official Journal of the European Communities, 1986). Moreover, this Treaty (article 130t) allowed an autonomous action of the States in order

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<sup>5</sup> The polluter pays principle was incorporated in a Directive of 2004, the *Directive 2004/35/EC of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage*. It aims at implementing the polluter pays principle, in order to contribute to a better environment by preserving its natural resources. More recently, in March 2021, the Commission adopted some guidelines in order to clarify the term “environmental damage”, that will support Member States' assessment on whether a damage to water, land and protected species and natural habitats occurred.



to increase the environmental protection: «The protective measures adopted in common [...] shall not prevent any Member State from maintaining or introducing more stringent protective measures compatible with this Treaty» (Official Journal of the European Communities, 1986). This idea was also stressed in a previous article, article 100a (4), that envisaged the possibility for Member States to «apply national procedures on ground of major needs» (Official Journal of the European Communities, 1986), thus allowing to set national environmental standards higher than the ones adopted by harmonization measures. This treaty also represented an important step for the European Parliament, which, now directly elected, was asking for a more incisive role. The cooperation procedure was introduced, whereby the Parliament could issue an opinion about a legislative proposal. This procedure, however, did not ensure a veto power to the EP, since it only compelled the Council to vote unanimously to reject or approve the Parliament's proposal.

Five years later, in February 1992, the Treaty on European Union was signed in Maastricht. With its entry into force, in November 1993, the EU policies were divided into three pillars, with the environmental matters mostly falling under the first one. While previously the Council had to decide the matters on which decisions were to be taken by qualified majority voting (QMV), with these modifications the QMV system was extended to most environmental issues. Since Maastricht, the European Parliament started to be considered on an equal footing with the Council: with the introduction of the co-decision procedure, a legislative proposal from the Commission had to be approved both by the Council and the European Parliament. Article 2 is of particular importance, since it included a sustainable and environmentally friendly growth among the aims of the EU: the Community had to promote a «sustainable and non-inflationary growth respecting the environment» (Office for Official Publications of the European Communities, 1992). The Maastricht Treaty extended the integration principle: article 2 provided for the integration of environmental protection requirements «into the definition and implementation of other Community policies» (Office for Official Publications of the European Communities, 1992). The section dedicated to the Environment was Title XVI, whereby the objectives and the decision-making procedures were outlined. The Treaty created four possible procedures for enacting environmental legislation. Under Article 130s, there was the qualified majority voting in the Council and the co-operation procedure with EP, the qualified majority voting in the Council and the co-decision procedure with the EP and the unanimous voting in Council and consultation with the EP for exceptional cases referred to in Article 130s(2). For matters related to the establishment of the single market, instead, article 100a involved the qualified majority voting in the Council and the co-decision with the EP.

The Treaty of Amsterdam, signed in October 1997 and came into effect in May 1999, amended many environmental provisions of the previous Treaties. In the Intergovernmental Conference preceding it, a division between Member States had emerged. France, Germany and the United Kingdom had not enlisted the environment among their priorities, differently from Sweden and Austria (Poostchi, 2002). Nevertheless, this treaty reform was of particular importance, since it incorporated the concept of sustainable development in the community legal order. It was internationally defined in “Our Common Future” Report, published in 1987 by the World Commission on Environment and Development (WCED)<sup>6</sup>, as the kind of development able to meet «the needs of the present without compromising the ability of future generations to meet their own needs» (United Nations, 1987). The Treaty of Amsterdam amended Article B and Article 2. The former included the achievement of a balanced and sustainable development among the objectives of the EU. This commitment was further strengthened by article 2, according to which the Community should ensure «a high level of protection and improvement of the quality of the environment» (European Communities, 1997). As pointed out by Poostchi (2002), with this Treaty environmental protection was «elevated to a place of greater significance, alongside the objectives of creating an internal market, and an economic and monetary union» (Poostchi, 2002: 77). The principle of environmental policy integration was reinforced by the addition of article 3c, stating that «environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities referred to in Article 3, in particular with a view to promoting sustainable development» (European Communities, 1997). The treaty, amending article 100a, authorized Member States to adopt provisions for the protection of the environment that differed from the harmonization measures, provided they ensured higher environmental standards or represented the response to new scientific evidence.

As far as the decision-making process is concerned, the co-decision procedure was simplified, and the role of the European Parliament was strengthened. After 1999, three procedures were in place: qualified majority voting in the Council and the co-decision procedure together with the EP under article 130s; unanimous voting in the Council and consultation with the EP for exceptional cases referred to article 130s (2); and qualified majority voting in the Council and the co-decision for those matters relating to the establishment of the single market (Poostchi, 2002). The Amsterdam Treaty eliminated the co-operation procedure for measures under article

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<sup>6</sup> More commonly known as the Brundtland Commission, for the name of its Chair, Gro Harlem Brundtland. It was convened by the United Nations in 1983.

130s, thus reducing the number of procedures to three and ensuring, with the co-decision procedure, that a negative opinion of the European Parliament could not be ignored.

The Treaty of Lisbon, signed in December 2007 and entered into force in December 2009, has introduced further modifications, with the aim of increasing decision-making efficiency and transparency. The phenomenon of cross-pillarization – i.e. the reciprocal influence and link among policies belonging to different fields – led the signatories to remove the previous division into pillars. Instead, the competences of the European Union have been classified into three typologies: exclusive, shared and supporting. This division has been clarified in the Treaty on the Functioning of the European Union (TFEU), in articles 2, 3 and 4. The environmental matters fall within the second domain (TFEU, art. 4) meaning that both the EU and its Member States have the power to legislate and adopt binding environmental acts. Nevertheless, Member States cannot exercise competences in areas where the Union has already done so. The European action is based on the principle of subsidiarity: in areas of non-exclusive competence of the Union, it shall take action only if and in so far as the objectives of the proposed action cannot be adequately achieved by the Member States and can be better achieved at EU level. The EU is also constrained by the requisite of unanimity in the Council for decisions on some topics, such as fiscal issues, determination of energy sources and territorial planning. The co-operation procedure, earlier limited by the Nice Treaty<sup>7</sup> to the European Monetary Union, was finally repealed by the Lisbon Treaty, which established the ordinary legislative procedure for environmental policy-making.

Nowadays, the legal basis for the EU intervention in environmental matters is given by articles 11, 191, 192 and 193 of the TFEU. The European Union's action on the environment has four general objectives, that are expressed in TFEU, article 191: preserving, protecting and improving the quality of the environment; protecting human health; prudent and rational utilisation of natural resources; and promoting measures at the international level in order to deal with regional or worldwide environmental problems, and in particular combating climate change (Official Journal C 326, 2012). For the first time, European treaties have come to include the fight to climate change as an explicit goal of the EU. The article also reaffirms the principles on which the European action is based, i.e. the precautionary principle, the principles that preventive action should be taken, that environmental damage should be rectified at source and that the polluter should pay. The same article also insists on the importance of international

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<sup>7</sup> Adopted in February 2011 and entered into force two years later, it was the institutional response to Europe's enlargement. It reinforced the legislative power of the European Parliament and the qualified majority voting in the Council was extended to further policies.

cooperation, when, at the fourth comma, it states that «the Union and the Member States shall cooperate with third countries and with the competent international organisations» (Official Journal C 326, 2012b). The Treaty of Lisbon has recognized the legal personality of the Union, thus allowing it to act on the global level, signing its own international agreements. The importance of a coherent global action to ensure the sustainable development is also stressed in article 21(2) of the TEU: «The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to: [...] help develop international measures to preserve and improve the quality of the environment and the sustainable management of global natural resources, in order to ensure sustainable development» (Official Journal C 326, 2012a).

Between 1957 and 1986 the European Union experienced a gradual establishment of a trilateral institutional decision-making system. It is structured around the Commission, the driving force of the political process, the Council and the European Parliament. This system is supervised by the European Court of Justice, that exerts its control both on Member States and on European institutions. As the Union lacks a clear organizational centre, different bodies shape environmental policy, and their influence changes over time (Selin, VanDeveer, 2015). This section will thus try to underline their different functions in the decision-making processes.

The European Commission is entrusted by the Treaties to determine the overall strategy of the Union and to propose laws and policies. It also has several other tasks, such as the capacity to initiate enforcement actions against Member States not complying with EU legislation or to represent the EU in external fora. It is thus possible to understand the centrality of the European Commission, an institution often advocating for greater EU authority (Selin, VanDeveer, 2015). The European environmental policy falls under the mandate of the Directorate-General (DG) Environment, created in 1973. The aim of this Commission's department is to preserve and improve the environment for present and future generations. It also has the responsibility to ensure that Member States apply EU environmental law correctly and to represent the EU at international environmental meetings. The recognition of the importance and complexity of the challenges determined by climate change resulted, in 2010, in the creation of a new DG, the Directorate-General for Climate Action (DG CLIMA). Since then, the governance of this topic – previously falling into the remit of DG Environment – has been taken by DG CLIMA. Its role is to formulate and implement climate policies and strategies in order to tackle climate change, both at EU and international level. It leads international negotiations on climate and implements the EU Emissions Trading System. Due to the horizontal scope of the environmental policy, other Directorate-Generals are involved, such as DG Maritime Affairs and Fisheries. A rigid

definition of the Commissioners responsible for climate policies might be counterproductive and might lead to tensions among Directorate-Generals. An example of an intra-institutional conflict is represented by the auto-oil programme in the 1990s, while a positive resolution of conflicts occurred during the negotiations for the reform of the Common Agricultural Policy in 2013<sup>8</sup>.

The role of the European Parliament in the environmental sector has increased in parallel with the treaty reforms. With the Treaty of Lisbon, the co-decision procedure assumed the name of “ordinary legislative procedure” (TFEU, article 289). This change meant that this procedure became the standard rule in order to adopt legislation and, at the same time, represented a full recognition of the EP as the popular chamber of the legislature. As a matter of fact, this procedure is applied to the majority of EU legislation, covering a wide range of fields, from consumer rights to environmental protection. The majority of the parliamentary work is carried out in the committees, especially the Committee on Environment, Public Health and Food Safety (ENVI) and the one for Industry, Research and Energy (ITRE). Due to the multisectoral nature of environmental topics, other committees are also involved, such as the AGRI (Agriculture and Rural Development) and PECH (Fisheries). Beside its role of co-legislator, authors point out that the Parliament’s interactions with actors «such as national parliaments, the Council of Ministers and the European Commission, have been particularly relevant in the building-up of more appropriate and legitimate incentives for the correct implementation of common policies» (Torres, 2003: 322). Its role is therefore crucial in every step of the policy drafting and implementation. The interactions of the EP also involve the Committee of the Regions and the Economic and Social Affairs Committee, particularly with the sub-group competent for environmental matters. The European Parliament has traditionally been considered as the greenest European institution, calling for more progressive environmental policies and stringent rules since the 1970s. A recent example is represented by the LIFE Programme for Environment and Climate Action: as reported by Orsini and Kavvatha (2020), «the EP has used its budgetary powers to push for a 43% higher budget» (Orsini and Kavvatha, 2020: 307), thus tripling the climate action budget with respect to the previous LIFE Programme. Nevertheless, some authors (Burns and Carter, 2010), have underlined the Parliament’s more moderate and pragmatic approach in recent years. This trend, attributable to

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<sup>8</sup> For a more detailed explanation and further examples, see Lenschow, A. (2020). ‘European Policy: contending dynamics of policy change’, in H. Wallace, M. A. Pollack, A. R. Young and R. Christilla (eds.), *Policy-making in the European Union*. Oxford: Oxford University Press, 297-320; and Torres, F. (2003). ‘How efficient is joint decision-making in the EU? Environmental policies and the co-decision procedure’, Springer, Heidelberg, 38 (6): 312-322.

the increase of its workload, to the enlargement of the EU and the economic crisis, could have been reversed in the context of the European Climate Law. With its proposal of a percentage of net 60% greenhouse gasses (GHG) emissions reduction by 2030, the EP presented itself as the most ambitious institution – as compared to the Commission and Council advocating for a target of 55%.

The Council of the European Union, gathering the ministries of the Member States, is characterized by a high level of fragmentation: it has ten different configurations which meet according to the policy under discussion. Environment ministers from all 27 Member States gather in the Environment Council, that addresses all environmental issues, including the prudent use of resources, the protection of human health and climate change. Both the Commissioners for the Environment and for Climate Action take part to its meetings – usually four per year. The importance of the Environmental Council resides in the fact that it is responsible for the elaboration of common European positions for international environmental conferences and negotiations. Another relevant council formation is the Agriculture and Fisheries Council (AGRIFISH), competent on issues about the production of food, rural development and the management of fisheries, including the Common Agricultural Policy.

The role of the European Council in the environmental decision-making is more marginal, as it has no formal law-making authority (Selin, VanDeveer, 2015). Its function is nonetheless significant, since it formulates the general political direction and priorities of the EU. The targets it set can thus directly or indirectly impact the environmental sector. Selin and VanDeveer stress that «no major political developments happen without the approval of Member State leaders» (Selin, VanDeveer, 2015). Moreover, considering its role on the election of the President of the Commission, the European Council inevitably conditions the path taken by this supranational institution.

The European Court of Justice does not have a formal role in the adoption of environmental directives or regulations, but it can be considered an actor in the environmental policy to the extent that it ensures the compliance with environmental legislation by Member States and establishes the legitimacy of EU measures. Since the 1970s its case law has been crucial in the establishment of the legal basis for environmental action. Its rulings had several impacts: the Court clarified the relationships between single market measures and the need to protect the human health and the environment (Selin, VanDeveer, 2015), and «pushed the frontiers of democratic decision-making in the EU and extended access to justice to environmental activists» (Lenschow, 2020: 309). Prominent examples of ground-breaking judgements are the Danish Bottle case of 1988, limiting the freedom of movement in reason of environmental concerns, and the Titanium Dioxide case of 1991, that enhanced the role of the European

Parliament. The European Court of Justice has been decisive also in the acknowledgement of the external authority of the EU. With the judgement on the European Agreement on Road Transport of 1971 the ECJ created a parallelism between internal and external competences, stating that internal Community measures may not be separated from those of external relations. National judges also play a pivotal role in the enforcement of rights and obligations deriving from European legislation. The European Union Forum of Judges for the Environment deserves a mention: created in 2004, it contributes to the correct implementation of environmental law, promoting the sharing of case law and experiences.

A further actor is the European Environment Agency (EEA): established in 1990 and headquartered in Copenhagen, it provides Member States and institutions with independent data and technical documentation on the environment. The EEA has the mandate to help the EU and its member countries to make informed decisions on how to improve legislation and policies, and to develop and co-ordinate the European Environment Information and Observation Network (Eionet) – the network of national environmental bodies aimed at collecting environmental data and ensuring their quality. Beyond the EEA, there are more than forty specialized agencies within the EU: some instances are the European Food Safety Authority, established in 2002 and based in Italy, and the more recent European Chemicals Agency, created in 2007 and based in Finland.

Moreover, since in the field of the environment the principle of subsidiarity is applied, Member States' authorities must be taken into account. Regional and local authorities, for instance, are key actors. Through the Technical Platform for Cooperation on the Environment – a forum launched in 2012 – the cooperation among them and the European Committee of the Regions is encouraged. In order to facilitate the implementation of the legislation in the environmental sector, the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) was established in 1992 as an informal network. Since 2008, it has become an international non-profit association of the environmental authorities of EU Member States, candidate countries, and States part of the European Economic Area and the European Free Trade Association.

European citizens can also be involved directly. It is possible to submit a petition to the European Parliament or call on the European Commission to make a proposal through the European Citizens' Initiative – introduced by the Lisbon Treaty and requiring at least 1 million signatories from 7 different Member States. Moreover, the Commission ensures the involvement of the civil society by holding online public consultations during the preparation of an initiative or evaluation. The contributions from European citizens are also taken into consideration by the Parliament and the Council.

The present section has been aimed at underlining the numerous actors involved in the environmental policy planning and implementation. It is then possible to understand why the EU can be classified as a Multi-Level Governance (MLG) polity, since MLG theory implies that no level of policymaking can impose its decisions to the other levels and that policy action is «a matter of negotiation and cooperation between a diversity of actors at different levels» (Di Gregorio et al., 2019: 66). Furthermore, as pointed out by Fabbrini (2010), «informal network structures of governance, involving regional and local actors, complement the formal institutions which connect the constituent units with the center» (Fabbrini, 2010: 210). An additional contribution is provided by Lehmann (2009), who draws the attention to the fact that EU can be seen as a Multi-Level Governance polity as it functions through «a network of horizontal and vertical cooperative relationships between supranational, national, regional, and local public and private actors» (Lehmann, 2009: 42). From this derive the difficulties for the EU to reach an agreement on new commitments and to present itself as a unified actor on the international scene. The next sub-paragraph will try to understand whether the Union has succeeded in having an effective role both within and beyond its borders.

### **1.3 An international leader?**

The European environmental policy has considerably evolved in recent years, shifting the focus from singular issues, such as the protection of endangered species or the reduction of GHG emissions, to a systemic approach that takes into account not only the interrelationship between various issues but also their global dimension. This shift is epitomized by the Environment Action Programmes (EAP), the general policy frameworks for the EU environment policy, defining the most important medium and long-term goals since 1972. The EAPs have developed from offering immediate solutions to specific problems to addressing environmental issues in a broader perspective, connecting environmental objectives to the general economic and social development.

As the biggest economy in the world, representing 20% of the global GDP and with a total population of 446 million citizens, the EU inevitably has an impact on the international environment. As a study by Climate Analytics points out, the Union has also an historical responsibility for climate change. By considering the contributions to the increase in temperatures as an indicator of such responsibility, Climate Analytics was able to state that the European Union is liable for the 17.3% of the average temperature increase (Rocha et al., 2015).



Being aware of its responsibility, the EU is committed to lead international discussions towards high environmental standards.

Several authors (Schreurs and Tiberghien, 2007; Selin and VanDeveer, 2015; Burns et al., 2019) agree on the centrality of the European Union in the global efforts to tackle climate change. As «the most legally, politically and economically authoritative international organization in the world» (Selin and VanDeveer, 2015: 2), the EU has been able to act as an agenda-setter since the 1990s. As pointed out by Godet (2020), the EU has implemented more climate policies than any other country in the world (Godet, 2020). This has happened despite its articulated decision-making structure, that often gives origin to slowdowns and stalemates. It has been argued, however, that the MLG structure of the EU can engender a competition for leadership: it «has created not just multiple veto points, it has created numerous leadership points where competitive leadership has been initiated» (Schreurs and Tiberghien, 2007: 26). The notion of leadership, crucial for understanding the role of the EU on the international arena, can be classified into four typologies. The first one is the structural leadership, that is based on the concept of hard power: the capacity to influence others depends on material resources, such as military and economic means. Also called power-based leadership, in the environmental context Vogler and Stephan (2007) define it as the «ability and willingness to commit material resources in support of work by international organisations and scientific and technical advisory panels, shaping their operations and policy outcomes» (Vogler and Stephan, 2007: 392). Though usually attributed to Member States and societal actors backed with strong economic resources, the EU as a whole can also wield structural leadership. An example provided by Lenschow (2020) is trade: bilateral or regional trade agreements can support environmental norms and standards (Lenschow, 2020). The Comprehensive Economic and Trade Agreement with Canada, for instance, includes a chapter covering environmental criteria. A second type of leadership is definable as entrepreneurial: it refers to the capacity to resort to diplomatic, negotiating and bargaining tactics with the aim to find a compromise. This typology of leadership is usually associated to the Commission, the European Council Presidency and the European External Action Service. Some scholars (Lenschow, 2020; Schreurs and Tiberghien, 2007) have underlined how the Commission, through the formulation of environmental legislation, has tried to advance its role as a supranational actor and its regulatory and monitoring powers, while at the same time to shape EU's foreign identity. It has therefore exercised an entrepreneurial leadership, by ideating new policies and creating consensus around them. An example of the leadership capacity of the EU is provided by the Commission on Sustainable Development (CSD), established in 1993 in order to ensure an effective follow-up

to the Rio Earth Summit. On this occasion, the EU and its Member States were able to maintain a consistent and proactive approach, thus demonstrating the Union's «diplomatic perseverance [...] as an international actor» (Vogler and Stephan, 2007: 403). A further typology is the cognitive or intellectual leadership: it refers to the capacity to frame and define concepts, giving them a new meaning, as well as problem perceptions and solutions. It is usually applied in the agenda-setting phase and, often being the result of a gradual process of conceptualization, it can be difficult to assess (Vogler and Stephan, 2007). An example of intellectual leadership is the European commitment to sustainable development, as «no other power has done as much to elevate it to the status of an organising principle of GEG [Global Environmental Governance]» (Vogler and Stephan, 2007: 393). The EU has succeeded, through this concept, to build a «theoretical bridge connecting the environment with economy and society» (Vogler and Stephan, 2007: 393). The last type of leadership can be defined as exemplary – or leadership by example. It can be further classified into unintentional example setting and intentional example setting, aimed at attracting followers (Wurzel et al., 2018). This “power by attraction” can also be referred to as directional leadership. Vogler and Stephan (2007) mention it as the capacity of the EU to demonstrate «the feasibility of alternative, sustainable solutions to common problems and perhaps backing this up with domestic examples, technical expertise, and funding proposals» (Vogler and Stephan, 2007: 402). A prominent example of this typology of leadership is provided by the EU Emission Trading System.

The period between 1990 and 2001 is considered as the apex of the power by attraction of the EU (Telò, 2018): in those years, the Union was able to «lead through the force of example, to induce other countries to learn through the “European lesson”» (Telò, 2018: 90). This power of attraction was fundamental for environmental legislation, since one of the criteria for accession was – and still is – the acceptance of the *acquis communautaire*. Therefore, candidate countries had to comply with existing norms and principles in order to have all the advantages that the membership of the EU entailed. The European leadership efforts in this period can be epitomized by the negotiations anticipating the Kyoto Protocol. The burden-sharing agreement<sup>9</sup> among its Member States allowed the EU to strengthen its position, since it was able to commit to a GHG emissions reduction target of 8% by 2012 (Lenschow, 2020). Even though the Kyoto target was set to 5% compared to 1990s levels, the Union was able to lead other countries to go

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<sup>9</sup> It consists in a political agreement among EU countries, reached in 1998, based on the allocation of emission reduction efforts.

further than they were willing to (Schreurs and Tiberghien, 2007). This was a success especially considering the lack of commitment from the United States. Gupta and Ringius (2001) argue that «the Kyoto targets would not have been as ambitious as they are without the EU» (Gupta and Ringius, 2001: 294).

Dupont and Oberthür (2018), instead, believe that throughout the 1990s the leadership of the EU was mainly rhetorical, as its «positions were rarely underpinned by effective domestic climate policy» (Dupont and Oberthür, 2018). In the 2000s, however, the EU passed and implemented various climate policies. One of the biggest achievements and the cornerstone of the EU climate policy is the EU Emissions Trading System. It became operative in 2005 and it is the main EU instrument for cutting GHG emissions. Linking environmental concerns with market imperatives, it has proven to be an effective tool: the emissions from heavy energy-using installations and airlines declined by about 35% between 2005 and 2019 (European Commission, n.d., b). As the first transnational emission trading system in the world, it was a clear signal of leadership (Lenschow, 2020). The European Parliament has recently underlined the economic rationale of this tool by stating that «if the global temperature is allowed to rise to about 3°C above pre-industrial levels by 2100, the cost of damages could be equivalent to about 4% of EU gross domestic product (GDP) per year» (Klugman, 2018). The EU thus showed that it was able to lead by example (Godet, 2020).

The “power of attraction” of the EU weakened after the financial crisis of 2007-2008, which, according to Telò (2017), «highlighted and exacerbated a series of structural problems [such as] the difficulty in governing the crisis, the spread of poverty and inequality among and within the various member states, [and] the accentuation in the hierarchy of power among [them]» (Telò, 2017: 92-93). This implied a slowdown of environmental ambitions, but not a complete halt: indeed, the changes in the opportunity structure in which the EU was moving did not stop it from being able to «implement its agreed internal policies and adapt its external strategy to promote international action on climate change» (Dupont and Oberthür, 2018). An example is the 2020 Climate and Energy Package, the EU's first set of binding legislation approved in 2007 and enacted in legislation in 2009. The targets for 2020 were the reduction of GHG emissions by 20% (compared to 1990), the increase in the share of renewable energy of 20%, and the improvement of energy efficiency of 20%. The EU thus showed its potentiality for climate leadership, as it «aimed to lead by example with strong and credible commitments» (Lenschow, 2020: 317). On October 2014 the EU increased its efforts, by establishing legally binding

targets of 40% cuts in greenhouse gas emissions (from 1990 levels) and 32% share of renewable energy to achieve by 2030<sup>10</sup>.

The EU has also played a noteworthy role at the UN level, supporting several major agreements adopted in 2015, such as the 2030 UN Agenda for Sustainable Development, the Sendai Framework for Disaster Risk Reduction and the Paris Agreement on Climate Change. Especially during the Paris negotiations, the Union's approach was defined as *mediating*, i.e. assuming both the role of a leader and of a mediator (Wurzel et al., 2018). The Union accepted a bottom-up approach – in contrast to the top-down approach of the Kyoto Protocol – allowing countries to put forward voluntary reduction targets, and at the same time succeeded in ensuring that these targets were enshrined in a legally binding treaty. It moderated its demands and adopted a conciliatory strategy: Wurzel et al. (2018) reported that the EU became the mediator for a «high ambition coalition» (Wurzel et al., 2018) of more than a hundred countries. In 2017, the Union adopted the European Consensus on Development, as part of its response to the UN 2030 Agenda for Sustainable Development. As stated on the official website of the EU, the Consensus «integrates the economic, social, and environmental dimensions of sustainable development» (European Commission, n.d., c) in poverty eradication measures, and «underlines the links between development and other European policies, including peace and security and humanitarian aid» (European Commission, n.d., c). It is thus possible to understand the over-arching dimension of the European mission to go towards a more sustainable future, not only for its Member States but for the whole planet.

Beyond the numerous positive outcomes of the EU's action, a few failures should also be mentioned. The Copenhagen Climate Change Conference in 2009 can be considered as the lowest point of EU international climate leadership (Wurzel et al., 2018). The EU tried to impose its objectives with a poor negotiation strategy (Godet, 2020), especially on developing countries, and experienced an internal inconsistency, thus mining its credibility. This was largely due to the recent enlargement, that strongly undermined Europe's leadership capacity, shifting «the political centre of gravity [...] to the East» (Burns, 2018). The increased heterogeneity of views hampered the capacity of the EU to maintain a coherent leadership position in the international scene.

Several authors (Burns et al., 2019; Lenschow, 2020) have questioned the leadership potential of the EU. A study by Burns et al. (2019) identified a fall in environmental policy proposals

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<sup>10</sup> The reference is to the “2030 climate and energy framework”, which also included a non-binding target of 32.5% improvement in energy efficiency.

after the 2008 crisis. Not only «jobs and competitiveness became the predominant political discourses» (Dupont and Oberthür, 2018), but also «the increased heterogeneity of EU states reduced the scope for legislation that does not allow for local flexibility» (Burns et al., 2019: 11). In the light of these observations, it is possible to understand Lenschow's point of view: «The Union today seems less willing to lead by example than in earlier years. While outperforming other industrialized countries, it is far from defining policy measures that match the goal to limit global temperature change to a maximum of 2°C» (Lenschow, 2020: 318). Nonetheless, the findings of the research by Burns et al. (2019) are not as negative as expected: the authors have reached the conclusion that, even though «between 2007 and 2010 the world saw the worst global recession experienced since the 1930s [...] the EU carried on producing environmental policy, and has even managed to rebuild a credible position on climate change, [...] even if no longer a clear global environmental leader» (Burns et al., 2019: 14). In 2007, Schreurs and Tiberghien wrote that:

the EU has acted as a political entrepreneur, actively setting targets, policies and goals that have become the international standards against which other states have had to react. It has taken the lead in policy innovation, setting examples for others to learn from, and in the politics of persuasion, convincing other states of the importance of joining it in international action (Schreurs and Tiberghien, 2007: 24).

More recently, this vision has been shared by Vogler (2018), who has stated that:

it is possible to refer to the EU itself, rather than its component parts, as a leader. The EU as an environmental policy actor has clearly been a great deal more successful than the EU as a foreign policy actor under CFSP. [...] The EU [...] has been able to exercise some structural leadership and a great deal of cognitive and entrepreneurial leadership. Its particular forte has been to encourage emulation through the promulgation of “science-based” targets and timetables resting upon its internal policy – in short – exemplary leadership (Vogler, 2018).

As the environment has been gradually recognized as a matter of high politics, the impact of intergovernmental institutions has increased, leaving the European climate governance largely in the hands of national governments. Nowadays, a distinction between environmental leaders – defined as those countries that pursue the most stringent approach to environmental policy and, intentionally or unintentionally, sets the example for other countries (Knill et al., 2012) – and laggards – i.e. states that are reluctant to adopt comprehensive and stringent regulations – still persist. Consequently, the role of the Council and the European Council in promoting a

leadership position of the EU largely depends upon the country assuming the presidency. Since the European Union can be seen as a system of Multi-Level Governance, with the decision-making authority dispersed over different levels, Coen et al. (2020) have pointed out how «leaders (and followers) within EU MLG structures may also include the business and investor community, unions, non-governmental organizations (NGOs), epistemic communities, subnational authorities, public policy networks, and resourceful individuals» (Coen et al., 2020: 11). The interplay between these actors can render the EU climate governance more ambitious, but, «in the absence of structural opportunity windows and determined policy entrepreneurs, MLG policy development has also been characterized by stagnation» (Coen et al., 2020: 11). The third chapter will be dedicated to understanding whether the dynamic among different actors have led the EU to assume ambitious positions – and thus a leadership role – or not. The following section will instead provide an initial explanation to the case study, introducing the reader to the European Green Deal.

The European Green Deal (EGD) is the flagship initiative of the European Commission's President Ursula Von der Leyen. This document, published in the form of a communication on December 11, 2019, is a strategy aimed at rendering the EU the first climate neutral continent in 2050. The idea of a climate-neutral Europe was set out in November 2018, with the Communication from the Commission "A Clean Planet for All". The purpose of the strategy was to «confirm Europe's commitment to lead in global climate action and to present a vision that can lead to achieving net-zero greenhouse gas emissions by 2050 through a socially-fair transition in a cost-efficient manner» (European Commission, 2018). Even though it was not intended to launch new policies, nor to revise the targets for 2030, it sparked a broad societal debate leading to the European Parliament<sup>11</sup>, in March 2019, and the European Council<sup>12</sup>, in December 2019, to endorse the objective of climate neutrality by 2050. A goal that is now at the core of the European Green Deal, and specifically of the Climate Law, whereby the political commitment is translated into a legal obligation for the Union. The significance of this document relies in the fact that it foresees a long-term plan covering all sectors of the economy, from agriculture to transports, from energy to finance. Indeed, the first initiative launched under the EGD is the Sustainable Investment Plan, released in January, which will cover the period

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<sup>11</sup> European Parliament resolution of 14 March 2019 on climate change – a European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy in accordance with the Paris Agreement.

<sup>12</sup> European Council Conclusions of 12 December 2019 (EUCO 29/19).

between 2021 and 2030 with investments of €100 billion a year. Other measures falling under the umbrella of the EGD are the European Climate Pact, the Farm-to-Fork strategy, the European Industrial Strategy, the EU Biodiversity Strategy and a Circular Economy Action Plan.

The present work will make a particular focus on the European Climate Law, whose aim is to set a directional framework for EU climate action by enshrining the net-zero objective into law. The concept of climate law is not a creation of the EU, but it first emerged in the United Kingdom, with the adoption of the Climate Change Act in 2008. Building on this model, several countries have adopted similar laws, including Austria, Bulgaria, Denmark, Finland, France, Malta, Ireland, Sweden, Germany, and the Netherlands. These laws generally establish a long-term binding mitigation target but also ad interim and sector-specific targets, and targets related to energy efficiency or the national energy mix, as well as the creation of independent climate advisory bodies (Coen et al., 2020). Most importantly, they «assign responsibilities for implementation and spell out key processes and institutional arrangements for planning, stakeholder consultation, progress monitoring, and review» (Coen et al., 2020: 60). They are thus pivotal in ensuring that climate targets are not subject to pejorative revisions according to the political force in power. Furthermore, climate laws are a clear message that governments are willing to pursue long-term targets, that might guide investments for companies and other actors.

The first proposal of a European Climate Law was published by the European Commission on March 4, 2020 and then amended on September 17 in order to change the 2030 climate target to a reduction of the EU's net GHG emissions of at least 55% compared to 1990 levels. It was then referred to the European Parliament – specifically to the Committee on Environment, Public Health and Food Safety – and to the Environment Council as the next step of the co-decision procedure. The Parliament adopted its position in plenary on the 6<sup>th</sup> of October, asking for a 2030 target of 60% and for an independent scientific advisory panel. On December 11, 2020 the European Council endorsed a binding EU target of a net GHG emission reduction of at least 55%. After the adoption by the Council of a general approach on the proposal on December 17, the Council and the EP launched a series of trilogue meetings with the aim of securing an agreement on the text. On the 21<sup>st</sup> of April 2021 these two institutions reached a provisional political agreement on a net 55% emissions reduction target and on the establishment of a European Scientific Advisory Board on Climate Change. The EP adopted its final position on June 24. On June 28, the Council adopted its position at first reading, thus ending the co-decision procedure and setting into legislation the objective of a climate-neutral EU by 2050. The Regulation was signed two days later and published in the Official Journal on

July 9, 2021. The main elements of the law are the above-mentioned target of a net reduction of GHG emissions of 55% compared to 1990s levels, the establishment of an independent Scientific Advisory Board on Climate Change, and the provision that «by September 2023, and every five years thereafter, the Commission will assess the consistency of EU and national measures with the climate-neutrality objective and the 2030-2050 trajectory» (European Commission, 2021a). By establishing a legally binding target of net zero greenhouse gas emissions by 2050, the Climate Law thus intends to ensure that all EU policies, all sectors of the economy and society contribute to this goal, to create a system for monitoring progress and taking further action, and to provide predictability for investors and other economic actors (European Commission, 2021a).

In the past, the Union's international actorness – i.e. the capacity to act – was made possible by the series of treaty amendments that expanded its authority on environmental issues and increased «the influence of EU bodies over individual member states» (Schreurs and Tiberghien, 2007: 2). This was accompanied by a combination of factors: public opinion had surely played a role, but above all it was the result of «a process of mutual leadership reinforcement by different actors involved in the EU's process of multi-level governance» (Schreurs and Tiberghien, 2007: 40). The Union's ability to act as a global leader will thus depend on the willingness of Member States, central institutions and the actors involved to collaborate and compromise. Today, the European Union is full member of more than 30 multilateral environmental agreements. It is also able to exploit its market power, exporting standards that foreign countries and firms must meet in order to have access to the European single market. Beyond trade agreements, the EU maintains direct relationships with third countries through the European Neighbourhood Policy and the Development Cooperation Instrument. These actions in non-member States help spreading environment-related know-how and technologies, as well as capacity-building and resources that support third countries in their ecological transition. The hopes and expectations for the future are high. The Council has recognized that «climate change is an existential threat to humanity and biodiversity across all countries and regions and requires an urgent collective response» (Council of the European Union, 2020: 2) and has clearly stated EU's future intentions: «the European Union is showing leadership, and assuming its responsibility» (Council of the European Union, 2020: 2). The measures included in the Green Deal could thus represent an opportunity to act accordingly.



## *Chapter two: interest groups in the European decision-making process*

### **2.1 A theoretical introduction: definition, typologies and strategies employed**

The European Union has a complex system of government, based on voluntary coordination among its Member States, with structural differences both in power distribution and in political interests. The antihierarchical allocation of powers among institutions – explained in the previous chapter – is complicated by the porosity of the decision-making process. As it foresees multiple stages, it allows for the interference of external actors. Even though many interaction procedures are formalized, such as the Expert Groups of the European Commission<sup>13</sup>, there are some aspects of this interference that are not. From this derives the importance of investigating the role of interest groups in the decision-making process of the EU. This chapter will therefore aim at providing a definition of interest groups and at analysing how they are able to act within the Political Opportunity Structure<sup>14</sup> of the European Union.

A univocal and universally accepted definition of interest groups does not exist in literature. Nevertheless, taking as a reference the description provided by prominent authors (Beyers et al., 2008; Stevens and De Bruycker, 2020), they can be addressed to as «all organisations with political objectives and which aggregate political preferences, including business associations, labour unions, civil society organisations and social movement organisations» (Stevens, De Bruycker, 2020: 2). The encyclopaedia *Britannica* defines interest groups – also called advocacy groups or pressure groups – as «any association of individuals or organizations, usually formally organized, that, on the basis of one or more shared concerns, attempts to influence public policy in its favour. All interest groups share a desire to affect government policy to benefit themselves or their causes» (Thomas, n.d.). This overarching definition is increasingly used by scholars, while a more restricted one, that includes only private

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<sup>13</sup> On the European Commission website, it is possible to read: «Although the Commission has considerable in-house expertise, it needs specialist advice from outside experts as a basis for sound policy-making. This may be provided, inter alia, by groups of experts». These groups, that involve representatives of civil society, have to be listed in a register established in 2011. More information available here: [https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/transparency\\_en](https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/transparency_en).

<sup>14</sup> The Political Opportunity Structure (POS) is defined as «the set of characteristics of a given institution that determines the relative ability of (outside) groups to influence decision-making within that institution» (Princen and Kerremans, 2008: 1130). Princen, S. and Kerremans, B. (2008). 'Opportunity Structures in the EU Multi-Level System', *West European Politics*, 31(6): 1129-1146, DOI: 10.1080/01402380802370484.

associations that have a distinct, formal organization, is currently less used. The reason is that many pressure groups, such as local or regional government agencies, are not private. As stated in a Working Paper of the European Parliament, «interest groups can be national, European and international federations covering all sectors of economic and social activity, private enterprises, law firms, public-affairs consultants, and representatives of local or regional authorities» (EP, 2003). For instance, as suggested by Tatham (2008), regional actors are bypassing the state and becoming relevant actors in Brussels (Tatham, 2008).

The definition of interest groups, and the strategies they use, is inevitably linked to the reason of their existence: influencing policy decisions is indeed one of the main objectives of interest groups. Beyers et al. (2008) refer to “interest group politics” as «the organisation, aggregation, articulation, and intermediation of societal interests that seek to shape public policies» (Beyers et al., 2008: 1103). The relevance of the above-mentioned authors also derives from the characteristics they suggest an actor should have in order to be considered as an interest group: organisation, political interests, and informality. The first one is related to the internal structure of the group, which must be formally organized. According to this definition, broad movements and waves of public opinion are not considered as interest groups (Beyers et al., 2008). The present work will not adopt this perspective, as, during the analysis of the case study that will be conducted in the third chapter, youth movements will be considered as important actors shaping the public debate. The second aspect identified by Beyers et al. (2008) refers to the aim of interest groups, i.e. affecting the policy outcome: «Trying to force issues onto, or up the political agenda, and framing the underlying dimensions that define policy issues» (Beyers et al., 2008: 1107). The last characteristic, informality, is linked to the practice of interest groups, that «pursue their goals through frequent informal interactions with politicians and bureaucrats» (Beyers et al., 2008: 1106-1107). A pivotal aspect related to their definition is the fact that interest groups do not seek political office – the element that distinguishes them from bureaucracies, which are formally part of the government (Beyers et al., 2008) – even though there are substantial differences in their degree of involvement with government activity: «While most groups are only consulted by policy-makers, under certain circumstances they may formally take part in some government activities or be legitimised by some sort of subsidiary principle» (Beyers et al., 2008: 1107).

A library note of the Council and the European Council states that interest groups (“IGs” in the text):

can be characterized by reference to three notions: IGs will have at least a minimum of organization (i.e. not all loosely identified social movements are IGs); IGs pursue an interest

linked to specific policy outcomes [...]; IGs seek to influence policy-making acting as private actors, i.e. not by competing for electoral mandate (European Council, Council of the European Union, 2013).

Lehmann and Bosche (2003) differentiate interest groups in terms of their organisational degree – such as peak associations or membership associations; their structure – distinguishing between traditional associations and spontaneous initiatives and movements; their legal forms and motivational character (Lehmann and Bosche, 2003). A distinction is usually made between public and private interest groups. Following the classification provided by Lehmann and Bosche (2003), public interest groups are those that seek to benefit the society as a whole. An example is the BEUC – the *Bureau Européen des Unions de Consommateurs*, the umbrella group for 46 independent consumer organisations active in 32 countries – whose declared aim is to defend the interests of European consumers. Private interest groups, on the other hand, seek to benefit only their members. Some authors question this dichotomy<sup>15</sup>, as it oversimplifies some aspects that might not be true – such as that all producers or consumers agree on some policy outcomes. Lehmann and Bosche (2003) suggest that «the asserted dichotomy between public and private interests also carries the implication that public interest groups always represent what is objectively best for society, while private interest groups are selfish» (Lehmann and Bosche, 2003: 5). This assumption can lead to labelling “good” and “bad actors”, which might produce inefficient policy outcomes. A similar differentiation present in the literature is between civil society groups, or Civil Society Organizations (CSOs) – comprising NGOs, environmental groups or consumer organizations – and business groups, i.e. firms, business associations and trade unions. A further distinction can be made between non-profit organisations, which are mainly professional associations and federations organized at a national, European or international level, and profit-making organisations, such as legal advisers, consultancies and public-relations firms, composed of «individuals who often act on the instructions of a third party to defend the interests of that party» (Lehmann and Bosche, 2003: 5). If lobbying can be defined as «a way to persuade a decision maker to act on behalf of one’s interest or—in the case of the academic community—on behalf of the evidence» (Rossa-Roccor et al., 2021: 556), it is then possible to name several actors that carry out lobby

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<sup>15</sup> See, for instance, Young, A. and Wallace, H., «Regulatory Politics in the Enlarging European Union: Weighing Civic and Producer Interests», Manchester University Press, Manchester, 2000.

activities: not only professional firms<sup>16</sup>, Non-Governmental Organizations (NGOs) and cross-sectoral lobby groups<sup>17</sup> – whose main aim is to advocate for their interests – but also corporations<sup>18</sup> and industry federations<sup>19</sup>, trade unions<sup>20</sup> and think tanks<sup>21</sup>. The activities that they carry out can be distinguished into monitoring, impact assessment and advocacy. During a webinar organized by professor Sergio Fabbrini at LUISS Guido Carli, held on the 20<sup>th</sup> of October 2020, Carlo Brenner Sgarbi – the Chief Institutional Affairs and External Communication Officer at Intesa San Paolo<sup>22</sup> – has suggested that monitoring implies the identification, tracking and monitoring of new regulations and consultations, as well as the anticipation of regulatory trends. This phase allows for a group to devise a strategy on a specific regulation and be able to make its voice heard. The impact assessment concerns the definition of the strategic positioning of a group and the prioritization of possible impacts of the policy proposal on the group's business (Brenner Sgarbi, 2020). Advocacy activities include proactively involving key players and influencing regulatory developments, creating consensus both individually and through cross-sectoral alliances and putting the influence in place – by writing position papers and commissioning studies, organizing conferences and events and establishing relationships with policy-makers (Brenner Sgarbi, 2020).

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<sup>16</sup> FTI Consulting Belgium and Fleishman-Hillard are the major EU lobby firms that seek to influence European policy-making. It is possible to have access to their lobbying budget and the main information about them on the website <https://lobbyfacts.eu>.

<sup>17</sup> Cross-sectoral lobby groups are the most influential lobby actors in terms of impact and access to high-ranking decision makers. Examples are BusinessEurope and the European Round Table of Industrialists (ERT).

<sup>18</sup> Corporations comprise large companies or group of companies coming from a wide range of sectors, from Google to Shell companies. Their lobby spending on the European level is so high that they cannot be excluded from the relevant actors influencing policy-making processes.

<sup>19</sup> Prominent examples are the European Chemical Industry Council, representing large, medium and small chemical companies, or Eurogas, the association representing the gas wholesale, retail and distribution sectors.

<sup>20</sup> Relevant trade unions are the European Trade Union Confederation and IndustriAll European Trade Union, the federation of trade unions representing workers in the metal, chemical, energy, mining, textile, clothing and footwear sectors and related industries.

<sup>21</sup> Offering scientific and impartial knowledge, they can be extremely influential throughout the policy cycle. At the EU level, well-known think tanks are the Centre for European Policy Studies and Bruegel.

<sup>22</sup> The Intesa Sanpaolo Group, based in Italy, is one of the leading banking groups in Europe, with a market capitalisation of 45.3 billion euro.

Lobby groups<sup>23</sup> have been involved in European politics since the very beginning of the project of European integration. The last thirty years have witnessed a steady increase of the typologies, aims and scopes of action of interest groups: Coen and Richardson (2009) have pointed out that, «while the early days of interest representation in the European Community were characterized by national representation and collective action via trade associations, employee groups, and trade unions, by the early 1990s direct lobbying by business and the arrival of NGOs and societal interests were on the increase» (Coen and Richardson, 2009: 5-6). As a matter of fact, a total number of 12905 entities are registered in the Transparency Register as of August 2021: among them, almost seven thousand are in-house lobbyists, and trade, business and professional associations. NGOs amount to 3495, while academic institutions and think tanks are 964, and professional consultancies and law firms are 894<sup>24</sup>. An important concept in this context is “Europeanization”, defined as «the process through which key political actors such as political parties, interest groups, national bureaucracies and legislators adapt themselves to the impact of European integration» (Beyers and Kerremans, 2007: 460). The degree of changes that a political actor is subject to varies according to the existing domestic institutions, and the national culture and identity (Beyers and Kerremans, 2007: 460). Lehmann and Bosche (2003) have observed that, in the 1990s, Brussels progressively started to host consulting firms, private companies – both national and multinational, associations and NGOs (Lehmann and Bosche, 2003). The role of all these actors is deeply linked to the increasing delegation of powers to the European Union: Beyers et al. (2008) have suggested that «European integration is one of the main causes for the changing nature, and growing importance, of interest group politics in Europe» (Beyers et al., 2008: 1111). Since 2001, the European Union has expressed the necessity of an open and accountable governance and to initiate a debate with the civil society. In that year, the White Paper on European Governance<sup>25</sup> underlined the principles necessary to ensure a good governance: openness, participation, accountability, effectiveness

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<sup>23</sup> The terms “interest group” and “lobby group” will be used in this work as synonyms, as the use of the former rather than the latter does not imply a different characterization of the group. This specification is necessary since in some cases “lobby group” is considered a more restricted term, identifying the group of people specifically employed to lobby.

<sup>24</sup> These data are available on the official website of the Transparency Register, accessible here: <https://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en>.

<sup>25</sup> The European Commission, acknowledging the decreasing trust in the European system, in July 2001 published the *European Governance A White Paper*. This document, concerning the way in which the EU uses its powers, proposes to open the policy-making process to more people and organisations, in order to support their contribution in shaping and delivering EU policy. More information available here: [https://ec.europa.eu/commission/presscorner/detail/en/DOC\\_01\\_10](https://ec.europa.eu/commission/presscorner/detail/en/DOC_01_10).

and coherence. This implied a closer co-operation with stakeholders from all sectors of society. The initiatives following the White Paper, such as the legal right of access to documents or the creation of web-based registers of experts, policy advisers and interest groups, were aimed at rendering these actors «accountability agents in the absence of wider public participation» (Greenwood, 2009: 93). After the modifications brought about by the Lisbon Treaty, the matter has been regulated by article 11 of the Treaty on European Union, that states that «the institutions shall [...] maintain an open, transparent and regular dialogue with representative associations and civil society» (Consolidated versions of the Treaty on European Union, 2012) and in particular that «the European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent» (Consolidated versions of the Treaty on European Union, 2012). This process is further strengthened by the European Citizens' Initiative, introduced with the LT and recognized by the same article (11(4))<sup>26</sup> and by article 24 of the Treaty on the Functioning of the European Union<sup>27</sup>.

As underlined in the first chapter of the present work, the EU is characterized by a dispersion of policy-making capacities across different actors and levels of government. Beyers et al. (2008) have investigated why this fragmentation has become a fertile ground for interest groups. They have suggested three possible reasons. The first is that, compared to unitary states, systems of multi-level governance like the EU allow for greater differences among interest groups' organizational characteristics. As a matter of fact, it is important to recall that MLG has been defined as a «pluralistic and highly dispersed policy-making activity, where multiple actors (individuals and institutions) participate, at various political levels, from the supranational to the sub-national or local level» (Stephenson, 2013: 817). Secondly, the profound differences between Member States lead to different priorities of interest groups and

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<sup>26</sup> «Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties. The procedures and conditions required for such a citizens' initiative shall be determined in accordance with the first paragraph of Article 24 of the Treaty on the Functioning of the European Union». Official Journal C 326 (2012), «Consolidated version of the Treaty on European Union», last access: 20 June 2021, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>.

<sup>27</sup> «The European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure, shall adopt the provisions for the procedures and conditions required for a citizens' initiative within the meaning of Article 11 of the Treaty on European Union, including the minimum number of Member States from which such citizens must come». Official Journal C 326 (2012), «Consolidated version of the Treaty on the Functioning of the European Union», last access: 20 June 2021, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT>.

therefore a variety of structures and strategies. The third reason proposed by the authors is that the fragmentation of decision-making authority in the EU does not incentivise the concentration on a central or single level of representation and advocacy (Beyers et al., 2008). Lehmann and Bosche (2003), on this regard, have underlined how «the European system of multi-level governance has produced a system of equally multi-layered interest groups organized at the European level» (Lehmann and Bosche, 2003: 53).

Interest groups may have several functions, namely:

service functions, i.e. the provision of specific services [...] for their members (e.g. the gathering of information); lobbying functions, i.e. attempts to influence decision-making processes from outside (e.g. by meeting Commission officials or participating in public hearings); decision-making functions, i.e. the attempts to influence decisions from within (e.g. by direct participation in the decision-making process of expert committees selecting research project proposals); implementation functions, i.e. the participation in policy implementation (e.g. by taking over management functions in programme implementation) (Lehmann and Bosche, 2003: iii).

In order to be fulfil these functions, and thus achieve the objective of influencing policy outcomes, interest groups have developed different strategies and tactics. A common distinction present in literature is between insider and outsider strategies. Insider tactics concern interacting and establishing personal relations with key officials and policy-makers. Also referred to as shoe-leather strategies (Chalmers, 2013), they include the direct contact of decision-makers through phone calls, letters and e-mails, the organization of formal or informal meetings and the participation in the open public consultations held by the European Commission. Outsider strategies include issuing press releases or writing articles and letters in relevant media channels, organising public events and mobilising the group's constituency through campaigns, petitions and demonstrations, and funding studies and think tanks. These activities are conducted outside the policymaking community and are aimed at indirectly reaching decision-makers inside the policymaking community (Chalmers, 2013). Chalmers (2013) has suggested that inside tactics might be more effective as compared to outside tactics. The former are less expensive not only in terms of organizational costs, but also of reputational costs: with outsider strategies, the risk of being labelled as an extremist group is high and might lead to the exclusion from the dialogue with policy-makers. Insider strategies are also preferred in order to effectively communicate complex and technical information to policy-makers. Furthermore, inside tactics can be more effective also because of their institutionalization: the organisation

of the social dialogue and consultation processes, the involvement of consultative bodies, and the formal and ad hoc committees consistently favour the representation of interests. An additional reason suggested by Chalmers (2013) is that insider strategies are more expedient, since they do not imply the organization required by, for instance, starting a media campaign. Chalmers (2013), in his paper, has referred to studies conducted by Beyers and Binderkrantz, in 2004 and 2005 respectively, which demonstrate that the complementary use of both insider and outsider strategies is rather common. As a matter of fact, different contexts, such as the topic under discussion or the stage of the decision-making process, require different approaches. For example, an insider strategy might be replaced by an outsider strategy if the centrality of a group is threatened by other groups' successful campaigns and citizens' mobilisation<sup>28</sup>. Consequently, it is an erroneous assumption that a certain type of interest group will always apply the same kind of strategy. Chalmers (2013) has confirmed that «linking specific interest group types to specific information types and tactics [...] found little support» (Chalmers, 2013: 54). The same idea was stressed by Coen (2021) during a Webinar organised by the Leuven Centre for Global Governance Studies: «NGOs sometimes are insiders and sometimes they want to be outsiders. Sometimes they want to shine the light on the malpractices of business [...], but at other times they want to work with business because they can be a countervailing voice to their economic interests» (Coen, 2021).

The strategies available to interest groups can be also distinguished between formal and informal relations with policy-makers – or, to employ the expression used by Gullberg (2008), between institutionalised and non-institutionalised participation. Public events or formalized hearings and dialogues can be considered as formal relations, while other types of meetings, such as lunches or conversations after a conference, can be classified as informal. As noted in a recent work of the Organisation for Economic Cooperation and Development (OECD), «with the rise of digital technologies and social media, lobbying has become more complex. The definition usually used in regulations – an oral or written communication between a lobbyist and a public official to influence legislation, policy or administrative decisions – is no longer sufficient. Mechanisms and channels of influence have become more diverse, which can lead to abuse» (OECD, 2021). In particular, this report has noted how lobbying can be done directly, generally through a company's government affairs department and in-house lobbyists (OECD,

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<sup>28</sup> The capacity of mobilisation is often associated with the strength and power of an interest group. Beyers et al. (2008) have challenged this view, suggesting that mobilisation may be, on the contrary, a sign of weakness. According to these authors, «it can be a post factum response to some political threat: e.g. a hostile public opinion, threatening political initiatives, or countervailing mobilisation» (Beyers et al., 2008: 1110).



2021), and indirectly, thanks to the work of federations and professional lobby firms. A type of influence can occur also through the exchange of gifts or the organization of dinners, as well as commissioning researches and papers. In sum, the key to be effective does not lie on dedicating the totality of the resources on a single strategy, but rather on employing a wide repertory of tactics according to the context-specific situation.

The effectiveness of the above-mentioned strategies is related to a series of factors, that, in the present research, are classified between objective and subjective characteristics. The first objective characteristic is the financial resources that a group possess. Economic resources are fundamental in order to conduct a wide variety of activities and to follow a proposal throughout the policy cycle. They allow to open an office in Brussels, a key element in order to ensure frequent interactions with policy-makers and, as suggested by Klüver (2012), «to be aware of new policy initiatives in order to quickly respond to information demands» (Klüver, 2012: 495). Furthermore, having more resources imply a higher capacity to provide the technical expertise required to be identified as a relevant actor. On the other hand, it is a necessary but not sufficient condition to ensure the success of lobby activities: as it has been noted by Rossa-Roccor et al. (2021), «although financial resources dedicated to lobbying efforts play an important part, such resources are not the only reason why lobbying is successful. Lobbyists understand that directly engaging with those in power, fully understanding their points of view and their value systems, and then using those to your advantage is the way to sway decisions in your favour» (Rossa-Roccor et al., 2021: 556). A second objective factor that can be identified is the representativeness: the more a group is representative of a wide sector of the society, the more its opinion weights in the eyes of decision-makers. For instance, the European Trade Union Confederation (ETUC), that gives voice to 45 million workers across Europe, has certainly a higher resonance than a single national trade union that might operate at the European level. As regards subjective characteristics, they too are extremely important. The most relevant one is based on the personal relations that a group is able to develop. A group is likely to be more successful if it can reiterate its message through various channels, and have it supported by high-ranking officials or relevant policy-makers, such as the rapporteur at the European Parliament. A further characteristic is reputation, that can be gained from years of delivering relevant and data-driven information to policy-makers, or by organizing webinars and conferences to which important personalities participate. As pointed out by Coen (2021) during the GLOBE Webinar, reputation and credibility are fundamental. At the EU level, the currency is the credibility to deliver quality information: «Influence is about the credibility of the information you bring. And if you are bringing a complex coalition that seems to be capturing

a representative sample within the debate, that gives your group more traction, more weight in the consultation processes and therefore potentially greater influence» (Coen, 2021).

While the present section has been aimed at providing an overview of the complexity of the system of interest representation in the EU, highlighting the strategies that can be employed in order to influence the policy process, the following part will try to understand the importance of interest groups and the reasons why they can have access to decision-makers.

## **2.2 The role of interest groups and their access points**

If on the one hand the expansion of the EU sphere of action has led interest groups to take EU-level policy-making into account, on the other hand this same expansion allowed for an increasing interference of external actors, by creating the need for new and specific information. As underlined by Schmidt (2004), the diffusion of power and authority proper of the European Union «allows for a high level of interest access and influence through quasi-pluralist policymaking processes» (Schmidt, 2004: 117).

In order to fully comprehend the reasons why European institutions establish relationships with interest groups and NGOs, it is necessary to make a brief reference to the Resource Dependency Theory (RDT)<sup>29</sup>. According to this approach, each institution or group, since it is not self-sufficient, relies on external resources in order to be able to operate. In particular, European decision-makers would not be able to design and implement the right policies without the knowledge provided by expert actors. As underlined by Stevens and De Bruycker (2020), interest groups generally possess technical and legal knowledge on a specific topic, as well as the capacity to evaluate the effectiveness of a proposed policy and its economic and social consequences. By helping officials and policy-makers to make informed choices, interest groups manage to achieve their own goals: «Mutual resource dependencies thus trigger reciprocal exchanges of expertise for influence. As a result of this mutual dependence, those organisations that are able to provide the most and the best (i.e. reliable, research-based,

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<sup>29</sup> Prominent authors on this topic are Emerson, Pfeffer and Salancik, Ulrich and Barney. For an analysis of this sociological theory in the context of the study of interest groups, see Beyers, J. and Kerremans, B. (2007), «Critical resource dependencies and the Europeanization of domestic interest groups», *Journal of European Public Policy*, 14(3): 460-481, DOI: 10.1080/13501760701243822.

relevant) expert information will, in theory, attain greater policy influence» (Stevens, De Bruycker, 2020: 5).

Interest groups are therefore able to provide a solution to a major problem characterizing the European environment: the informational asymmetry. It is important to understand what each institution needs since their attitude *vis-à-vis* external actors will change accordingly. Chalmers (2013) has underlined how «the currency of lobbying in the European Union is information» (Chalmers, 2013: 39): European institutions need information both from the Member States' level, such as the current priorities or the political support that a measure might receive, and from the EU level – what has been called “European encompassing interest” (Chalmers, 2013). Information circumscribes the ways interest groups can interact with decision-makers. Following the logic of the Resource Dependency Theory, if a group is able to provide institutions with the information they need, it will be able to have access to the policy-making process. As underlined by Bouwen (2002), access does not guarantee that interests groups can succeed in shaping policy decisions, but it certainly is a *conditio sine qua non* (Bouwen, 2002). As a matter of fact, one of the reasons for the significance of interest groups is their ability to supply critical information, the so-called “access goods” (Bouwen, 2002). Coen (2021) has observed that the type of interest group relating with European institutions changes according to the type of information that is needed. He has pointed out that «where there are high demands of technical inputs, we tend to see a much higher concentration of in-house business mobilisation and a smaller ratio of NGOs. [...] When we look at education, youth or culture, you see that the Commission [...] wants to have an input legitimacy, and therefore tries to talk to all the stakeholders. In this case, NGOs and business tend to be more evenly distributed» (Coen, 2021). The author has explained this phenomenon by stating that the potential costs and benefits to the industry sector are reduced in some policy areas, whereas when there are technical regulations on the table, the interests at stake are higher: «Mobilisation rates are a function of the salience of the issue, but also on the supply side and the on the demand side, what the institution is seeking to legitimise and to facilitate» (Coen, 2021). Interest groups and European institutions, therefore, develop a relationship of interdependency, that paves the way for the influence of the former on policy-making processes. Furthermore, lobbies can shape the content of policies by filtering the information they provide to decision-makers (Klüver, 2012). An example of this type of influence is the Advisory Groups established by the European Commission. An advisory or expert group can be broadly defined as «any committee, board, commission, council, conference, panel, task force or similar group, or any subcommittee or other subgroup thereof, that provides governments advice, expertise or recommendations» (OECD, 2021). As noted by Cruce (2011), «multi-stakeholder groups tend to be influential

since they are often considered as more credible than single interest groups, and for that reason they considerably facilitate decision-making» (Cruce, 2011: 20). These groups are composed of representatives from both public and private sectors. Nevertheless, it has been studied<sup>30</sup> that the majority of the members of these expert groups are industry representatives – mostly from the same sector that is going to be affected by the proposal under consideration. The OECD (2021) has underlined how, by taking part to these groups, private sector representatives have «direct access to policy-making processes without being considered external lobbyists, and may, whether unconsciously or not, favour the interests of their company or industry» (OECD, 2021).

The EU's institutional setting provides numerous access points through which interest groups can lobby EU authorities. It has been argued that «the problem of interest groups is not a shortage but an over-supply of potential routes to influence» (EP, 2003). Interest groups can influence the decision-making process by engaging in activities both at the national level and at the European level. This is not an “either/or” situation: NGOs and lobby groups might choose both of the routes. During the webinar organized by the Leuven Centre for Global Governance Studies, David Coen – while talking about his newest book “Business Lobby in the EU” (co-authored with Alexander Katsaitis, and Matia Vannoni; Oxford University Press 2021) – has drawn the attention the fact that: «All the channels are important, whether you are using European federations or national associations relating with the national ministry or local government [...]. You want to put that message into the policy process as many times with as many different hubs as possible» (Coen, 2021).

The main access point for interest groups is represented by the European Commission, a receptive institution with an «open door policy» (Tatham, 2008: 12). Considering its role of legislative initiative, interest groups can intervene in the early stages of the decisional process. They can provide the Commission with key resources, namely expert and operational knowledge of highly technical dossiers (Lehmann and Bosche, 2003). Lehmann and Bosche (2003) have argued that these relations with relevant stakeholders «present the Commission with opportunities to expand its influence and legitimacy» (Lehmann and Bosche, 2003: 54). As underlined by Klüver (2012), «since changing policy proposals once they have been passed

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<sup>30</sup> The Corporate Europe Observatory (CEO), a non-profit research and campaign group, in particular, is dedicated to investigating the corporate influence at the EU level, carried out also during these expert groups. More information is available in their website: <https://corporateeurope.org/en>.

to the European Parliament or the Council is difficult, interest groups need to react immediately to new policy initiatives since information only ensures influence if provided quickly» (Klüver, 2012: 497).

In order to act in a subsequent stage of the process, interest groups can lobby the Members of the European Parliament, which in turn need democratic support, since their aim is to give voice to the needs and priorities of European citizens. Hence, they require a basis in order to express their view on a proposal of the Commission from a “European perspective” (Chalmers, 2013). Moreover, with the increasing institutional role of the European Parliament<sup>31</sup>, lobby groups have intensified their activity towards this institution, particularly by providing information about the social impact of a policy proposal (Chalmers, 2013). As far as singular MEPs are concerned, Lehmann and Bosche (2003) have underlined how «well-crafted legislative reports, based on careful investigation and meticulous analysis, can enhance the reputation of a newly elected MEP. [...] to secure re-election they will try to make use of interest groups and improve reputation in their constituency and national party» (Lehmann and Bosche, 2003: 36).

As far as the Council is concerned, the existing literature agrees on the fact that this is the institution which is less subject to lobby activity: «Lobbying the Council mostly occurs indirectly, through linkages between national administrations and national IGs» (European Council, Council of the European Union, 2013), and in particular by lobbying the Permanent Representations of Member States in Brussels. A type of knowledge that might be required by the Council, as suggested by Chalmers (2013), is legal information, especially «at the vote stage of the legislative process where the technical details have already been taken care of and the Council finds itself tasked with ironing out the legislative language of EU regulations and directives» (Chalmers, 2013: 49). The lobby activity directed towards the Council is of particular importance in the debate about transparency, as this institution does not take part in the EU transparency register<sup>32</sup> and it is difficult to take into account the number of meetings with interest representatives. Greenwood (2009) has underlined how «the Council is significantly less transparent than other institutions, and relatively little information is in the public domain about the engagement of these levels with civil society organizations» (Greenwood, 2009: 98).

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<sup>31</sup> Its role is central in the ordinary legislative procedure (called “codecision”), that puts the Parliament on an equal footing with the Council. The majority of European laws are adopted jointly by these two institutions.

<sup>32</sup> This lack of transparency might be overcome by the recent Interinstitutional Agreement, signed in May 2021, that renders the Transparency Register mandatory for the European Commission, the European Parliament and the Council.

It is widely believed that interest groups have specific and sectorial goals that will not benefit the general public and instead contribute to the sclerosis of the system and to a biased representation of interests. This section will challenge this assumption by highlighting some of the positive aspects of the lobby activity.

The first one is related to the debate on the democratic legitimacy of the European Union. Many authors have investigated the issue of the democratic deficit<sup>33</sup>, and especially a compound democracy like the EU struggles to be accountable to its citizens. The lack of a European-wide political party, as well as a proper European media and language, hamper the formation of a clear link between citizens and politicians. As underlined by Fabbrini (2010), «the level of political responsibility is sub-systemic and the scope of political issues is specific» (Fabbrini, 2010: 13). Indeed, European citizens, directly – through the European Parliament’s elections – and indirectly – through the national elections – elect politicians for a specific function, but not to form a government. The problem is that the mechanisms – such as the one of the election of the Commission President, as described in the previous chapter – are not straightforward. It is also important to remember that, once elected, the College of Commissioners cannot be put out of office by the European Parliament. Therefore, «in-between-elections accountability has been guaranteed by institutional checks and balances rather than by party opposition» (Fabbrini, 2010: 288). Moreover, a dispersion of power inevitably entails a dispersion of responsibility. The consequences of a decision are hardly attributable to a single institution, let alone a specific MEP or Commissioner: «Decisions are the outcome of a political process with a fragmentation, porosity, and indeterminacy historically unknown to domestic political processes» (Fabbrini, 2010: 6). Especially for the European Parliament, being accountable to European citizens is fundamental: in this context, Karr (2007) has underlined how interest groups are able to strengthen its legitimacy «by enhancing its output and its perception by the public» (Karr, 2007: 75). European institutions, in particular, need both input and output legitimacy. They need to have input legitimacy, achievable through wide consultations with all the interested parties in order to be seen as credible in collecting information; and they need output legitimacy, as they have to implement and deliver effective policies. Coen (2021) has suggested how officials «will talk to different actors depending on which target or legitimacy they want. Firms are good examples of people who understand the problems of delivery, therefore help with output legitimacy that often on regulatory issues is incredibly important» (Coen, 2021).

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<sup>33</sup> Some examples are Moravcsik, 2002, and Fabbrini, 2010.

Fabbrini (2010) has underlined how «in compound democracies, political legitimacy is a process, rather than being a relation (between governors and governed)» (Fabbrini, 2010: 261). Interest groups intervene in this process, bringing about the voices of sectors of the society that would not otherwise have the means to be heard at the European level. Another positive aspect related to the lobby activity is that it helps translate technical knowledge to the general public. Beyers et al. (2008) have stressed that «the political activities of many interest groups are not limited to lobbying on specific issues, but include diffuse practices such as attending workshops, receptions, press conferences, monitoring newspaper and other media stories. Interest groups monitor the policy process to generate information for their clients and constituencies» (Beyers et al., 2008: 1115). A typical example is the work done by Corporate Europe Observatory (CEO), a research groups aimed at uncovering the privileged access and influence enjoyed by big lobby groups in the European policy-making, but also by think tanks such as the Institute for European Environmental Policy (IEEP), that produces evidence-based research that shares with the public and policy-makers. A further positive externality linked to the practice of lobbying is that interest groups can encourage the acceptance of laws and policies, as well as help make policies more visible, by showing their support to their members. Karr (2007) has pointed out that «they might act as agents carrying out decisions or as whistle blowers monitoring correct implementation. Where interest group support of the process works smoothly, there are gains both in efficiency and effectiveness» (Karr, 2007: 74).

In the «universe of actors whose objective is to influence EU policy outcomes» (Dür, 2008: 19), there might be some that are not guided by general interests. This is particularly dangerous when referring to longstanding and well-endowed lobby groups: «A democratic system can also be negatively impacted by [...] interest groups and this is often due to the same characteristics that allow them to impact positively. [...] Imbalance of interests can lead to an imbalance of process and ensuing ineffectiveness. [...] the most common explanation is inequality of resources» (Karr, 2007: 75). Beyers et al. (2008) has underlined the weak link that may exist between an interest group and its grassroots membership: differently from political parties, interest groups are not electorally accountable, therefore they cannot be held responsible for any negative results arising from their actions. Moreover, «some sections of society [...] lack the necessary resources or skills» (Beyers et al., 2008: 1118) to organize themselves. An additional negative externality has been identified by Lehmann and Bosche (2003), who have drawn the attention to the fact that, following the increasing number of lobby groups active in Brussels, the Commission «sought to use its resources more effectively and attempted to focus on a stronger “inner core” of interest groups. Its effect has been to privilege

a small number of better-established groups at the expense of a larger number of smaller, newer and/or less institutionalised groups» (Lehmann and Bosche, 2003: 39). This can lead to the incapacity to modify the status quo or to a policy favouring only specific sectors of the society. In particular, Coen (2021) has pointed out that:

One of the problems when trying to capture and measure how much a particular company is lobbying, is that sometimes you do not see the how much the firm has actually lobbied because it has a double hat: it is wearing different guises, different hats, depending on where it is coming in along the policy process. It might be putting its voice in a European Federation or having lobbied the national ministry on some technical aspect of comitology. So, effective lobbying means using the nation state and the European as multilevel institutions. I think that comes out very clearly from the study [contained in the book] is that firms have learnt to play the complex Multi-Level Governance environment that is Europe (Coen, 2021).

The negative consequences of some types of lobby activity can be circumscribed by a key quality: transparency. Even though it can «hinder an effective process that often relies on a willingness to compromise which is usually more easily gained behind closed doors» (Karr, 2007: 79), transparency is pivotal as lobbying activities, if not controlled and scrutinized, can «result in suboptimal policies and outcomes. [...] In addition, the abuse of lobbying practices undermines citizens' trust in democratic processes» (OECD, 2021). The Report of the OECD has underlined how transparency must be accompanied by the integrity, of public officials and of those trying to influence them, as it has notes that transparency rules at the EU level still need to be improved<sup>34</sup>. For instance, in the EU “communications made in response to a request by a public official” and “trade union negotiations” are activities exempted from the definition of lobbying and thus not covered by transparency requirements (OECD, 2021).

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<sup>34</sup> In 2011, an Interinstitutional Agreement between the European Parliament and the European Commission established a Transparency Register, a database listing the organisations, associations and individuals carrying out lobby activities relating to these two institutions. The Council has joined as an observer in 2014 and will be formally included as a result of a recently signed Interinstitutional Agreement among the EP, the Commission and the Council. This Agreement was put forward in 2016 and, after many rounds of negotiations, was formally signed on 20 May 2021 and published on 11 June 2021. It establishes an obligation for interest representatives to register before carrying out specific lobbying activities towards any of the signatory institutions.



## 2.3 Environmental interest groups: constraints and strategies

As observed in the previous sections of the present work, IGs are a pivotal part of the decision-making of the European Union: «Interest groups can help set the political agenda and formulate policies by providing information both to citizens and to government officials, by facilitating deliberations and shaping opinions, and by acting as an interface between the citizens and the representative government» (Karr, 2007: 73-74). This is particularly true in the field of the environment, where especially Civil Society Organizations might act on behalf of constituencies that lack the necessary resources and skills to organize (Beyers et al., 2008) and advance those causes that benefit the society as a whole. The same definition of CSOs provided by the EU states: «A civil society organisation is an organisational structure whose members serve the general interest through a democratic process, and which plays the role of mediator between public authorities and citizens» (EUR-Lex, n.d.). Zito and Jacobs (2009) have argued that Environmental NGOs (ENGOS) «have an agenda setting and issue framing role of providing information and lobbying support to the EU environmental problem definition process and the selection of solutions» (Zito and Jacobs, 2009: 104-105). In doing so, they collaborate with researchers and scientists in order to support their arguments, convey them to relevant policy-makers and push for science-based policy results. At the Member State's level, in particular, CSOs can function as a bridge between citizens and local and national authorities, thereby integrating their priorities at different levels of government and providing policy recommendations and monitoring the correct implementation of environmental policies.

In order to achieve their goals, environmental interest groups have to overcome numerous constraints. The first and most important one is related to the resources: economic resources strongly influence the capacity of interest groups to provide expert information (Stevens, De Bruycker, 2020), in the sense that they contribute to the ability to monitor different files at the same time, to follow the whole legislative process and to professionalize<sup>35</sup>. Several authors (Beyers and Kerremans, 2007; Stevens, De Bruycker, 2020; Klüver, 2012) have focused on this aspect of the lobby activity. Klüver (2012), in particular, has argued that «financial and personnel resources are a necessary condition for interest groups to work towards goal attainment. Interest groups need to acquire a large amount of material resources in order to

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<sup>35</sup> Professionalisation «is defined as the creation of positions which require a high degree of qualification in terms of educational training and professional experience. Due to the complexity of European decision-making processes and the high amount of policy expertise demanded by the European Commission, interest groups rely more and more on well-trained personnel rather than on unqualified volunteers» (Klüver, 2012: 496).

effectively lobby for their cause and to supply the information required» (Klüver, 2012: 494-95) by European institutions. As lobby activities are resource-intensive, a problem of free-riding might occur: the report of the OECD has pointed out that «while everybody might welcome the existence of an interest group to lobby in their favour, some would prefer others to carry the burden while benefiting from the results. [...] Following this logic, some interests may fail to organise, meaning that legitimate interests are not sitting at the table when relevant policies are being discussed» (OECD, 2021). The authors of a report published by the Corporate Europe Observatory (CEO) note how:

Big polluters, including the fossil fuel industry – one of the most responsible for causing climate change – have spent literally hundreds of millions on lobbying the EU. This money pays for a wide variety of tactics, from hiring experienced lobby firms, to organise a myriad of events, to get privileged access to policymakers, to exploiting the revolving door between public office and the private sector. Unfortunately, the grip by big polluters on decision-making has resulted in decades lost to really tackle the climate crisis, with far too many examples of wrong or watered-down climate and energy policies (Balanyá and Hakuma Dadci, 2020).

A second obstacle is linked to the political leverage that an environmental group is able to employ. In order to explain this aspect, the concept of framing must be introduced. Framing can be defined as the act of

selecting some aspects of a perceived reality and make them more salient [...], in such a way as to promote a particular problem definition, causal interpretation, moral evaluation [...]. In other words, it is an emphasis on different aspects of an issue with the goal of shaping people's opinion about the issue. Framing is an inevitable part of human interaction that has been found to influence individual decision making and, as such, is used intentionally in politics and the media (Rossa-Roccor et al., 2021: 554).

To frame a discourse around, for instance, a policy proposal from the European Commission, means employing particular words and creating some links that convey a specific image to the audience or support a certain interpretation of the reality. Dür (2019) has noted that: «Issue frames focus on qualitatively different yet potentially relevant considerations of an issue. For example, a smoking ban can be framed as a public health issue or as government interference with personal lifestyles» (Dür, 2019: 516). Information is at the core of lobbying, but it is not a neutral commodity: the way in which an issue is framed is in fact extremely important. Environmental issues are usually framed as an opposition between the problems of today and

the ones of tomorrow: when the narrative around jobs and economic growth prevails over the one around the environmental preservation and the urgency to tackle climate change, it is then possible to understand why a group representing industries that employ millions of citizens weighs more than an environmental NGOs defending the rights of future generations. Furthermore, as noted in the report of CEO, a common strategy used by industry representatives is to qualify themselves as part of the solution – while, in the majority of cases, they are rather part of the problem (Balanyá and Hakuma Dadci, 2020). An analysis about the engagement of industry associations with the EU climate policy, published in July 2021 by InfluenceMap<sup>36</sup>, shows a significant divergence between the recommendations of scientific bodies such as the Intergovernmental Panel on Climate Change (IPCC) and the International Energy Agency (IEA) on the one hand, and the industry lobbying on the other (InfluenceMap, 2021). As suggested above, industries tend to position themselves in favour of environmental targets, by offering their Research & Development (R&D) capacities and resources: they are therefore identified as reliable partners, whose suggestions might be welcomed by policy-makers.

A third factor that hampers the environmental ambitions of certain groups is the constant struggle with industry lobby groups' objectives. The OECD report identifies a major problem related to the fact that one of the main actors influencing EU-level policy-making are industry federations, who might give voice to diverse interests:

Where an association's membership is divided on an issue, the position lobbied may risk becoming the “lowest common denominator”, since oppositional voices are often the loudest. This trend appears to be particularly salient in the context of climate change lobbying, where an industry association can adopt a position that directly contradicts a member company's broader sustainability agenda and undermines stakeholder trust. The “lowest common denominator” trend also runs the risk of distorting policy development, as it presents policy makers with a position that appears to represent the full membership of an industry association, but only represents a small minority of interests (OECD, 2021).

It has indeed been demonstrated that lobbying carried out by companies in the fossil fuel sector «has been a key contributing factor in blocking action by governments globally to implement

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<sup>36</sup> InfluenceMap is an independent think tank, founded in 2015, providing accessible data on how business and finance are affecting the climate crisis. It has offices in London, Tokyo and New York. Further information is available on their website: <https://influencemap.org/index.html>.

regulations on climate change, in line with the 2015 Paris Agreement» (OECD, 2021). More in general, it has been noted by Moravcsik (2002) that «the EU's ability to act, even in those areas where it enjoys clear competence, is constrained by institutional checks and balances, notably the separation of powers, a multi-level structure of decision-making and a plural executive. This makes [...] any action difficult and tends to empower veto groups» (Moravcsik, 2002: 609).

The hurdle represented by the economic resources and political influence of the industry lobby can be overcome by the capacity of environmental groups to exploit the media salience<sup>37</sup> of an issue, i.e. the «amount of media attention an issue receives» (Stevens, De Bruycker, 2020: 6). A study by Stevens and De Bruycker (2020) has demonstrated that, even though resourceful groups are more influential than less-endowed groups, the divergence between the two decreases when the public salience of an issue increases. This could certainly be the case for the environment.

We argue that this is the result of shifting resource dependencies: when media attention increases, and the public becomes involved, additional types of policy resources become more valuable to policymakers [...]. Resources such as the ability to represent the public, to act as a mediating actor between citizens and policymakers and to mobilise the public become more important for an organisation [...]. Whereas expert information is mostly acquired with financial and material means, gathering political information is relatively less costly and more dependent on alternative (political) resources. In this way, media attention creates a level playing field for both wealthy and poor interest groups, as they are equally equipped to provide policymakers with the political support valued under salient circumstances (Stevens, De Bruycker, 2020: 6).

The findings of the study conducted by Stevens and De Bruycker (2020) have shown that media attention and public scrutiny can counterbalance the weight of financial resources, even though the latter inevitably condition the range of activities available to a group. Therefore, the public support received by an ENGO is a factor that can counterbalance its economic constraints. Some environmental groups might not be active if their main purpose is not a policy priority of the moment – or if they do not have the resources to render it a priority for policy-makers. Beyers et al. (2008) has underlined that «many civic associations are episodically politically active and differ considerably from organisations such as Greenpeace whose most important

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<sup>37</sup> A similar concept is the one of public salience, i.e. the importance attributed by the public opinion to a specific issue.

objective is to influence environmental policies. Some organisations are permanently involved in politics, while for others political activities are more sporadic and ephemeral» (Beyers et al., 2008: 1107).

Secondarily, a strategy that environmental lobby groups can employ in order to overcome the above-mentioned obstacles is to pool resources, create networks and thus collaborate with member organizations. Since policies aimed at environmental protection require local knowledge, liaising with national members can enhance the information available to an ENGO. Zito and Jacobs (2009) have suggested that «organizations such as Friends of the Earth Europe and Greenpeace can draw upon the resources of the wider, global movements they represent» (Zito and Jacobs, 2009: 104) and that «the more organized and resource-rich ENGOs have built networks, orchestrate campaigns and engage in action framing. This includes EU institutional lobbying and, simultaneously, efforts to mobilize national groups to influence their respective national processes» (Zito and Jacobs, 2009: 104). The European office of a network of NGOs, in turn, can represent an “early warning radar system” that alerts its national members «to potential windows of opportunity before they open» (Chalmers, 2013: 52). The collaboration with other environmental groups might both be stable – as in the group of the “Green 10”<sup>38</sup> – or on an *ad hoc* basis, but it is considered as «the critical ENGO vehicle for influencing the EU process» (Zito and Jacobs, 2009: 104).

Beyond exploiting the media salience of an issue and pooling resources, it is pivotal to direct the lobby efforts effectively. Gullberg (2008) has investigated whether environmental interest groups tend to lobby friends<sup>39</sup> or foes<sup>40</sup> when attempting to influence public policy. The distinction among friends and foes does not always depend on political affiliation, as «climate policy issues do not form a single political cleavage. Rather, they form several cross-cutting cleavages. As a result, a foe on one climate policy issue might well be a friend on another climate policy issue» (Gullberg, 2008: 2966). Her study has showed that these actors direct their efforts to both friends and foes, but under different conditions. The first factor that influences the decision on whether to lobby friends or foes is access, which is generally easier

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<sup>38</sup> The Green 10 is the coalition of ten of the largest environmental organisations and networks active on the European level. It includes Greenpeace European Unit, WWF European Policy Office, Bird Life Europe and Central Asia, Climate Action Network Europe, European Environmental Bureau, Friends of Earth Europe, CEE Bankwatch Network, Transport & Environment, Health and Environment Alliance and Naturefriends International.

<sup>39</sup> Defined as those decision-makers with whom the interest group agrees (Gullberg, 2008).

<sup>40</sup> Defined as those decision-makers who disagree with the interest group (Gullberg, 2008).

with friends. Contacts with supporter are more frequent and easier to maintain, as compared to those with someone that generally disagrees with the position of an environmental interest group. A second factor identified by Gullberg (2008) is the type of lobbying, whether it is a two-way exchange of information or a one-way attempt to influence. A final condition determining the choice of lobbying friends or foes is that, when lobbying for single policy decisions, environmental groups tend to lobby their friends, while for the general lobbying it is harder to classify between friends and foes. In particular, Gullberg (2008) has argued: «Climate policy-making is usually a question of compromises rather than binary decisions. Hence, lobbying is not necessarily a question of changing the decision-makers' positions, but to get informed about the decision-makers' positions and make compromises which can gather sufficient support» (Gullberg, 2008: 2968).

Finally, a way to overcome resource constraints is to have a big number of supporters and convey a clear message which could be easily supported by the general public. As suggested by Dür (2019)

some interest groups (such as Greenpeace) are very well known even to people with low political awareness. For other groups, their names clearly indicate what they stand for (e.g., Climate Justice Now!). From the information that Greenpeace opposes a policy, individuals may infer that this policy is likely to harm the environment as they know that Greenpeace is an environmental nongovernmental organisation (Dür, 2019: 517).

This author highlights the aspect of trust by stating that «people that trust an interest group may align their attitudes with the positions advocated by that group» (Dür, 2019: 518). All these tactics – targeting key policy-makers and salient issues, building alliances with other NGOs and enlarging their membership – are therefore necessary as ENGOS have limited resources especially if «pitted against the multiplicity of access points to which other competing groups have open access and the large number of policy problems» (Zito and Jacobs, 2009: 111).

In conclusion, the European Union can be seen as a union of «asymmetrical states and their citizens» (Fabbrini, 2010: 267). Interest groups and NGOs provide a fundamental way through which citizens can reach European institutions and make their voice heard. The significance of this chapter can be understood in the light of what Beyers et al. (2008) have written: «Contemporary comparative politics remains largely focused on the formal aspects of the input side of government – i.e. elections, parties, parliament, legislative and executive politics, while ignoring the role groups play in the agenda-setting, policy design, and implementation stages

of the policy-making process» (Beyers et al., 2008: 1105). Greenwood's words (2009) appropriately sum up the thrust of the work conducted so far: «The *sui generis* political opportunity structure of the EU, and in particular deficits in structures of representative democracy arising from the EU's transnational nature, the need for [...] the EU to be accompanied by democratic underpinnings» (Greenwood, 2009: 98-99), and the necessity of local and technical knowledge to design appropriate policy solutions, allow for interest groups to affect decisional processes.

The next chapter will endeavour to apply the Multi-Level Governance framework to the case study of the European Green Deal, highlighting the changes that interest groups have brought in the narrative around climate policies and the policy solutions that they are supporting.

## *Chapter three: empirical analysis*

### **3.1 Interest groups in the EU MLG system**

In the European Union, interest groups have to move in the context of a peculiar Political Opportunity Structure, with its limits and access points as described in the previous chapter. They are able to operate since «European Institutions recognise the benefits of being open to outside input and consultation mechanisms [...] throughout the whole legislative process» (Lehmann and Bosche, 2003: 1). This section will provide empirical evidence – collected through the interviews conducted by the author of the present work – on how interest groups can support the functioning of the European Union decision-making processes and how they succeed in influencing the policy outcomes. In this way, the work will start to prove the hypothesis as outlined in the introduction, i.e. the more resourceful a group is, the higher its capacity to influence the policy-making process. In the present research, the term “resourceful” is defined as the sum of the economic resources available to a group, its capacity to apply a wide variety of strategies to lobby EU institutions and its ability to build strategic relationships with policy-makers.

As highlighted in the previous chapter, interest groups are able to fulfil different positive functions within the European Union. As expressed by the Public Affairs Manager at Utopia<sup>41</sup>, «especially in Europe, the job of the interest representative is precisely the ability to inform the decision-maker in an understandable way» (Public Affairs Manager, Utopia, 9 April 2021). This is due to the fact that

legislators deal with multiple issues at the same time and modern policy-making becomes increasingly complex. Decision-makers therefore operate in a highly complex and uncertain environment and often find themselves lacking sufficient information to fully comprehend the nature of given policy problems and to foresee the consequences of specific policy measures. Interest groups by contrast are concerned with very specific policy areas and are directly in touch with their members who are immediately affected by policies (Klüver, 2012: 491).

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<sup>41</sup> Utopia is an independent consulting company in the integrated activity of Public, Media and Legal Affairs. With over 50 professionals, it has offices in Rome, Milan and Brussels. More information is available on their website: <https://www.utopialab.it/en/>.



More in general, a representative from the Confindustria Delegation to the EU<sup>42</sup>, interviewed for the present research, has observed: «The lobbyist is sometimes the most prepared person, the one that maintains the contact with the reality. We, as Confindustria, pursue a technical style of lobby, bringing facts, numbers and proposals to the fore» (Representative, Confindustria Delegation to the EU, 4 May 2021). Beyond the need of information in order to be able to discuss policy proposals effectively, a Senior Diplomatic Expert of Frans Timmermans' cabinet – interviewed during the present study – has stressed that, for a MEP, it is important to have a strong interest group supporting a file that he or she has been working on (Senior Diplomatic Expert, European Commission, 20 May 2021): this is due to the fact that Civil Society Organizations are identified as «a short-cut to the citizens, useful to bring common interests» (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021) to the attention of policy makers. The EU is sometimes perceived as a distant entity by European citizens: the Climate and Energy Policy Coordinator at Climate Action Network (CAN) Europe<sup>43</sup> has emphasised the current scarce participation of ordinary citizens in the European decision-making. In his view, interest groups can bridge this gap and, at the same time, legitimize decisions taken at the community level (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). When asked about the role of interest groups in the decision-making processes of the Union, a Public Official at the Permanent Representation of Germany to the European Union has stressed their importance, since what is decided at the community level, even though it might be perceived as abstract, has a major impact on citizens' lives, «a bearing on the real world, on the environment, on the jobs, on the cities» (Public Official, Permanent Representation of Germany to the EU, 4 May 2021). Furthermore, a Representative of the Secretariat-General of the European Commission has pointed out: «When you write a piece of legislation, you ought to think who will be affected when it becomes law. You need to listen to that particular community of people in order to understand what their interests and problems are» (Representative, Secretariat-General of the European Commission, 26 March 2021). The Managing Director at EUROPEN<sup>44</sup> has underlined that «lobbying is an essential

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<sup>42</sup> The Delegation of Confindustria to the EU, established in Brussels in 1958, is the oldest representation of Italian industry in Europe. Its main aim is to represent and defend the interests of Italian industries to the European Institutions. More information is available on their website: <https://www.confindustria.it/home/confindustria-eu>.

<sup>43</sup> Climate Action Network (CAN) Europe is an NGO coalition of 170 member organisations, coming from 38 countries and representing over 1.500 NGOs and more than 47 million citizens. CAN Europe is the European branch of Climate Action Network International, a network of more than 1,100 NGOs. More information is available on their website: <https://caneurope.org>.

<sup>44</sup> EUROPEN is an international non-profit organization, with headquarters in Brussels, representing companies with an economic and sustainability interest in packaging and packaged products. It currently gives voice to 51

element of the democratic process. I would be afraid of a MEP who has to vote on technical matters without having spoken to all the interest representatives» (Managing Director, EUROOPEN, 7 May 2021). However, the Confederal Secretary of the European Trade Union Confederation (ETUC)<sup>45</sup> has argued that the capacity of interest groups to enhance the representativeness of the European democracy varies according to the level of internal accountability and the purpose of the group (Confederal Secretary, ETUC, 13 April 2021). On this topic, the Director of Public Affairs at CropLife Europe<sup>46</sup> has stated:

In the EU, given the fragmented nature of the European system, if you want to take a decision you have to go through 27 Member States, 700 MEPs [...]. This is a healthy system from a checks and balances perspective. It is very difficult to pervert the course in such a multi-actor system. A lot of actors in that system need information. [...] On that perspective, if you want the best legislation to be approved there is the need to get the right information from across Europe into that process. I think the mechanisms are broadly efficient. Of course, there will be occasionally bad actors. But, given the fact that there are so many people working in that space, it is quite easy to isolate a bad actor or bad information (Director of Public Affairs, CropLife Europe, 14 April 2021).

The view that, in the MLG system of the EU, it is possible to isolate bad actors has been confirmed by Coen (2021) during the webinar organized by the Leuven Centre for Global Governance Studies. He has pointed out how the European environment is «based on long-run trust games where you can exclude those lobbyists that are misinforming or have bad practise» (Coen, 2021).

Especially in the field of climate, the presence of groups representing a general non-economic interest is of particular importance. As pointed out by the Director for Global Policies and Sustainability at the European Environmental Bureau (EEB)<sup>47</sup>, these actors are necessary in

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corporate members and 11 national packaging associations. More information is available on their website: <https://www.europen-packaging.eu>.

<sup>45</sup> The European Trade Union Confederation (ETUC), established in 1973, currently represents 90 national trade union confederations coming from 38 countries, and 10 European trade union federations. More information is available on their website: <https://www.etuc.org/en>.

<sup>46</sup> CropLife Europe, formerly known as European Crop Protection Association, is the association representing 22 companies and 32 national associations in the area of digital and precision farming, plant biotech innovation and biopesticides. More information is available on their website: <https://croplifeurope.eu>.

<sup>47</sup> The European Environmental Bureau (EEB), founded in 1974, is the largest network of environmental citizens' organisations in Europe, consisting of over 170 member organisations active in more than 35 countries, and

order to ensure that environmental policies are shaped by a more general non-commercial interest: «Our main job is to make sure that environmental policies are based on the public interest, on human and planetary health considerations – and not on commercial, short-term or small groups’ interests» (Director for Global Policies and Sustainability, EEB, 28 June 2021). A further element confirming the positive role of environmental groups in the European decision-making has been introduced by a MEP Policy Advisor interviewed for the present study, who has underlined that the role of environmental groups is «to build a bridge between science-based reports and policy-makers» (Policy Advisor, European Parliament, 1 April 2021) and to influence political stakeholders using public opinion in their favour. The idea of translating complex issues not only to officials but also to the general public has also been conveyed by the Policy Analyst at the Institute for European Environmental Policy (IEEP)<sup>48</sup>, when she has said that the organization of webinars might be useful for facilitating the discussion with experts on certain topics (Policy Analyst, IEEP, 9 April 2021).

The following section will be dedicated to the modalities in which interest groups attempt to influence the European institutions, highlighting their routes of influence, access points and main strategies applied.

As far as the routes of influence are concerned, interest groups can affect the decision-making processes by entering in contact with policy-makers both at the national and at the European level. An example is Legambiente<sup>49</sup>, the most prominent non-profit environmental association in Italy: the director of its Brussels office – interviewed during the present research – has underlined how they have chosen a “third way”, integrating the two channels. This means using the power and influence they have at the national level as a leverage at the European level: «There are no separate silos. If you cannot use at best the strength you have at the national level, you will not succeed at the community level» (Director, European office of Legambiente, 6 April 2021). At the same time, big groups such as BusinessEurope strongly rely on their members. The representative of Confindustria – a member association of BusinessEurope – has

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representing 30 million individual members and supporters. More information is available on their website: <https://eeb.org>.

<sup>48</sup> The Institute for European Environmental Policy is a think tank established in 1976. Working with stakeholders across EU institutions, international bodies, academia, civil society and industry, it aims at producing evidence-based research and strategic studies on sustainability policies. More information is available on their website: <https://ieep.eu>.

<sup>49</sup> Legambiente was founded in 1980 and it currently has 18 offices throughout Italy and 115.000 associates and supporters. More information is available on their website: <https://www.legambiente.it>.

pointed out that BusinessEurope has a lobbying model based on the relationship with the European Commission, while it generally leaves the relations with the European Parliament and the different Permanent Representations to the national federations (Representative, Confindustria Delegation to the EU, 4 May 2021). The same is done by EuroCommerce<sup>50</sup>. The Head of Sustainability and Environment has confirmed that they tend to rely on their own network, as they have national associations who can properly liaise with their national governments (Head of Sustainability and Environment, EuroCommerce, 26 April 2021). The Climate and Energy Policy Coordinator at CAN Europe has mentioned that, in order to influence all phases of negotiations and especially the agenda-setting, they consult their network, preparing a template of a possible input for the Commission that all their members can fill. The Secretariat then submits it on behalf of the network, but, at the same time, it encourages the members «to submit an answer inspired by the common input» (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). The Director of Public Affairs at CropLife Europe has pinpointed: «The expertise is one thing, but in the advocacy world it is fundamental how you get the information across. The added benefit of the association is its ability to leverage its membership. [...] By coordinating the members and the national associations we make our voice heard» (Director of Public Affairs, CropLife Europe, 14 April 2021). The Policy Advisor at Greenpeace Europe has confirmed this view, arguing that:

We try to work as much as possible with national offices, even though they have their own priorities and campaigns [...]. MEPs are elected officials and are sensible to public pressure in their own countries. It is a process that goes back and forth: we try to inform as much as possible our national offices of what is going on at the EU level, but at the same time what is happening at the national level can inform the discussion in Brussels. Campaigners from national offices can help us understand the priorities of a certain government, as it is difficult to follow what happens in every Member State (Policy Advisor, Greenpeace Europe, 4 May 2021).

In order to maintain the contacts with the Member States, the Managing Director at EUROPEN has underlined the importance of interacting with the Permanent Representations in Brussels: «Since we do not have an extensive presence in the Member States, [...] they are often our conduit, they allow us to pass on information or our position to the Member State» (Managing

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<sup>50</sup> EuroCommerce, founded in 1993, is the main European organisation representing six million retail, wholesale, and other trading companies coming from 31 countries. More information is available on their website: <https://www.eurocommerce.eu>.

Director, EUROOPEN, 7 May 2021). Talking about the relationship with Member States, and specifically Permanent Representations, the Director of Public Affairs at CropLife Europe has said: «We have a large network of national associations. [...] If we know that one of our associations or national companies has a good relationship with a Permanent Representation, it takes care of that relationship. [...] In other cases, we act as the Secretariat. We coordinate in a way that allows us to have a broader coverage» (Director of Public Affairs, CropLife Europe, 14 April 2021).

The relationship with policy-makers highly depends on the access that interest groups are able to obtain to each European institution. This section will focus on some considerations, provided during the interviews, in order to understand which institution is considered more receptive to external inputs. The Managing Director at EUROOPEN has explained: «There is a lot of interaction with the Commission, since that is where the initial proposals come from, and they need inputs from the stakeholders» (Managing Director, EUROOPEN, 7 May 2021). The Adviser for Research, Innovation and Energy at BusinessEurope<sup>51</sup>, interviewed for the present research, has claimed that

the Parliament is much more approachable, since MEPs have less resources than the Commission: they only have a couple of assistants and a few advisors, and they have to vote on a number of legislations. They do not have the same time to dedicate to assess and to study legislation as the Commission. [...] It is very different to lobby the Commission and the Parliament: the first [...] is about sharing technical expertise, while the messages that we share at the EP are much more political (Adviser, BusinessEurope, 14 May 2021).

When asked the reason for this difference, she has answered: «It is not because the Parliament represents the citizens that we do that. It is more because the EP is working at the same time on a number of legislations, while each DG is focusing on a specific issue. [...] It is just a very practical situation» (Adviser, BusinessEurope, 14 May 2021). During the interview of the Press

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<sup>51</sup> BusinessEurope is the main association representing national business federations throughout Europe, encouraging a Europe-wide competitive industrial policy and acting as a spokesperson body to the European institutions. Founded as the *Union des Industries de la Communauté européenne* (UNICE) in 1958, representing the national industrial federations from the six member states of the European Coal & Steel Community, it assumed the name BusinessEurope in 2007 and has nowadays 40 members from 35 different countries. More information is available on their website: <https://www.besbusiness.eu>.

Officer at Corporate Europe Observatory (CEO)<sup>52</sup>, the Council has been referred to as «the “black box” of EU institutions» (Press Officer, Corporate Europe Observatory, 23 April 2021). As expressed by the Adviser at BusinessEurope, «when it comes to the Council, we meet especially with the Permanent Representatives. [...] But we also rely a lot on our national federations» (Adviser, BusinessEurope, 14 May 2021). When asked which institution is more open to external influence, the EU Climate and Energy Policy Coordinator at CAN Europe has underlined that the European Commission is quite receptive, especially if dealing with technical issues that CAN has an expertise about (EU Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). He has expressed the view that in the European Parliament «it is easier to know where the information goes, [and] who our allies are» (EU Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). The Council, on the other hand, is much more difficult to access and less transparent on how the negotiations are being conducted: «With the Council, it is rather an indirect influence – since much is decided by the capitals and not in Brussels, we rely on our national members to [...] pressure state governments» (EU Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). Talking about the accessibility of each institution, the Confederal Secretary of the ETUC has explained that contacts are easier with MEPs, as «they need the support of external stakeholders to show how representative they are. They are elected but there is a distortion of power they want to equalize with external support. It is interesting to talk to MEPs because they are also representative of the situation in their country. We do not have the same discussion with a Polish or a Swedish MEP» (Confederal Secretary, ETUC, 13 April 2021). Interest groups are aware of the different responses they might have according to the topic under discussion, the role of the person they are talking to, his or her nationality and political allegiance. This idea has been clearly summarised by the Head of Public Affairs of the WWF European Policy Office<sup>53</sup>, interviewed for the present research work:

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<sup>52</sup> Corporate Europe Observatory (CEO) is a non-profit research and campaign group, founded in 1997, aimed at exposing injustices and scandals in several sectors of EU policy, from climate to health, and in particular concerning the lobby activity. It has offices in Brussels and Amsterdam. More information is available on their website: <https://corporateeurope.org/en>.

<sup>53</sup> The European Policy Office of WWF is the European branch of the broader network of the World Wildlife Fund (WWF), founded in 1961. It advocates for strong EU environmental policies on sustainable development, nature conservation, climate and energy, marine protection, sustainable finance and external action. More information is available on their website: <https://www.wwf.eu>.

In terms of what we advocate, it is always the same [...]. But we frame our issues according to the audience. [...] The European Commission needs to consider the whole EU-level perspective [...], so we try to rely on the expertise we have from our national offices [...]. Whereas when we talk with a MEP we are aware of the national background an individual has, so we would focus more on the impact on their Member State and their constituency – also taking into account the political affiliation (Head of Public Affairs, WWF Europe, 21 April 2021).

Beyond the three main institutions, it is also extremely important to be able to establish relationships with the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR). The Advocacy Manager at Youth and Environment Europe (YEE)<sup>54</sup> has underlined how this group has been «invited to several events, especially in the European Economic and Social Committee, which has served for us as a platform to create a network. [...] The EESC has worked as an entrance for the youth climate movement to advocate and network» (Advocacy Manager, Youth and Environment Europe, 3 May 2021). As far as the CoR is concerned, a former member of the Commission for the Environment, Climate change and Energy (ENVE) of the CoR, and current member of the Congress of Local and Regional Authorities of the Council of Europe, has underlined the importance of the engagement of the civil society. As the Committee of the Regions «is concerned with assessing the impact that a Commission proposal would have on the system of local and regional self-government, [...] the rapporteur personally contacts a series of stakeholders» and then elaborates the opinion on the basis of the suggestions and priorities of the sectors interested (Member, Congress of Local and Regional Authorities, 22 April 2021).

In order to succeed in influencing the policy outcome, interest groups have to choose their strategy according to a multiplicity of factors. Providing information in a timely manner and at the earliest possible stage is crucial. This idea has been expressed during several interviews that were personally conducted by the author of the present work. A Policy Advisor from Greenpeace Europe<sup>55</sup> has stressed the concept of “the sooner, the better”: «It is always easier

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<sup>54</sup> Youth and Environment Europe is the largest independent European network of environmental youth organizations, founded in 1983 and currently uniting 52 member organisations coming from 30 countries. YEE is member of the United Nations Environment Programme, the European Environmental Bureau and European Youth Forum. More information is available on their website: <https://yeenet.eu>.

<sup>55</sup> The European Unit of Greenpeace is part of the international Greenpeace network, founded in 1971 and active in over 55 countries, with more than three million supporters. Based in Brussels, they monitor the work of European institutions, exposing deficient policies and laws, and pushing for solutions that work for people and the planet. More information is available on their website: <https://www.greenpeace.org/eu-unit/>.

to intervene in a process from the start, since the later you intervene, the more things are set. If you speak with MEPs and explain your position before they form their opinion, you have more chances to influence them» (Policy Advisor, Greenpeace Europe, 4 May 2021). The same idea has been emphasised by the Head of Sustainability and Environment at EuroCommerce: «When you want to learn something, you are eager to listen to other views; but if you have already formed your own opinions, it is harder to change them» (Head of Sustainability and Environment, EuroCommerce, 26 April 2021). This is the reason why she has reported how «we follow and anticipate the regulatory process. As soon as an initiative is announced, we contact the staff at the Commission, we answer public consultations by usually providing additional position papers, we meet with rapporteurs at the EP and the main Member States» (Head of Sustainability and Environment, EuroCommerce, 26 April 2021). The Climate and Energy Policy Coordinator at CAN Europe has argued how «the earlier there is an effective communication, the more influential we can be» (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). A researcher on climate justice and sustainable development issues of a Belgian NGO, called CNCD-11.11.11<sup>56</sup>, has pointed out: «We do a lot of research in order to be aware of the ongoing debates [...] we always want to be useful and on the right timing. We have to control [the policy-makers'] agenda in order to know when we can be relevant for them» (Researcher, CNCD-11.11.11, 1 April 2021). The Policy Advisor at Greenpeace has stressed how much of the work of a group is about agenda-setting: «As Greenpeace [...] we try to push some topics that might be at the edges of the climate and energy debate into the mainstream. It is not just about following legislation but also agenda-setting» (Policy Advisor, Greenpeace Europe, 4 May 2021). The time factor has also been stressed by Coen (2021) during the above-mentioned webinar. He and the other authors of the book “Business Lobby in the EU” have conducted surveys and interviews with a large number of companies lobbying in Brussels. Many of their respondents said that about 60% of a regulation is defined at the stage of proposal by the Commission. Therefore, as a text does not change dramatically as it moves along the policy cycle, it is pivotal to convey the message at the beginning of the process – a tactic called by the author «the 60% move» (Coen, 2021).

As emerged by the interviews conducted for the present study, it is of particular importance to direct the lobbying efforts in a strategic manner. The MEP Policy Advisor interviewed for the

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<sup>56</sup> The *Centre national de coopération au développement* (CNCD-11.11.11) was established in 1966 and coordinates the voice of 90 Belgian international solidarity NGOs and thousands of volunteers in order to promote a just and sustainable world. More information is available on their website: <https://www.cncd.be/spip.php?page=sommaire>.



present work, previously working for CAN France, has suggested that ENGOs generally draw a map of who is influential and who is not, and who is on their side and who is not (MEP Policy Advisor, 1 April 2021), in order to understand how to relate with them. The Director of Public Affairs at CropLife Europe has observed: «We try to analyse the spectrum of MEPs: there are those who support us and those who oppose us, and there is a box in the middle of those that are not quite sure. The first place to go is always the box in the middle» (Director of Public Affairs, CropLife Europe, 14 April 2021). The managing director at EUROPEN has stressed how it is important to interact not only with the rapporteur of the dossier but also with the various members of the competent committee. Moreover, environmental groups tend to lobby not only central decision-makers but also assistants: «Assistants are very well-informed and do a lot of work [...] they can enter into contact with experts, and MEPs rely on them a lot» (Policy Advisor, Greenpeace Europe, 4 May 2021). This assumption has been confirmed by the MEP Head of Cabinet, who has stressed the importance of meeting with environmental groups representatives, as they are the real experts on the contents of policies under discussion (Head of Cabinet, European Parliament, 2 July 2021). The Director of Public Affairs at CropLife Europe has observed that, even though they try to work with people who support them, «it is also helpful to engage with people who do not support you, in order to understand what their point of view is, why they disagree with you. The caveat being that in 99% of the cases they will not meet you» (Director of Public Affairs, CropLife Europe, 14 April 2021). Even though the Policy Advisor at Greenpeace Europe has underlined how «the conversation is easier if your priorities are aligned» (Policy Advisor, Greenpeace Europe, 4 May 2021), the Director for Global Policies and Sustainability at the EEB has explained that it is more strategic to try to influence a high-level decision-maker, or a person particularly relevant for a file, regardless his or her political affiliation (Director for Global Policies and Sustainability, EEB, 28 June 2021). The Head of Public Affairs at WWF has argued that «if you only talk to people that are convinced, you will rarely achieve the results you aim at. In this way, you will not hear opposing views either, that might help you improve your own approach and test your assumptions and policy recommendations» (Head of Public Affairs, WWF, 21 April 2021). Furthermore, the Senior Diplomatic Expert at Frans Timmermans' cabinet has reported that especially environmental interest groups have to be careful of not being perceived as too extreme, otherwise officials will not engage with them, knowing their answer will always be critical (Senior Diplomatic Expert, European Commission, 20 May 2021). The representative of the Belgian NGO has observed that they «need to be neutral and balanced between different forces» (Researcher, CNCD-11.11.11, 1 April 2021): if ENGOs are associated with a rigid and radical vision, those having a different perspective will not listen to them. It is therefore of particular

importance to establish relationships with policy-makers representing different positions. From the interviews conducted for the present study it has emerged that environmental groups, after building a map between friends and foes, and influent and non-influent officials, elaborate their lobby strategy, which varies according to the topic under discussion, the phase of the decision-making process, the specific aim of the group and, clearly, the interlocutor.

The empirical research conducted by the author has clarified that the more an interest group is able to employ a wide variety of strategies, the more it will succeed in influencing the policy outcome. In particular, the complementary use of both insider and outsider strategies is quite common. This view has been confirmed during several interviews. For instance, the Climate and Energy Policy Coordinator at CAN Europe has maintained that they do not employ a single strategy, as they curtail it according to the context:

We normally do informal exchanges of information with key decision-makers through direct meetings but also through calls [...]. Part of our strategy also involves public campaigns. Especially around key dates, the attention of the public media is something we exploit. We try to build public pressure on central States or decision-makers through press releases, reports [...], social media activities and so on (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021).

CAN Europe, therefore, utilises both insider strategies – such as phone calls – and outsider strategies – e.g. social media campaigns. The researcher at the Belgian NGO, CNCD-11.11.11, has suggested: «Informality is really important in our work. We are formal, when necessary, in official communications or events, to show we are serious and reliable interlocutors. But informal communication, e-mails or phone calls, can be really effective in some cases» (Researcher, CNCD-11.11.11, 1 April 2021). When talking about the most successful way to relate with institutions, the Public Affairs Manager at Utopia has developed the view expressed by the above-mentioned interviewee, arguing that the strategy employed depends on several factors:

The first is the objective you pursue, then the reference dossier. It depends on whether we have to modify, in a proactive or reactive sense, an existing arrangement. Another fundamental variable is the context you move in, considering both the macro level – i.e. European or national institutions – and the micro level: if we are talking to a stakeholder with certain sensitivities, we will approach it differently, whether it is a one-to-one meeting or a round table. [...] Obviously,

it is important to have a basis methodology, which you then adapt according to the variables (Public Affairs Manager, Utopia, 9 April 2021).

The Head of Sustainability and Environment at EuroCommerce has underlined how one-to-one and informal meetings with MEPs or their assistants are extremely useful to convey specific views, whereas meetings within conferences serve more to expand the network among different associations and NGOs (Head of Sustainability and Environment, EuroCommerce, 26 April 2021). When asked to decide which strategy – formal or informal – is more effective, the Policy Analyst at the IEEP has explained that both have their advantages: an informal call with a MEP might allow to express opinions rather straightforwardly, while taking part in official meetings held by the Commission can have a greater impact (Policy Analyst, IEEP, 9 April 2021). Some answers have been more categorical. The Director of Public Affairs at CropLife Europe has underlined that the most important strategy is the informal, as formal exchanges – such as responding to a consultation or going to a stakeholder meeting – are not moments of discussion or dialogue (Director of Public Affairs, CropLife Europe, 14 April 2021). Furthermore, the distinction between formal and informal strategies is not always clear-cut. During the interview of the Environmental Counsellor of a Nordic Member State it has emerged that «if you want to have a good response, [...] you have to work at the margins, before or after the meetings. You have to spend a lot of time explaining where the position comes from and why you need that specific solution» (Environmental Counsellor, Nordic Member State, 27 April 2021): the meetings are then the formal part, but most of the work is done before and after them. The Head of Public Affairs at WWF Europe has suggested that:

everything we do is formal, as there is nothing we would hide from the public eye. If a distinction should be drawn between formal and informal, we may consider formal any official consultations held at the Commission, the European Parliament and to a lesser extent the Council, or [...] the expert groups that the Commission organizes. Instead, we may call informal any contacts with decision-makers to propose meetings that, however, take place in formal settings (Head of Public Affairs, WWF Europe, 21 April 2021).

In the second chapter of the present work, a distinction has been made between objective characteristics an IG possess – i.e. economic resources and representativeness – and subjective characteristics – namely personal relations and reputation. The following section will be aimed at providing an empirical overview of the main characteristics that ensure the success of a group in influencing the policy outcome.

The issue of resources has been underlined by several respondents. The National Expert from DG ENVI, interviewed for the present study, has stressed that «some organisations that represent a wider range of people will probably have more resources, and having more resources allows to hire more people who work to support the position of these organisations. The position will consequently have a louder resonance, or it will be heard in more fora than another position» (National Expert, DG Environment, 18 June 2021). When asked whether resources have an impact on the capacity of groups to influence decision-makers, the Policy Analyst at the IEEP has underlined how some environmental stakeholders cannot join advisory groups and civil society dialogues at the European Commission as «they do not have the expertise or resources to do so» (Policy Analyst, IEEP, 9 April 2021), thus missing the chance to present their perspective to the Commission. Referring to private interests, an Associate at the European Climate Foundation<sup>57</sup>, interviewed by the author of the present research, has suggested that «the participation in policy-making processes tends to be limited to a small number of delegates and we do not know how representative they are of the civil society. There is a problem of asymmetry when it comes to private interests. Professional groups are much better at organizing due to their funding and are more likely to gain access to decision-making processes» (Associate, European Climate Foundation, 23 April 2021). The Press Officer at Corporate Europe Observatory, explaining his view on the influence of big corporations and interest groups, has pointed out that, before the Commission drafts new regulation, it always consults expert groups. Among their members, the private sector has the majority, whereas civil society and trade unions have only a very limited representation (Press Officer, Corporate Europe Observatory, 23 April 2021). He has added that «often these private players have really good technical high-level expertise. They have money and human resources to join these meetings of expert groups. The NGO representatives [on the contrary] usually have limited resources and capacity» (Press Officer, Corporate Europe Observatory, 23 April 2021). When asked about the major constraints that environmental NGOs have, compared to business lobbies', the Director for Global Policies and Sustainability at the EEB has observed:

On the one hand, there is a resource constraint. [...] If you want to influence a vote in the European Parliament, [...] you have to lobby several dozens of MEPs. [...] If the staff members focusing

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<sup>57</sup> The European Climate Foundation (ECF), established in 2008, is a network of more than 500 organisations with six offices around the world. It aims to employ effective philanthropy in order to support the climate community in shaping public debate to ensure a liveable planet for future generations. More information is available on their website: <https://europeanclimate.org>.

on a file are limited, you are not going to be able to talk to as many MEPs as a lobby organisation. [Moreover,] the MEPs are accountable to the people in their constituencies [and] [...] to their parties and their party programme. [...] Even though they see the merit of the arguments, [...] pressures from voters and constituencies might make it difficult for MEPs to listen to your approach. [...] It is also a question of political influence. And, for their constituency, who is more influential? The big company that [...] employs 7000 people or the local environmental group [...]? (Director for Global Policies and Sustainability, EEB, 28 June 2021)

In other words, the Director for Global Policies and Sustainability has implied that the obstacles that ENGOs have to face are not only related to the resources available to a group, but also to the political influence that a group has, as well as the pressure a MEP receives from his or her constituency. Furthermore, the advantage of a big NGO is that policy-makers will be more willing to listen to it: the Deputy Secretary General and Director of EU Policy at the EEB has underlined that, in order to be perceived as a relevant partner, «the content of what is said is particularly important», but also being a big NGO helps in the sense that «you may have larger communication channels or more people that follow you; [...] [or] a really good branding – e.g. Greenpeace or WWF» (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021).

As regards the aspect of the representativeness of a group, the Senior Diplomatic Expert of Frans Timmermans' cabinet – interviewed during the development of the present research – has observed: «I believe that if there are interest groups that provide robust and solid knowledge and analysis, this is helpful because it feeds into the policymaking process. If they have a large constituency, that too is useful because they can, on the one hand, alert the policymakers about [...] [the priorities of] that constituency; and on the other hand, they can also translate what is going on [...] to that constituency» (Senior Diplomatic Expert, European Commission, 20 May 2021). The Confederal Secretary at ETUC has supported this view, arguing that «it is important to bring the representativeness, but you also have to bring the expertise of what is happening on the ground» (Confederal Secretary, ETUC, 13 April 2021). The MEP Policy Advisor has stressed that the aspect of representativeness is valued differently according the political group: «We, the Greens, value the NGOs that represent civil society and the general interest. [...] Other political groups can give priority to how many private companies a lobby is representing, [...] to the fact that there are a lot people working for them, and a lot of money on the table» (Policy Advisor, European Parliament, 1 April 2021). Finally, the Policy Advisor at Greenpeace Europe has observed:

For MEPs it is hard to follow different subjects, so they really value the informational aspect. If you provide them with information and science-based arguments, it helps them to have a more complete picture. It is also important that you have [...] a high number of supporters. They are interested in making their constituency happy and, to this end, they know that talking to civil society organizations that have a big network is important (Policy Advisor, Greenpeace Europe, 4 May 2021).

In order to be able to influence the policy process, several interviewees have stressed the importance of personal networks, considered in the present research as one of the first subjective characteristics of interest groups. The Advocacy Manager at Youth and Environment Europe has suggested that «on paper, you write an email to the cabinet and the cabinet answers; in real life, everything depends on the connections you have» (Advocacy Manager, Youth and Environment Europe, 3 May 2021). As pointed out by the Policy Analyst at the IEEP, it is extremely effective to talk to people who you have already worked with (Policy Analyst, IEEP, 9 April 2021). In particular, the Public Official at the Permanent Representation of Germany to the European Union has commented: «It is easier when you have personal connections: you can make a phone call and ask questions when tough negotiations start» (Public Official, Permanent Representation of Germany to the EU, 4 May 2021). He has also stressed that lunches are a good occasion to speak more freely and to explain the State's position. Not only personal acquaintance, but also nationality can considerably influence a group's tactics and probability of success. The representative of the Confindustria Delegation to the EU, interviewed for the present work, has underlined that, even though they maintain contacts with representatives of all nationalities, they mostly relate with Italian officials: at the European Parliament, but also at the Commission – due to the common cultural background – as well as with the Permanent Representation of Italy (Representative, Confindustria Delegation to the EU, 4 May 2021). The Public Official at the Permanent Representation of Germany to the EU has observed: «It is a little frustrating to admit, but nationality definitely helps. It should not be like that, since we are speaking of the European Parliament. We also meet with MEPs from other countries, especially if they have an important function in a file [...] [but] it is usually easier with our own MEPs» (Public Official, Permanent Representation of Germany to the EU, 4 May 2021). Considering the interviews conducted by the author of the present research, it is possible to state that political affiliation is not as relevant as expected: Commissioners and MEPs tend to meet with everyone, and the same is true for interest groups representatives. Referring to the relation with MEPs, the Public Official at the Permanent Representation of Germany to the EU has clarified that the political party is not decisive, even though they tend to focus on the parties at the centre of the

spectrum. Likewise, the Adviser for Research, Innovation and Energy at BusinessEurope has explained that they tend to prioritise the rapporteur and the shadow rapporteurs and that the focus is at the centre of the political sphere (Adviser, BusinessEurope, 14 May 2021). She also added that «if a MEP asks us to meet, regardless of the group, we would try to organize a meeting. There are some exceptions regarding the extremists because we are a pro-European association. [...] we meet especially with central parties and larger parties» (Adviser, BusinessEurope, 14 May 2021). As far as other stakeholders are concerned, the Head of Public Affairs at WWF has pointed out: «As regards political affiliation, we are non-partisan, thus we approach all political groups equally» (Head of Public Affairs, WWF, 21 April 2021). The same idea has been conveyed by the Head of Sustainability and Environment at EuroCommerce, underlining that what really matters in the relationships with policy-makers is not the political group but rather his or her personalities and ideals (Head of Sustainability and Environment, EuroCommerce, 26 April 2021). Furthermore, when asked whether they filter the people they meet according to the position they represent, a national expert at DG Environment has suggested: «In terms of preparation for a meeting, you look at what the group does and what its positions are [...]. But in my experience, this does not have an influence on if we meet them or not» (National expert, DG Environment, 18 June 2021). The same applies to the officials of the Permanent Representations of the Member States in Brussels. The Public Official at the Permanent Representation of Germany to the EU has underlined that they try to meet both with NGOs and industry representatives, according to what is relevant to their work: «We meet with everybody we feel they have a stake [...]. It is interesting to talk to people who might have something to add to the process» (Public Official, Permanent Representation of Germany to the EU, 4 May 2021).

Beyond personal connections, the representative of the Confindustria Delegation to the EU has added a crucial element determining the effectiveness of the strategic approach to institutions: reputation. «Lobbying is based on trust and reputation. I think the Delegation has a very good reputation in Brussels [that] we have earned day by day, through reliability, transparency and by presenting quality work [...]. If I had to choose [among the best strategies in order to be effective, then I would say] daily contacts [and] consistency are important elements» (Representative, Confindustria Delegation to the EU, 4 May 2021). The same idea has been emphasised by the Public Affairs Manager at Utopia: «Reputation is an important factor, especially if you link it to the concept of trustworthiness. [...] Another element is the ability to represent an unambiguous and easily understandable position, as well as the ability to build up the support for a decision-maker over time» (Public Affairs Manager, Utopia, 9 April 2021). The Managing Director of EUROPEN has underlined how credibility is crucial: «If you lose

credibility, you are no longer a trusted actor» (Managing Director, EUROPEN, 7 May 2021). Of course, when referring to a prominent group, such as BusinessEurope, it is easier to obtain meetings, also with high-ranking policymakers. At the same time, less known NGOs, that aim at being recognized as expert organizations, need to work with a more flexible strategy: «lobby is good timing and good expertise, [...] [to be] active on social media, invited to conferences, to organize events with Parliamentarians and Ministers, in order to be visible, but always providing a certain level of expertise. You have to build a reliable image of your group» (Researcher, CNCD-11.11.11, 1 April 2021).

As a conclusion, the words of the Representative of the Secretariat-General of the European Commission can be quoted: «The most effective lobbyists are those who understand how the policy-making process works, the points of entry into that system and the people; they understand the time when it is effective to get in» (Representative, Secretariat-General of the European Commission, 26 March 2021). From this empirical analysis, it is already possible to understand that the amount of funds available and the members a group represents, as well as its capacity to exploit multiple routes of influence, the personal relations and the reputation it is able to build contribute to the capacity of the group to successfully affect the policy process. The hypothesis guiding the present research will be further verified in the following section with a practical reference to the case study of the European Green Deal.

### **3.2 The Multiple Streams Framework: the problem and politics streams**

Lehmann and Bosche, (2003) have noted how interest groups «contribute to the perception, presentation and definition of issues in European Union policy-making» (Lehmann and Bosche, 2003: 1). This is what has happened in the last few years, when especially ENGOs have underlined the urgency of tackling climate change. This section will introduce the first two streams of the Multiple Streams Framework, i.e. the problem and the politics stream, thus contributing to shed light on the dynamic processes and relationships characterizing Multi-Level Governance (MLG) systems.

The problem stream is based on elements such as acute environmental crises and new scientific evidence, that have brought the problem of climate change to the attention of policy-makers. These aspects will be analysed only briefly, as even though they are crucial to understand how the European Green Deal came into place, they do not fall into the remit of the present research. One of the main scientific documents – whose importance for the problem definition has been



confirmed by several interviewees – is the Special Report issued by the Intergovernmental Panel on Climate Change (IPCC) in October 2018<sup>58</sup>. Its impact is reflected in the strategy “A Clean Planet for All”, published in November 2018, whereby the goal of a climate-neutral Europe by 2050 was announced. The text of the strategy states:

The IPCC report confirms that the world needs to limit climate change to 1.5°C to reduce the likelihood of extreme weather events. It also emphasises that emissions need to be reduced with far more urgency than previously anticipated. In order to limit temperature increase to 1.5°C, net-zero CO<sub>2</sub> emissions at global level needs to be achieved around 2050 and neutrality for all other greenhouse gases somewhat later in the century. [...] This provides an opportunity for the EU to step up its action to show leadership [...]. This would require the EU to achieve greenhouse gas emissions neutrality by 2050» (European Commission, 2018).

Another important source of pressure for policy-makers is represented by the UN Environment Programme Emission Gap Report of 2019<sup>59</sup>. The report estimated that, in order to keep temperature rise to 1.5°C, global emissions need to fall by 7.6% per year, meaning that European emissions need to decrease by 68% by 2030. A more recent document is the Emission Gap report<sup>60</sup> published in December 2020. This report has underlined how, despite a reduction of carbon dioxide emissions determined by the COVID-19 pandemic, the world is going towards an increase of 3°C of the temperatures this century, therefore far beyond the goal established by the Paris Agreement. Further elements of the problem stream can be represented by the reports of the European Environmental Agency (EEA), such as the “Annual European Union greenhouse gas inventory 1990–2017 and inventory report 2019”<sup>61</sup>. The impact of the scientific evidence has been acknowledged in the January 2020 Council conclusions: «The latest scientific evidence, including the reports of the Intergovernmental Panel on Climate

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<sup>58</sup> This report warned that «human-induced global warming has already reached 1°C above preindustrial levels and is increasing at approximately 0.2°C per decade. Without stepping up international climate action, global average temperature increase could reach 2°C soon after 2060 and continue rising afterwards» (European Commission, 2018).

<sup>59</sup> This document presented data on the expected gap in 2030 for the 1.5°C and 2°C temperature targets, considering different scenarios, and looking at the annual cuts that would be needed to meet the goals of the Paris Agreement. The full document is accessible through the following link: <https://wedocs.unep.org/bitstream/handle/20.500.11822/30797/EGR2019.pdf?sequence=1&isAllowed=y>.

<sup>60</sup> The full document is available at the following link: <https://www.unep.org/emissions-gap-report-2020>.

<sup>61</sup> This and other reports can be found here: [https://www.eea.europa.eu/publications#b\\_start=0](https://www.eea.europa.eu/publications#b_start=0).

Change (IPCC), shows that, despite global efforts, worldwide emissions continue to increase. [...] The gap between the present level of global action and ambition, and the agreed goals of the Paris Agreement is growing. This disconnect is reflected in a youth-led movement calling for action to catch up with science» (Council of the European Union, 2020: 2).

In the years preceding the European Green Deal, the 2030 Agenda for Sustainable Development<sup>62</sup> has represented an element incentivising the Union to strive for higher environmental targets. As underlined by the expert of European policies of the Italian Alliance for Sustainable Development (*Alleanza italiana per lo Sviluppo Sostenibile*, ASviS)<sup>63</sup>, the 17 Sustainable Development Goals has been an important point of reference for the Commission (Expert of European Policies, ASviS, 19 April 2021). As a matter of fact, a reference to the 17 SDGs was made not only in the mission letters that Ursula Von der Leyen sent to each Commissioner – stating that «each Commissioner will ensure the delivery of the United Nations Sustainable Development Goals within their policy area» (Von der Leyen, 2020) – but also in the text of the EGD, when, in the introduction, it is clarified that «the Green Deal is an integral part of this Commission’s strategy to implement the United Nation’s 2030 Agenda and the sustainable development goals» (European Commission, 2019). During the interviews conducted by the author of the present study, several respondents have underlined the prominent role of the Paris Agreement<sup>64</sup> in highlighting the above-mentioned disconnection between policy goals and requirements. The Climate and Energy Policy Coordinator at CAN Europe, for instance, has pointed out:

The main game-changing moment for the EGD was the ratification of the Paris Agreement. That set the most impactful direction, since it created a benchmark for every action any economy takes. The EU was a driver in the Paris Agreement negotiations but actually failed in the five years that followed the ratification. [...] The 40% target for 2030 was agreed by Heads of State and Government in 2014 and it was not revised after Paris. Therefore, there was a strong discrepancy

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<sup>62</sup> Adopted by the General Assembly of the United Nations in September 2015, it sets out a plan in order to achieve the 17 Sustainable Development Goals in 15 years. Further information is available at: <https://sdgs.un.org/2030agenda>.

<sup>63</sup> The Italian Alliance for Sustainable Development, uniting more than 300 Italian CSOs, was established in 2016 with the aim of raising the awareness on the importance of the 2030 Agenda for Sustainable Development and of mobilizing the public for the achievement of the SDGs. More information is available on their website, accessible here: <https://asvis.it>.

<sup>64</sup> The Paris Agreement is a binding agreement, aimed at reaching climate neutrality by mid-century, adopted by 196 Parties at COP21 in Paris, on 12 December 2015, and entered into force on 4 November 2016. Further information is available at: <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>.

between what the EU was doing and the international commitments that the EU took under the Paris Agreement (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021).

A further component of the problem stream can be also represented by the declaration of a climate and environmental emergency by different Member States – starting from the UK Parliament in May 2019 – and by the European Parliament in November 2019, confirming «that global warming was being recognized as a top concern» (Coen et al., 2020: 29). The new scientific evidence and the international commitments of the Union have been accompanied by extreme climate events. The last four years have been marked by floods, droughts, storms and wildfires throughout the globe. Furthermore, 2019 has been second hottest year on record, with an average temperature of 1.1°C above the average since 1850. All these elements have contributed to the creation of a problem stream, thereby requiring action by policy-makers.

As far as the politics stream is concerned, Coen et al. (2020) have suggested how several factors changed the receptiveness of policy-makers to possible solutions: «Unprecedented levels of public engagement on climate change, as evidenced by [...] the rise of Swedish climate activist Greta Thunberg and the success of the Fridays for Future strikes, which saw millions of young people around the world walk out of school in order to demand stronger climate action» (Coen et al., 2020: 28) but also «the election of the greenest European parliament in EU history» (Coen et al., 2020: 29) and the election of a Commission president declaring the climate as the top priority.

In the years preceding the EGD, the demand of concrete actions from European citizens has been particularly evident. Not only through the Eurobarometer survey of September 2017 – whereby respondents ranked climate change as the third most serious problem facing the world (Eurobarometer, 2017) – but also through the stakeholder consultation<sup>65</sup>, held in preparation of the “Clean Planet for All” Communication, that received more than 2800 replies. A more recent evidence was provided by the 2019 Eurobarometer survey of the European Parliament, according to which more than half of respondents (52%) consider climate change the most important environmental problem (Parlemeter, 2019). Beyond official surveys, the marches in the streets were particularly impactful. The Fridays for Future movement, a youth-led global

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<sup>65</sup> The consultation was carried out from 17 July to 9 October 2018. It was also supported by a stakeholder event organised by the Commission on 10-11 July 2018. The Commission acknowledge that the broad social engagement deriving from the “Clean Planet for All” Communication allowed the debate around EU’s ambitions for 2050 to mature and a consensus to develop. The information relative to the consultation is accessible at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588581905912&uri=CELEX:52020PC0080>.

climate strike movement funded by the young Swedish activist Greta Thunberg, started to draw the media attention when in September 2018 students began to strike for policies in line with Paris Agreement requirements. They created the hashtag #FridaysForFuture, and encouraged other young people all over the world to join them, thus marking the beginning of the global school strike for climate that involved big and small cities all around the world<sup>66</sup>. All of this inevitably drew the attention of policy-makers, that, in need of public support, acknowledged that the topic of climate change could not be ignored any longer. The huge impact that the youth movement had is reflected in the political guidelines of Ursula Von der Leyen: «The message from Europe’s voters – and those too young to vote – is loud and clear: they want real action on climate change, and they want Europe to lead the way. I have been inspired by the passion, conviction and energy of the millions of our young people making their voice heard on our streets and in our hearts. They are standing up for their future and it is our generational duty to deliver for them» (Von der Leyen, 2019a). The role of the Fridays for Future, and the youth movement more in general, has been emphasized during several interviews. The representative of CAN Europe has underlined how «the Fridays for Future movement was particularly influential in raising the salience of the climate emergency. We could definitely see a huge impact on public awareness and on the attention Brussels-based and national media gave to the subject» (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). The contribution of the MEP, interviewed for the present study, is of particular relevance: «How much weight have all these movements had? They have created a climate: the political maturity of a choice derives from the relationship with citizens, with the political forces present. [...] To see so many young people involved [...] creates confidence in the future, because it means that there is a sensitivity, that there is a participation» (MEP, S&D, 22 June 2021). Beyond the role of youth movements, the activism of ENGOS has led to a change in the narrative around climate change, rendering it a high priority in the political agenda of European decision-makers. Several interviewees have drawn the attention to the aspect of narrative. The Press Officer at Corporate Europe Observatory, for instance, suggested: «No company or lobby today will say “we are against the EGD”. We are past the period in which industry said this will cost jobs, this is too green. The narrative has changed, and the EGD is a clear-cut example» (Press Officer, CEO, 23 April 2021). The action of CAN Europe is a prominent example of the contribution of ENGOS to the salience of the climate issue:

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<sup>66</sup> Further information is available on their official website, accessible at: <https://fridaysforfuture.org>.

As a network, we provided some inputs in the context or setting – especially in the prelude of the European Parliament’s elections. We were very vocal engaging in the long-term strategy, the 2050 climate neutrality target which created the umbrella for the EGD. We have always underlined the need to tie long term targets with short-term targets, such as the 2030 targets. [...] When we entered the year of the EP elections, we had an election campaign which was on climate change. We also published a score of MEPs of the previous legislative term on how they voted on key legislative items. About the EGD, I think that our message that was picked up in the document was the one on the 2030 targets. We were one of the few organizations that for years have been calling for at least 55% targets, and we increased our position in light of the most recent data from the IPCC report calling for a 65%. [...] Maybe it was an indirect way to influence, but our input to the EGD was this public discussion on the 2030 target (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021).

Another pivotal ENGO is the European Environmental Bureau. Its Deputy Secretary General and Director of EU Policy has pointed out:

as soon as there were the election results, we talked about the green wave and in parallel we were doing a lot of work on the 8<sup>th</sup> Environmental Action Programme, suggesting that we turn this into a Green New Deal for Europe. [...] I think we were the first NGO to ask for a Green Deal. We also circulated this to the Commission, but also to our German partners, because we were working quite closely with the Ministry of the Environment in Germany on the 8<sup>th</sup> EAP at the time [...]. Somehow our message got across, whether it came across because someone read a major article, because I engaged with DG Environment or it came through the German presidency team, I do not know. A lot of the ideas of the EGD were the ones we also suggested [...]. Of course, lots of people can have the good idea at the same time, I am sure we were not the only ones: it was natural to have thoughts of a green deal after the green wave (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021)<sup>67</sup>.

The Director for Global Policies and Sustainability at the EEB, talking about the influence that this major NGO had on the text of the EGD, has explained:

We tried to influence that framing by making sure that the EGD would be embedded in a wider strategy of the European Union: how we want to achieve the Sustainable Development Goals and

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<sup>67</sup> This contribution clearly explains what has been underlined in the previous sections, that IGs in order to be successful need to reiterate their message as many times as possible. It also gives a hint of the difficulty of assessing the actual influence that an IG exerts on a file, since multiple suggestions can converge and determine a policy outcome.

the 2030 Agenda. So, we had various contacts, by writing letters to the Commission President and to her cabinet. At the beginning, when she presented the EGD, there was no reference to the SDGs and to the sustainable development as a broader concept. [...] Sustainability is wider than the environment, it is about the social and the economic dimension. [...] There was some back and forth and then we saw some progress. [...] In September and October, when she put forward the letters to the Commissioners, she wrote that each and every commissioner is responsible for making sure that the SDGs are implemented in his or her portfolio. [...] The December communication clearly refers to them, since it is stated that the EGD has to deliver the SDGs and that the SDGs would be integrated more closely in the European semester. There was a gradual progress as the narrative changed. The idea of the EGD was widened from a narrow focus on the green economy to a wider sustainability perspective (Director for Global Policies and Sustainability, EEB, 28 June 2021).

A further example of the pressure exerted by environmental NGOs is represented by the 2019 European Parliament Election Manifesto, issued by the Green 10. In this document, four priorities have been highlighted, among which it figures «a European Union that makes environmental protection and climate action top priorities» (Green 10, 2019). Significantly, they have also asked for the new European Parliament to «mandate a Commission President to be in charge of implementing the Sustainable Development Goals» (Green 10, 2019). The calls for new and more effective environmental policies have been coming from all sectors of the society: not only ENGOs but also from sector associations, such as Copa-Cogeca. In a position paper of September 2019, they stated «Solutions exist as well as examples of best practice [...]. What is needed is stronger political and social support» (Copa-Cogeca, 2019). Another prominent example is BusinessEurope. The Adviser interviewed for the present work has explained that «during the election campaign and after the elections we published a number of position papers [...], especially to explain the position of the private sector on a number of policy areas» (Adviser, BusinessEurope, 14 May 2021). Among these position papers, in the one entitled “European business views on a competitive energy & climate strategy”<sup>68</sup>, published in April 2019, BusinessEurope expressed the support towards the EU ambition of net-zero greenhouse gas emissions, provided that this ambition is connected to Europe’s agenda on competitiveness and security of supply. The Adviser interviewed for the present study has added: «If you see our position papers, we always try to start with a positive narrative and message. [...] What we try to add is that it is important to connect the Green Deal with the

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<sup>68</sup> The text of the report is accessible at: <https://www.besnesseurope.eu/publications/european-business-views-competitive-energy-climate-strategy>.

industrial strategy, since [...] energy, climate and environmental policies require companies to change their investment plans and their behaviours» (Adviser, BusinessEurope, 14 May 2021). Finally, political groups of the EP were among the actors striving for bold actions. The Report of the Independent Commission for Sustainable Equality (ICSE) 2019-2024<sup>69</sup>, of the S&D Group, proposed 110 policy recommendations.

The Independent Commission insists on the urgency of this radical policy action, in the face of several crises that are mutually and increasingly reinforcing each other, and by the need to revive social democracy at a highly critical juncture of its political history. [...] Through the policies in this report, we can also engage younger generations and tell them that there is no pre-determined bleak future. If we take action to modify Europe's course, a very different society can emerge - a society of sustainable equality, of well-being for everyone, of economic, social and ecological balance and peace, leaving no person and no place behind (Independent Commission for Sustainable Equality, 2018).

Beyond the change in the narrative determined by the activism of prominent groups, the European Parliament's elections of May 2019<sup>70</sup> have also represented a major element in the politics stream. A MEP from the S&D group, and former president of the AGRI Committee – interviewed for the present work – has suggested that a political balance, resulting from the parliamentary elections, «led to an affirmation of a very future-oriented pro-European component, to these great civil battles on climate change» (MEP, S&D, 22 June 2021) coupled with a greater environmental awareness. He has suggested that this awareness originated a few years ago: «Europe took the big step with COP21, in the previous parliamentary term. That was the moment when the world, under the impetus of an important European role, launched this great challenge to climate change. [...] Today Ursula Von der Leyen inherits this great environmental challenge [...] and relaunches the Green Deal. All of this is part of a political maturation and sensitivity that has now manifested itself» (MEP, S&D, 22 June 2021). When talking about the reason guiding Von der Leyen, the Senior Diplomatic Expert at the European Commission has suggested that the Green Deal «is also what the people in the elections showed

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<sup>69</sup> The Progressive Society is an initiative sponsored by the Parliamentary Group of the Progressive Alliance of Socialists & Democrats. The full text of the report is available at: <https://www.socialistsanddemocrats.eu/sites/default/files/2020-06/en-report-of-the-independent-commission-for-sustainable-equality-2019-2024.pdf>.

<sup>70</sup> With this election, the group of the Greens / European Free Alliance obtained 74 seats, becoming the fourth group of the European Parliament. An interesting comparison with the precedent term is available at: <https://www.europarl.europa.eu/election-results-2019/en/tools/comparative-tool/>.

with their votes, the Greens gained, and so she needed support from the Parliament as well. [...] The question is not about how good a leader is, it is how him or her will translate what they think the people have shown at the elections into a programme. And to her credit, she did so» (Senior Diplomatic Expert, European Commission, 20 May 2021).

In sum, on the basis of primary sources, it is possible to affirm that the European Green Deal is the institutional response<sup>71</sup> to the public pressures – especially represented by the emergence of the Fridays for Future movement and the calls of various NGOs and sector associations – as well as the scientific reports and a surge in Green parties in the EP elections. All these elements «created the situation for the Commission’s president to elaborate clear commitments for her mandate to the transition to climate neutrality» (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). The convergence of different factors has been indeed emphasised by several respondents. The National Expert at DG Environment explained:

What was certainly important were the SDGs [...]. Then you have the reports from the IPCC or the EEA, which spelled out a warning when it came to the environment [...] All these green movements certainly played a role as well. [...] the marches were something very visible. [...] I think a lot of factors came together that led to the European Green Deal. [...] The youth movement, people going on the streets, is a form of direct democracy, which is very important; but one should not overlook the fact that people also voted. So, the indirect democracy element, in the sense that people went to the polls and voted for [...] greener policies (National Expert, DG Environment, 18 June 2021).

Most importantly, she acknowledged: «It was a collective change in awareness that that led to it [the EGD] and that made green voices louder» (National Expert, DG Environment, 18 June 2021).

In conclusion, since scientists and ENGOs have been calling for ambitious policies for years, when asked why the EGD was agreed upon only now, the Deputy Secretary General and Director of EU Policy at the EEB has answered: «It is easy: time is running out. The evidence is just there, and it is getting more desperate. Politicians cannot be wilfully blind forever. [...] Therefore, [the EGD is a result of] the urgency and the evidence, plus the cries from the street,

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<sup>71</sup> The Head of Sustainability and Environment at EuroCommerce referred to the EGD as «a political will responding to a general awareness» (Head of Sustainability and Environment, EuroCommerce, 26 April 2021).



the long-term work of both academia and NGOs, and also that there are committed people in the services» (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021).

### **3.3 The Multiple Streams Framework: the policy stream**

As suggested by the Director of Public Affairs at CropLife Europe, the European Green Deal in itself has not been object of intense counter-lobby activity, but rather the measures it foresees, such as the European Climate Law: «In every part of the spectrum (composed of companies and environmental NGOs) [...] everybody agrees with the ambition of the EGD; the disagreement is on how to achieve it. [...] Everything the EGD is giving birth to, [...] all the aspects that are falling out of it, is where the lobby and the disagreement is happening» (Director of Public Affairs, CropLife Europe, 14 April 2021). From this derives the importance of the following section. The previous one has been aimed at introducing the reader to the first two streams of the Multiple Streams Framework (MSF), while this part will be dedicated at illustrating the policy stream, i.e. the solutions to the problem that came to the attention of policy-makers. The main focus of this chapter is represented by the Climate Law, identified as the policy solution that will be analysed in the present study.

The idea of a European Climate Law had long been advocated for by various actors. The Ecologic Institute<sup>72</sup>, in a report of 2018, underlined how «EU climate policies remain incremental, short term and inadequate for decarbonising Europe's economies within the time frame set by the PA [Paris Agreement]. A comprehensive "Climate Law for Europe" is a particularly promising option to fill these gaps» (Meyer-Ohlendorf, Meinecke, 2018: 10). This report outlined the benefits that a well-designed Climate Law would bring, such as to «frame political discussion towards a positive narrative of climate change as a fundamental opportunity and challenge that requires coherent efforts over very long periods of time» (Meyer-Ohlendorf, Meinecke, 2018: 23) and «enhance transparency, policy coherence and thereby accountability for achieving the required outcomes» (Meyer-Ohlendorf, Meinecke, 2018: 23). Furthermore, a Climate Law would not only demonstrate ambition but also constitute «a mechanism for protecting that ambition from political shifts» (Meyer-Ohlendorf, Meinecke, 2018: 23). As observed by Coen et al. (2020), «applying an MSF lens, climate laws serve to insulate hard-

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<sup>72</sup> The Ecologic Institute is an independent think tank established in 1995 and dedicated to environmental research and policy analysis. Further information can be found on their website, available at: <https://www.ecologic.eu>.

won policy commitments from fluctuation in the politics stream. [...] Climate laws could be counterproductive if they lock in insufficiently ambitious targets. Therefore, well-designed climate laws provide overall institutional stability, while also including procedures for reviewing targets and enabling their upward revision» (Coen et al., 2020: 96-97).

The following section will endeavour to illustrate the main contributions of interest groups to the Climate Law. The NGO Transparency International EU has established a database<sup>73</sup> providing an overview of the lobby meetings with the Commission and the Parliament. Thanks to this database, it is possible to know the meetings held in the days before relevant decisions for the Climate Law – such as when the first proposal of the Law came out, on March 4<sup>th</sup> 2020, when the Commission amended it on September 17<sup>th</sup>, when the EP adopted its position on October 6<sup>th</sup> or when the Council and the Parliament reached an informal agreement on April 21<sup>st</sup>, 2021. Contrary to what it could be expected, there is not a high number of meetings specifically referred to the Climate Law. For example, the day before the ENVI Committee adopted its position on the first proposal of the Law, on September 10<sup>th</sup>, representatives from Friends of Europe and the European Environmental Agency met with a MEP from the ENVI Committee discussing “healthy environment and healthy lives” issues. On April 20<sup>th</sup>, Vice-President Timmermans met Jytte Guteland, the rapporteur of the EP, on the Climate Law. As far as the Commission is concerned, a cabinet member of Kadri Simson met representatives of Électricité de France – the biggest energy producer and provider in France – discussing “European Green Deal, Climate Law and renewables” on March 2<sup>nd</sup>. On the same day, Kurt Vandenbergh, a cabinet member of Ursula von der Leyen, met representatives of BusinessEurope for “the policy-makers/business dialogue concerning the Green Deal”. Diedrik Samsom, a cabinet member of Frans Timmermans, had a meeting concerning in general “the European Green Deal” with representatives from Knauf Energy Solutions – which is part of the Knauf Group, one of the biggest producers of building materials in the world employing more than 26,000 people. On March 4<sup>th</sup>, representatives from the BEUC met Daniel Mes, a cabinet member of Mr. Timmermans, concerning “discussions on the European Green Deal”. Aleksandra Tomczak, a member of cabinet of Frans Timmermans, met a series of energy sector representatives from Finland, Norway, Denmark and Sweden. The agriculture sector was also represented, when the International Federation of Organic Agriculture Movements (EU Regional Group) met with Lukas Visek, a cabinet member of Mr. Timmermans, on “organic

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<sup>73</sup> The database is accessible on the following link: <https://www.integritywatch.eu>.

agriculture and the Green Deal”. On September 16, 2020 the director-general Kerestin Jorna had a meeting with Verband der Chemischen Industrie, representing around 1,700 chemical companies and more than 90 percent of the German chemical industry. The academic sector was also involved, when on the same day the think tank Netherlands Organization for Applied Scientific Research TNO met with Diedriek Samsom on “Decarbonisation challenges for the Green Deal and how to solve them”<sup>74</sup>.

Beyond personal meetings, interest groups had two main official occasions to influence the text of the Climate Law. The first is represented by the “have your say” initiative, entitled “the European Climate Law – achieving climate neutrality by 2050”, whereby it was possible to provide some feedbacks on the roadmap for the legislative proposal of the Climate Law. The second is the “High-level public conference on implementing the European Green Deal – the European Climate Law”. As far as the first example is concerned, in the period from 9<sup>th</sup> of January to 6<sup>th</sup> of February 2020 different stakeholders could provide their considerations on the proposal of the Climate Law. A total of 931 comments<sup>75</sup> were received, among which 604 responses came from European citizens, 112 from business associations, 69 from NGOs, 68 from companies or business organizations, 22 from entities classified as “other”, 19 from public authorities, 18 from environmental organizations, 12 from academic and research institutions, 5 from non-EU citizens, one from a consumer organization and one from a trade union. On the basis of this data it is possible to see the numeric relevance of private interest representatives, constituting the 19,33% of the answers – compared to 7,41% of NGOs<sup>76</sup>. Some of these feedbacks are worth mentioning. The first is the one provided by the WWF European Policy Office. In their response, they have suggested the priorities for the Climate Law. Some of them were: «Increase the current 2030 target for cuts in greenhouse gas emissions from at least 40% to at least 65% and set a target of reaching zero net emissions by 2040; [...] set up an independent scientific body to scrutinise the EU’s targets and its plans and policies for tackling the climate emergency» (WWF European Policy Office, 2020). Similar demands have been forwarded by CAN Europe, such as: «A binding climate neutrality date of 2040, and an enhanced 2030 target of 65% GHG emissions reduction; [...] binding phase out dates for ending

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<sup>74</sup> All of this information has been taken from the website <https://www.integritywatch.eu>.

<sup>75</sup> It is possible to have access to all the comments at the following link: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050_en).

<sup>76</sup> All this data is available in the section “statistics” of the public consultation, accessible here: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246).

all exploration and use of fossil fuels and a ban on all subsidies [...] for fossil fuels like coal, oil and gas; an obligation for meaningful public participation and engagement of citizens in further policy design» (CAN Europe, 2020). ClientEarth has provided a position similar to other NGOs, but, as an NGO with a strong focus on enforcing the law and providing legal expertise to decision-makers<sup>77</sup>, they have drawn the attention to some other aspects of the CL. First of all, they have underlined how «the maintenance of a coherent legal landscape is essential. The fragmentation of laws (leading to loopholes) and the inadvertent creation of legal conflicts between different policy areas or instruments must be avoided» (ClientEarth, 2020). Secondly, according to them «the ECL must be a regulation, based on Article 192(1) TFEU alone» (ClientEarth, 2020). A final relevant element of their comment was that intermediate emissions targets for 2030 and 2040 «must have equivalent political and legal status. 5-yearly targets or carbon budgets will be needed to ensure decision-makers experience a sufficient consistent pull on policymaking» (ClientEarth, 2020). The BEUC has stressed the environmental impacts on consumers, in particular that «we need to fix the polluter-pays principle [...]. Too often, the transition is being paid disproportionately by household/private consumers compared to private companies. [...] [Furthermore], strong sectoral policies and legally binding regulatory action [...] are very much needed to provide consumers with alternatives to unsustainable options» (BEUC, 2020). Copa-Cogeca has underlined how «agriculture and forestry can contribute as a natural carbon sink, but this means that farmers' and forest owners' contribution must be remunerated. This must be provided for in European Climate Law» (Copa-Cogeca, 2020). In order to report the position of an academic institution, the comment of Climate Analytics can be cited. This think tank has drawn the attention to the role of negative emissions technologies (NETs) for EU's mitigation efforts and that «if bioenergy with carbon capture and storage (BECCS) is being considered as one of the main carbon dioxide removal options [...], then the fact that there are still large gaps in development of carbon capture and storage (CCS) technology and in the regulations/governance of CCS within the EU could spell big problems for actually reaching this legal requirement» (Climate Analytics, 2020). As far as industry is concerned, two contributions are worth mentioning. Shell has underlined its support to the net-zero target by 2050 and its anchoring in legislation, suggesting for: «Encouraging investment in renewable power and lower-carbon gases, notably

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<sup>77</sup> On their website, it is possible to read “We believe the law is the most effective lever for climate action. The environmental crisis is too big to be addressed bottom-up. We believe that to deliver change at the rate at which it is needed, there needs to be industry transformation and governments have to be held to account. And to do this you need the law”. More information is available here: <https://www.clientearth.org>.

hydrogen; and, ensuring carbon removal technologies, both nature-based solutions and carbon capture and storage [...]. All this needs to happen whilst maintaining EU industrial competitiveness [...]. The implementation of the Green Deal is also key for the EU to maintain global leadership in climate action» (Shell, 2020). Enel SpA has introduced the aspect of stakeholder engagement, by stating that the ECL should establish a governance framework in order to ensure «that all stakeholders and economic operators are guaranteed and rewarded when pursuing ambitious sustainable actions» (Enel Spa, 2020). An interesting comment also came from the German Association of the Automotive Industry (VDA), representing 630 German-based members across the whole automotive value chain: «There is currently no generally accepted understanding of how exactly climate neutrality is to be defined. We would expect such a definition to be a major pillar of the “Climate Law”. [...] We would like to emphasize that ecology and economy are not antagonists – if the political framework is set out in the right way, they spark each other to more overall success on both levels. [...] Currently, the EU climate policy is composed of a variety of instruments regulating energy use and emissions differently in specific sectors. We observe that this fragmentation creates inefficiencies» (VDA, 2020). As many industrial representatives identified mechanisms of CCS as a viable solution, it is interesting to see a different point of view, provided by Food and Water Action Europe. This NGO has not only pointed out that carbon neutrality or net-zero is not equivalent to full decarbonisation, but it has also expressed concern on the fact that

negative emissions technologies are a risky foundation on which to base carbon neutrality trajectories. Carbon capture and storage (CCS), despite existing as a concept for decades, is a technology that [...] has not progressed much for over a decade. Carbon capture and use (CCU) primarily supports oil extraction and the fertiliser industry, and often sees the release of captured CO<sub>2</sub> back into the atmosphere after it is used. Both carbon capture methods are technically incapable of capturing the total amount of carbon produced by a fossil fuel installation, and the capture rates of existing projects are much lower than theoretical optimal capture rates. A carbon neutrality strategy that relies on these technologies will not be successful. Furthermore, relying on such technologies to clean up fossil fuels will delay the transition to renewable energies [...]. Serious consideration must be given to any decision that would invest public funds and energies in carbon capture technology over continued investment in energy efficiency measures, renewable energies and a just transition away from fossil fuels (Food and Water Action Europe, 2020).

Food and Water Action Europe has also warned that:

the EU's current policy approach to fossil/natural gas is that it is a transition fuel, and that new gas infrastructure projects should be able to avail of EU support and funding. However, as this infrastructure would have a lifespan of 40-50 years, way beyond the 2050 carbon neutrality target, the build-out of new gas infrastructure cannot be considered to be in line with the carbon neutrality objective. In fact, the EU's climate targets are dependent on an immediate halt to the building of new fossil gas infrastructure, as recommended by the UNEP in its 2019 Emissions Gap Report. Presumably under the Climate Law, EU legislation and policy approaches will have to be revised to ensure no further EU support (financial or political) is given to fossil gas (Food and Water Action Europe, 2020).

The main difference between the solutions offered by ENGOs and industry lobbies – beside the percentage of GHG emissions reductions – is the role of gas: for the International Association of Oil and Gas Producers (IOGP) natural gas has a crucial role in transitioning to a lower carbon economy: «In a 2050 perspective, investing in the production of natural gas and hydrogen as its decarbonised form as well as technical adaptation of the EU gas infrastructure to carry hydrogen can contribute to climate neutrality while making use of existing infrastructure in a more cost-effective way» (IOGP, 2020a). More importantly, they have stressed that

the European Climate Law should provide a stable, long-term framework for EU policies that drive investments in low-carbon technologies such as carbon capture, utilisation and storage (CCU and CCS) and low-carbon fuels (both gases and liquids), and recognise the role that solutions provided by the oil and gas industry can play in reaching a climate neutral EU economy. [...] The oil and gas industry [...] will be crucial for driving the energy transition and realising low-carbon energy projects, including large-scale pilot projects. In 2018, oil and gas companies reported investing ~€5 billion in low-carbon technology projects and acquisitions and energy efficiency, as well as R&D spending in lower carbon energy of ~€1 billion (IOGP, 2020a).

In a subsequent position paper of April 2020, IOGP has pointed out how «There is potential for 150.00 direct and indirect jobs linked to CO<sub>2</sub> capture, transport and storage in Europe in 2050. CCS in Europe can also potentially support the development of a hydrogen economy which could provide up to 5.4 million jobs by 2050, as well as the retention of existing jobs in energy-intensive industries» (IOGP, 2020b). The narrative around jobs, as mentioned earlier in the present study, is particularly evident in this case. As it can be understood with the example of the IOGP, the issue about the influence of industries relies in the fact that they are the actors

that can offer real solutions: the financial means and infrastructures in order to reach foreseen targets<sup>78</sup>.

As anticipated above, the other pivotal step for the stakeholder engagement is represented by the “High-level public conference on implementing the European Green Deal – the European Climate Law”<sup>79</sup>, held on the 28<sup>th</sup> of January 2020. A number of representatives of different sectors participated, such as the Director General of the European Chemical Industry Council, the Director of Climate Action Network Europe, the Secretary General of Copa-Cogeca, the Executive Vice President Strategy and Portfolio of Shell, the Director of the WWF European Policy Office and the Vice-President of the European Investment Bank. On this occasion, the participants had the opportunity to present their views and the priorities for their sector. Many relevant contributions were provided. The Director of CAN Europe, Wendel Trio, has stressed that «it is good that the EU has a target for 2050, but let us not assume that we should fix that in stone [...] the Climate Law must foresee very strong scientific reviewing processes that can allow us to go climate neutral [...] The second important element of the Climate Law is to ensure policy coherence. We need to ensure that all sectoral strategies, policies and targets are in line with the 1,5° target and with the climate neutrality objective» (Streaming service of the European Commission, 2020). Marco Mensink, the Director General of the European Chemical Industry Council, has pointed out the necessity of clarifying what neutral means, as this «will also decide on the solutions we can build for later» (Streaming service of the European Commission, 2020). Ed Daniels, Shell’s Executive Vice President Strategy and Portfolio, has drawn the attention to the predictability for investments: «What we need as a commercial enterprise is predictable policy frameworks to be able to drive the kind of massive investments that will be needed in order to shift the energy system from where we are today into the future» (Streaming service of the European Commission, 2020). The Secretary General of the ETUC, Luca Visentini, has observed:

Climate change is a generator of inequalities and social exclusion. [...] we need to rebuild a sustainable welfare system to really protect the people in the different phases of the transition.

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<sup>78</sup> It is possible to understand this also by reading the feedback provided by Gas Infrastructure Europe (GIE) to the public consultation on the Climate Law. They framed their comment as «What EU gas infrastructure can do to achieve a carbon neutral 2050» thereby underlining their actual capacity to provide support.

<sup>79</sup> The full recording of the meeting is available at: [https://ec.europa.eu/info/events/high-level-public-conference-european-climate-law-2020-jan-28\\_en](https://ec.europa.eu/info/events/high-level-public-conference-european-climate-law-2020-jan-28_en).

[...] If there is not a great investment plan that will generate new business opportunities and jobs in the areas where the most polluting production is located, there is no chance to manage this transition in a proper way. [...] The local communities, the industries, the employers' associations, the trade unions, the NGOs and the different stakeholders are not involved properly in the process. We need to have tripartite civil society dialogues at all levels (Streaming service of the European Commission, 2020).

In this phase of the research a comparison can be drawn between a position paper issued by Greenpeace and WWF in October 2019<sup>80</sup> and the text of the Climate Law – as published in the Official Journal in July 2021. The first point made by the two NGOs is to declare a climate emergency: «The new EU climate law should include in the preamble and in Article 1 ('subject matter and scope') a clear statement to the effect that the world is now facing a climate emergency and that all EU institutions need to act accordingly» (WWF and Greenpeace, 2019). This request was not met, as the preamble only quotes: «This Regulation establishes a framework for the irreversible and gradual reduction of anthropogenic greenhouse gas emissions by sources and enhancement of removals by sinks regulated in Union law» (European Parliament and Council of the European Union, 2021). The second demand – shared with many other actors – is the target of climate neutrality by 2040. This condition was not satisfied, as this goal would require sacrifices and costs that would not be accepted by the majority of citizens. The third was a 65% cut in emissions by 2030: this one too would be excessively complex to achieve, and thus the binding target was set at 55%. A request that was only partially accepted is the five-year review mechanism. If the WWF and Greenpeace were asking that «EU's targets and long-term strategy should be subject to a five-yearly review and ratcheting-up process» (WWF and Greenpeace, 2019), the review established by the ECL only includes «(a) the consistency of Union measures with the climate-neutrality objective [...]; (b) the consistency of Union measures with ensuring progress on adaptation» (European Parliament and Council of the European Union, 2021). Nevertheless, article 11 states: «Within six months of each global stocktake referred to in Article 14 of the Paris Agreement, the Commission shall submit a report to the European Parliament and to the Council, [...] on the operation of this Regulation, [...] The Commission's report may be accompanied, where appropriate, by legislative proposals to amend this Regulation» (European Parliament and Council of the European Union, 2021). A further request, i.e. "Making other EU legislation consistent", was

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<sup>80</sup> Full text available at: <https://www.greenpeace.org/static/planet4-eu-unit-stateless/2019/11/20191008-GP-WWF-EU-climate-law-demands.pdf>.



satisfied, as the article 6 of the Law states: «The Commission shall assess the consistency of any draft measure or legislative proposal, including budgetary proposals, with the climate-neutrality objective» (European Parliament and Council of the European Union, 2021). The demand concerning the establishment of an independent scientific body was acknowledged, as the CL provides for the establishment of a European Scientific Advisory Board on Climate Change (art. 3). The results show that the ENGOS did not exert much influence on the text of the law. In only two cases their requests were fully included. However, this analysis does not provide a complete picture on how much the ENGOS managed to influence the proposal before it was presented. Furthermore, it should be remembered that it is normal that ENGOS push for higher standards than the ones they would realistically achieve.

From this comparative analysis, a question arises about the reasons lying behind the discrepancies between the proposals from the ENGOS and the text of the law. Coen et al. (2020) have suggested that «the EU's dynamic MLG environment offers [...] multiple pressure points that policy entrepreneurs can use to couple the MSF's three streams (problems, politics, and policy). [...] However, positive multilevel reinforcement does not always occur. EU MLG arrangements also provide various entry points for veto-players interested in obstructing ambitious climate action» (Coen et al., 2020: 13). In the case of the Climate Law, veto-players are represented by big corporations and industries that are less willing to renounce to profits in the name of environmental protection. A report published by InfluenceMap in July 2021, based on an empirical study of 216 positions of business associations, has suggested that industry lobby groups are particularly effective in influencing the policy process for two main reasons. First of all, «they are proven tactical lobbying machines which track and counter all strands of binding policy which could impact their members. These tactics range from the capture of the wider narrative on climate to legal challenges to specific regulatory strands, and are backed by significant budgets and expertise» (InfluenceMap, 2021: 6). Secondly, «they can claim to be representative of large parts of the economy and play the "jobs and growth" argument to counter regulatory threats to their members. In the largest cross-sector groups like BusinessEurope [...] these factors become amplified, with representatives claiming to talk to policymakers on behalf of business in its entirety» (InfluenceMap, 2021: 6). Problems arise as industry federations tend to adopt the position of the most active and at-risk members (InfluenceMap, 2021), thus ignoring some other – and maybe more progressive – points of view. Beyond the above-mentioned occasions of discussions, industry lobbies have been able to influence the process through various channels, such as different kinds of events. A prominent example is represented by the European Gas Regulatory Forum held on June 2019. In a report published before the

meeting, coordinated by the IOGP, the potential of Carbon Capture and Storage (CCS) and Carbon Capture and Utilisation (CCU) technologies was outlined. It is interesting to make a reference to some elements of this report. CSS technologies are described as «necessary to achieve climate neutrality, [...] essential to meeting the targets set by the Paris Agreement, [...] critical for deployment of low-carbon hydrogen, [...] a crucial technology to safeguard existing industrial activity, jobs and growth» (IOGP, 2019: iii). The narrative around jobs, as referred to earlier in this chapter, has been further emphasised by affirming that «estimates have shown that the sum of European jobs linked directly and indirectly to the emergence of a market for CCS may approach 150,000 in 2050» (IOGP, 2019: iii). A further example of industry influence is represented by a dinner, sponsored by the IOGP, that took place on 17 February 2020, just a few days before the publication of the first proposal of the Climate Law. Participants were the State Secretary of the Ministry of Environmental Protection and Energy of Croatia, at the time holding the rotating presidency of the Council of the EU, and an Adviser to Deputy Director-General for Energy, while representatives from the civil society or the NGO sector were not present<sup>81</sup>. Even though several NGOs have drawn the attention to the risks associated with CSS technologies<sup>82</sup>, in the text of the Climate Law it is possible to read: «Solutions that are based on carbon capture and storage (CCS) and carbon capture and use (CCU) technologies can play a role in decarbonisation, especially for the mitigation of process emissions in industry» (European Parliament and Council of the European Union, 2021).

The impact of industry lobby has been stressed during several interviews conducted by the author of the present work. It has been underlined that, at the EU level, many decisions can be blocked or less ambitious than what they should, because of the presence of lobbies: «They can move around without anyone noticing: they are always in the offices of Commissioners or MEPs, and there is no democratic control on that [...]. It is hard for us citizens or NGOs to denounce that: we don't really know when, how and how often they meet, and if there is money on the table» (Researcher, CNCD-11.11.11, 1 April 2021). One of the interviewees has stated: «Lobbying can be of detriment of the public interest. It is important to safeguard the integrity

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<sup>81</sup> Information about the event “Exchange of views with the Croatian Presidency: moving together, into tomorrow - Oil and Gas and the Green Deal” can be found at the following links: <http://www.europeanenergyforum.eu/events/exchange-views-croatian-presidency-moving-together-tomorrow-oil-and-gas-and-green-deal>; <https://www.theguardian.com/world/2020/mar/04/climate-action-the-latest-target-of-europes-fossil-fuel-lobbyists>.

<sup>82</sup> In the CEO report published in July 2020, the authors pointed out that CSS «is massively expensive and would cost far more to implement than simply switching to renewable energy. More worryingly, it is an unproven and dangerous technology that defers the phase out of fossil fuels with promises that are always a decade away» (Balanyá and Hakuma Dadci, 2020).

of the public decision-making process, and better transparency can ensure that» (Associate, European Climate Foundation, 23 April 2021). As underlined by the MEP advisor, an aspect that should be further regulated is the one of revolving doors<sup>83</sup>: «There are a lot of conflicts of interests here in Brussels. It would be really important to improve revolving doors regulation between the private and public sectors» (Policy Advisor, European Parliament, 1 April 2021). A solution suggested by the Director for Global Policies and Sustainability at the EEB is to establish a clear legal framework defining rights and obligations that policy-makers should have as related to different types of lobby groups.

All different kinds of interest groups and stakeholders have the right to be part of the overall decision-making process, to put forward their positions, to discuss these with policy makers [...]. This is equally true for CSOs, youth groups or business lobbies. I believe that there is a conceptual difference between lobby groups that represent a specific interest, especially when linked with economic or commercial interests, and lobby groups that represent a more general interest, [...] that is meant to benefit society as a whole. [...] The problem is that, at the level of the EU, [...] there is no clear distinction between groups that bring forward a more general and non-profit public interest, and those who bring forward a restricted economic interest. Often the reality is that those who have more funds to influence the process will manage to exercise their influence more effectively. [...] there are a lot of examples of corporate interest lobbyists who have a privileged access to the policymaking process, whether it is because they have more resources, or because they are better connected. When the European Commission calls in the expert groups [...], it quite regularly happens that the majority, or at least a great number of those experts sitting in these groups are actually people representing the very industry that the Commission seeks to regulate. [...] The problem is that there is often an overrepresentation of so-called experts from commercial interests in these bodies. And it all comes down to the issue that there is no clear definition of the role of different interest groups and what their rights and obligations are (Director for Global Policies and Sustainability, EEB, 28 June 2021).

The Climate and Energy Policy Coordinator at CAN Europe introduced a further element to consider: the intergovernmental nature of the EU policy-making. «The most important elements in our perspective are discussed at the political level, in a very exclusive and undemocratic way, in the European Council. [...] This is not a negotiation space based on rational and science-based policy-making. [...] The main problem is this intergovernmental approach to define

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<sup>83</sup> The term "revolving door" refers to the phenomenon whereby public officials find an employment in the private sector, and vice versa.

ambitions for climate» (Climate and Energy Policy Coordinator, CAN Europe, 26 April 2021). On the other hand, it is necessary that the position of each MS is taken into account when devising policies that would impact them profoundly. As a matter of fact, when asked her opinion on the reasons why EU institutions did not manage to reach an agreement on a target of 60% emissions' reductions, the Head of Sustainability and Environment at EuroCommerce stressed that it is necessary to support a systemic change but without leaving anyone behind: «If you push too high, you know that certain companies will not be able to make the change as fast as possible. I think this is where you reach a 55%: a 60% would have too many social consequences» (Head of Sustainability and Environment, EuroCommerce, 26 April 2021). It has also been underlined that «it is important to remember that there are always different sensitivities, depending on the Member State's starting point and technology available, and on the capacities of companies to implement the transition» (Adviser, BusinessEurope, 14 May 2021). Moreover, not every solution offered by industry groups have hampered the environmental ambitions of the EU. A prominent example is provided by the European Alliance to Save Energy (EU-ASE)<sup>84</sup>, a cross-sectorial business-led alliance promoting the role of energy efficiency across the EU energy system. Its Head of Secretariat and Memberships, interviewed for the present study, has observed:

The role that an association like EU-ASE has played in the debate has been crucial. Despite the urgency, in the political debate European and national decision-makers are still deeply influenced by certain power groups, lobbies of the gas and fossil fuels sector, or of energy-intensive industries. [...] As far as the narrative aspect is concerned, we have always brought the point of view of progressive multinationals that see sustainability (and therefore the objectives of EGD) as a tool for growth, employment, as well as for environmental and social benefits. We represent for the decision-maker [...] the industrial counterpart that splits the industrial front. If on the one hand they have those who say, "for me, reducing emissions means cutting jobs", we have made the opposite argument: there is no investment that has a better jobs-investments ratio than energy efficiency. [...] The progressive industry lobby has been absolutely crucial in steering the EGD in the right direction (Head of Secretariat, EU-ASE, 3 September 2021).

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<sup>84</sup> Founded in 2010, it represents companies such as Siemens, Knauf Insulation and Kingspan. The EU-ASE, in collaboration with other Brussels-based and national stakeholders, has developed the Energy Efficiency First (EE1) principle, based on assessing the potential of energy efficiency in every investment and policy decision. Further information is available on their website, accessible here: <https://euase.net>.

Through different lobby strategies, the EU-ASE has been able to support the energy efficiency first principle<sup>85</sup>, which is now included in article 4 of the Climate Law: when proposing the Union 2040 climate target, the Commission will have to consider «energy efficiency and the ‘energy efficiency first’ principle» (European Parliament and Council of the European Union, 2021).

In conclusion, assessing the actual influence of interest groups on environmental ambitions is not an easy task. However, it has been demonstrated that a combination of factors has contributed to the particular outcome represented by the Green Deal and the European Climate Law. The EGD served as a window of opportunity for interest groups, that have been able to exploit MLG dynamics to pressure policymakers and convey their messages. Indeed, the EGD has been the most lobbied topic in Brussels: Transparency International EU has observed how the number of meetings relating to it in the first 100 days of the new Commission amount to 272, and the Vice-President Frans Timmermans took part to 32 meetings in total, thus reflecting the importance of his portfolio. According to this study, the most active lobby group was EUROGAS<sup>86</sup>, followed by the IOGP, the European Farmers association (COPA) and Solar Impulse Foundation. Furthermore, among the 34 organisations that had more than one high-level meeting with the Commission on the EGD, only 5 were NGOs<sup>87</sup>. A report of Corporate Europe Observatory has noted that key members of the Commission in charge of the EGD had a total of 151 meetings with business representatives, and only 29 with public interest representatives. They have added how «the number is even higher if we take into account that most of the lobby meetings with Commission officials actually take place at a level below the directors-general, the commissioners, and their cabinets» (Balanyá and Hakuma Dadci, 2020) and therefore are not subject to public scrutiny.

While ENGOs had a major role in raising the environmental awareness, the corporate lobbies were the ones that have been able to offer concrete policy solutions. A similar conclusion has

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<sup>85</sup> It is defined as «taking utmost account in energy planning, and in policy and investment decisions, of alternative cost-efficient energy efficiency measures to make energy demand and energy supply more efficient, in particular by means of cost-effective end-use energy savings, demand response initiatives and more efficient conversion, transmission and distribution of energy». European Commission (2019), «Energy Efficiency First principle: 5th Plenary Meeting Concerted Action for the EED, Zagreb 2019».

<sup>86</sup> Eurogas is the association aimed at representing the European gas wholesale, retail and distribution sectors towards the EU institutions. It was founded in 1990 and it currently comprises 56 companies and associations from 24 countries. More information is available on their website: <https://eurogas.org>.

<sup>87</sup> Data are available here: <https://transparency.eu/100-days-lobbying/>.

been reached by Cruce (2011) in her study of the role of Environmental NGOs in the policy process leading to the adoption of the ETS-directive: «It can be argued that the role of the ENGOs is more central when looking at the long-run. Rather than exercising direct impact on the legal text, their most important role is in framing the public opinion and raising awareness on climate change» (Cruce, 2011: 22). One of the authors of the report of Corporate Europe Observatory, during a podcast organized by the same NGO, has stressed how business lobbies in the case of the EGD have applied both outsider and insider strategies in their efforts to influence climate policy-making: they have spent millions of euros to hire professional lobby companies and law firms, organised events with decision-makers, exploited the revolving door phenomenon, written position papers and letters that have had their message repeated in different fora and legitimised by different actors (Hakuma Dadci, 2020). Furthermore, the author has observed that the idea guiding policy-makers is that it is necessary to have everyone's support for a change to occur: «this means that we need the industry on board» (Hakuma Dadci, 2020) if Green Deal's policies are to be implemented. It is then possible to understand how industry groups have managed to water-down the objectives of the Green Deal and the Climate Law. A further explanation is that they have been able to use their national channels to convey their influence. As it has been underlined in the first chapter of the present study, the decision-making of the EU is centred around intergovernmental institutions – for instance in the trilogues for the approval of legislative proposals. The position of each MS is influenced by multiple national concerns, such as energy security and employment rate. It is understandable that the position of an industry giving employment to thousands of people, or ensuring the provision of energy to the country, has a magnified weight. As pointed out by the Vice-President of the European Parliament interviewed for the present work, «due to the nature of the Council's work, significantly opaquer compared to the transparency of Parliament's work, it is much easier for interest groups to try to approach the Council as an interlocutor and make their demands more forceful» (Vice-President, EP, 6 September 2021).

In order to answer the research question posed at the beginning of the work, i.e. whether interest groups have contributed in raising the targets of the EGD, it is necessary to quote once again the words of the Deputy Secretary General and Director of EU Policy at the EEB.

If you want to see what influences the EGD, you need to look at two levels: the narrative – where I think NGOs have had a big influence – and the content. [...] The narrative is a direction of travel, and that has changed. [...] There is also some influence on the content. But when it gets serious, about money and profits, business still has a greater sway on what is happening. [...]

wider narrative is that business is important for economic growth: you cannot have economic growth without supporting business, and economic growth is the source of jobs and well-being. [...] It becomes easy for governments to feel that [...] they need to listen to companies. [...] But there is a different level as well: influence. If you look at the role of all the lobbyists, [...] at how much money they have put in place to influence the mindsets, you can get a case of corrupting influence with respect to what the government should do (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021).

On the basis of primary and secondary sources, it is possible to conclude by providing an answer to the research question. Since the topic of the influence of interest groups in the process leading to the European Green Deal and to the Climate Law has not been extensively analysed yet, the present conclusion represents the author's interpretation of the case under consideration. Interest groups have indeed contributed to a raise in the environmental ambitions of the Green Deal, in the sense of increasing the common understanding of the urgency to act. The Environmental Counsellor of a Nordic Member State, interviewed by the author of the present study, has underlined that the role of NGOs, and youth movements in particular, has been to push «the environment and climate up in the agenda and contribute to create opinions. The influence was not directly on the text of the EGD but more of creating awareness» (Environmental Counsellor of a Nordic Member State, 27 April 2021). Nevertheless, the MLG structure of the EU, lacking a single decision-making centre, has allowed for actors with specific priorities to influence the process. The necessity to accommodate diverging views has resulted in enshrining into law lower objectives, such as a target of a net reduction of 55% of GHG emissions compared to 1990s levels, and in including solutions to the climate change problem that are highly contested – primarily the support of gas and Carbon Capture and Storage Mechanisms. This conclusion has also been confirmed by the Vice-President of the European Parliament during the interview conducted by the author of the present work.

Large industrial lobbies have great financial power, therefore great organisational and human resource capacities compared to environmental associations. There is an extremely professional approach, with the support of communication and public relations experts [...]. This leads to an asymmetry of means, and I believe that this awareness should animate all decision-makers in order to foster an inclusive dialogue with all stakeholders (Vice-President, EP, 6 September 2021).

Quoting the words of the Vice-President of the EP also allows to provide a final confirmation of the hypothesis that has guided this research: the higher the resources available to a group are, the higher its probability of success in influencing the policy outcome.



## *Conclusions*

The European Union can be considered a compound polity (Fabbrini, 2015), whose decision-making power is dispersed both vertically and horizontally among a wide range of actors with different sets of priorities (Amadio Viceré et al., 2017). The vertical separation of powers is epitomised by the principle of unanimity and the horizontal separation by the sharing of functions between distinct institutions. This peculiar Political Opportunity Structure deeply influences the system of interest representation. The role of interest groups in the EU decision-making processes has been the object of extensive studies, as lobby activities can have a profound impact not only on the group represented, but in some cases on the society as a whole. This impact, however, can assume negative connotations as some groups might exert a disproportionate influence and thus favour particularistic interests. This issue acquires greater significance in the field of the environment and climate change. Rossa-Roccor et al. (2021) have indeed argued:

Climate change ticks all the boxes of a so-called super-wicked problem. These problems are characterised by enormous interdependencies, uncertainties, circularities, conflicting stakeholder interests, [...] inequitable distribution of responsibility and burden, and urgency. [...] Climate change requires us to fully address the long-term costs we have created so that these are not unfairly left to future generations, something that policy makers who operate in short election cycles are generally reluctant to do. [...] Climate change is a trans-boundary problem. For trans-boundary problems, individual action is unlikely to lead to optimal outcomes. Instead, coordinated EU action can effectively supplement and reinforce national and local action (Rossa-Roccor et al., 2021: 553).

A coordinated action is only possible if a relation of cooperation among institutions is established. Highlighting the intersection between the Multi-Level Governance system of the Union and climate policies is of particular academic relevance since the common environmental policy is based on a multi-sectoral interaction among different institutional levels and actors: supranational and intergovernmental institutions, Member States, local authorities, Non-Governmental Organisations and industry associations. As underlined by Schreurs and Tiberghien (2007), «the EU's governance structure has opened numerous avenues by which advocates of climate change action have been able to inject their priorities and concerns into policy debate» (Schreurs and Tiberghien, 2007: 25). Though subject of external influence, European institutions are pivotal in ensuring ambitious policies. The Vice-President of the

European Parliament, interviewed during the present research, has argued that «this Commission has brought about an extremely important paradigm shift: in the previous mandate, the topic of energy transition and sustainability was seen as a niche topic, peculiar to some political groups, certainly not a priority on the EU side» (Vice-President, EP, 6 September 2021). The paradigm shift that led the institutions to act had been facilitated by the work of prominent NGOs and the rise of youth movements: these actors have contributed to «transforming a niche narrative and sensitivity into a problem perceived by the majority of the European population as a matter of absolute urgency» (Vice-President, EP, 6 September 2021). The Associate at the European Climate Foundation, interviewed for the present study, has observed:

The Fridays for Future movement was something completely unprecedented. [...] What Greta [Thunberg] catalysed has played a major role in changing the public opinion. There has been an increased engagement by the youth but also other sectors of the society [...]. This has played a big role especially when it came to the European Parliament elections. The different groups included climate aspects in their manifestos: it was what European citizens wanted (Associate, European Climate Foundation, 23 April 2021).

Beyond youth movements, several factors increased the salience of the climate issue: surveys, reports by scientific bodies, calls to action from associations representing different sectors of the economy «were political signals that gave the green light to the Commission» (Policy Advisor, European Parliament, 1 April 2021) in its project of the European Green Deal. The present work has been aimed at studying the above-mentioned elements using the approach of the Multiple Streams Framework, in the context of the Multi-Level Governance system of the European Union.

The research has been developed as follows. The first chapter has been dedicated to describing the Multi-Level Governance structure of the European Union. The EU has been identified with a federal union, where each institution has to cooperate with the others in order to generate a policy outcome. The chapter has proceeded with a focus on the environment policy of the Union. It has illustrated the main treaty reforms that have led to the current legal basis allowing the EU to act, and the main institutional actors involved. The last section has investigated the leadership role of the European Union. This part has served as an introduction to the analysis of the latest example of the EU's leadership in the international scenario: the European Green Deal (EGD). Even though the concept in itself is not new, considering that in 2009 a “Global

Green New Deal” was proposed by the UNEP Report “Rethinking the Economic Recovery”<sup>88</sup>, the EGD can be seen as a transformational opportunity for the whole EU economy and society. Presented during the 11<sup>th</sup> day of Ursula von der Leyen’s mandate as the man on the moon moment (Von der Leyen, 2019c), it is a commitment to render Europe a climate neutral continent by 2050. Proceeding with the analysis, the second chapter has been aimed at highlighting the role that interest groups play in the European MLG system, with a particular focus on their ability to interact with decision-makers in order to transmit priorities, render technical information comprehensible and present the social and economic consequences of a policy proposal with an eyes-on-the ground knowledge. The chapter has subsequently explained the strategies interest groups use in order to effectively influence policy-making processes, among which providing information at the earliest possible stage and establishing meaningful relations with policy-makers are particularly crucial. The third chapter has been dedicated to the empirical section of the analysis. Through the information gathered from the interviews personally conducted by the author, it has been possible to understand that financial resources increase the ability of a group to reiterate the message across the policy cycle and that it is crucial to direct lobby efforts to relevant policy-makers. Furthermore, an interest group or an NGO does rarely prefer or utilise a single tactic. This is due to the fact that, as noted by Chalmers (2013), the way information is conveyed «has an important bearing on how informational content is perceived. Using different tactics can increase the salience of a message» (Chalmers, 2013: 44). In the subsequent part of the chapter the Multiple Streams Framework (MSF) has been applied to the case study of the European Green Deal. The work has analysed the problem stream, highlighting how recent scientific evidence and environmental crises have raised a problem requiring action, and the politics stream, showing how the different narrative around climate change and the latest EP election outcomes have improved the receptiveness of policy-makers to the solutions proposed. The last section has explained the MSF’s policy stream of this case study, identified with the European Climate Law. The MLG dynamics of the EU have implied that different positions have concurred to producing the final policy outcome. The conclusion the author of the present work has reached is that, while the role of NGOs, think tanks and youth movements has been to mainstream the scientific evidence into public awareness, thus contributing to raise the environmental ambitions of the European Green Deal, industry lobbies have had a major role in watering down

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<sup>88</sup> The full text of the report is available at the following link: <https://www.cbd.int/development/doc/UNEP-global-green-new-deal.pdf>.

EU's environmental commitments, not only by providing policy-makers with feasible solutions and the means to achieve them, but also by framing their positions in a narrative that politicians cannot ignore, the one regarding jobs and economic growth. A similar conclusion has been reached by Rossa-Roccor et al. (2021): «The climate change movement has been faced with a very powerful countermovement, whose influence on the public, and political opinion and action, cannot be overstated» (Rossa-Roccor et al., 2021: 553). The Vice-President of the European Parliament has suggested that the transition cannot be played out in a concrete way unless it is coordinated with the world of industry, arguing that «the role of the lobbies has had and is having a significant impact» (Vice-President, EP, 6 September 2021) but not to the point of rendering the EGD and the Climate Law ineffective instruments.

As underlined at in the first chapter of the present work, the European Union has been recognized as an influential player in global climate governance (Coen et al., 2020). The development of effective climate policies can be thus analysed within the wider discourse on European leadership: only with ambitious domestic targets the Union can be perceived as a credible international leader in the fight against climate change. This view has been confirmed during several interviews conducted for the present research: the Senior Diplomatic Expert of Frans Timmermans' cabinet has suggested that climate policies are one of the issues where the European Union «is truly a global trailblazer. I honestly think that the discussion about the EGD has transformed the global political narrative. The agenda supported by the EU is a transformative agenda, globally» (Senior Diplomatic Expert, European Commission, 20 May 2021). The EGD has also demonstrated the leadership potential of each European institution. The EP Vice-President has suggested:

There is sometimes a tense dialectic between the two co-legislators and the European Commission. This is the result of the peculiar institutional architecture of the Union – with an almost total monopoly of legislative initiative in the hands of the Commission. [...] I have often perceived that the Parliament tends to be the organ of innovation, of ambition in policy choices, while the Council is rather the organ of preservation (Vice-President, EP, 6 September 2021).

This is due to the fact that the pressures for conservative positions within this institution are high: there are «individual countries who have done a lot especially when holding the presidency, but you also have great reluctance from, for example, the Visegrad group» (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021). The Senior Diplomatic Expert has underlined how the leader role of the Commission has been clear, but the decision-

making process is «a constant mutual influence» (Senior Diplomatic Expert, European Commission, 20 May 2021). The Deputy Secretary General and Director of EU Policy at the EEB has expressed the view that «the Commission [...] has the real leadership, but the Parliament has passed a number of resolutions which have complemented the Commission's ambitions [...]. It really is a joint leadership with respect to climate change» (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021). The interplay among institutions and the lack of a *locus* of last decision are therefore crucial in setting the environmental ambitions of the Union.

The Managing Director at EUROOPEN has stressed: «The importance of the EGD are the investments, the resources – in terms of dedicated European programmes. What is missing is the systemic approach, how to make sure that all policies are going in that direction. [...] If used well, the EGD can be a game-changer» (Managing Director, EUROOPEN, 7 May 2021). The Green Deal can thus represent an opportunity for the EU to create a more effective, coherent diplomatic strategy to influence third actors. Nevertheless, Balanyá and Hakuma Dadci (2020) have underlined how the EGD does not substantially address «the historic responsibilities of the EU and its role in the unjust global system. [...] It does not contemplate the need to include debt cancellation, the end to the resource grabs from developing countries» (Balanyá and Hakuma Dadci, 2020). Similarly, the Policy Analyst at the IEEP has argued that in order to consider the EU as a true leader, it is necessary to work with developing countries, also exploiting the European market power, so as to make sure they are not excluded from the transition. A further limit of the EGD is that it fails to «rethink the economic system that is the root cause of the climate, ecological, and financial crises» (Balanyá and Hakuma Dadci, 2020). Also, the Director of Bruegel<sup>89</sup>, Guntram Wolf, has argued: «We are not daring enough in readjusting our priorities in the MFF. [...] Currently, investments are penalized by the European fiscal framework» (Streaming service of the European Commission, 2020) that does not allow them to be funded with deficits. An interesting avenue for future research could thus be analysing the financial aspects of the Green Deal: how private and public investments are channelled towards sustainable economy, such as through the Taxonomy for sustainable

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<sup>89</sup> Bruegel is an independent European economic think tank established in 2005. Its membership comprises EU governments, international corporations and institutions, and through events, publications and social media engagement, it fosters a discussion around EU's economic policy. Further information is available on their website: <https://www.bruegel.org>.

activities<sup>90</sup>, and to what extent the recovery from the COVID-19 pandemic has led to higher funds available for environment policies.

A major limit of the present research has been the difficulty to establish a direct causal link between a group's actions and the policy outcome. However, this has not prevented an attempt in describing how interest groups try to influence the policy process. Although the work has not been based on a quantitative data analysis, it has been able – especially through the contribution of more than thirty interviews – to shed light on the internal dynamics of the Brussels bubble. The author leaves the possibility open for a more extensive examination of the case study of the Green Deal, with greater time and resources, and hopes that this work will inspire scholars to enquire this topic, that touches the very essence of the EU as a *sui generis* polity with increasing powers and competences.

In conclusion, the EU needs a common project, a roadmap that unites its Member States, since Brexit has clearly shown how European integration is not an irreversible process. Monica Frassoni, the President of the EU Alliance to Save Energy, has written: «The epochal change we need is within our reach, but it is up to all of us to decide whether to bring it about, here and now, for the common good» (Frassoni, 2019: 108). Whether the Union will be able to seize the moment and be what its citizens expect from it, still remains to be seen.

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<sup>90</sup> The EU taxonomy for sustainable activities is a classification system that creates a list of environmentally sustainable economic activities. It has been established with the Taxonomy regulation, entered into force on 12 July 2020. Further information are accessible here: [https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance/eu-taxonomy-sustainable-activities\\_en](https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance/eu-taxonomy-sustainable-activities_en).

## ***Bibliography***

### **Books and book chapters**

Bouwen, P. (2009). 'The European Commission' in D. Coen and J. Richardson (eds.), *Lobbying the European Union: Institutions, Actors, and Issues*, Oxford: Oxford University Press.

Beach, D. and Brun Pedersen, R. (2016). *Process- Tracing Methods: Foundations and Guidelines*, Ann Arbor: University of Michigan Press.

Burns, C. (2018). 'The European Parliament and climate change: a constrained leader?', in R. K.W. Wurzel, J. Connelly, and D. Liefferink (eds.), *The European Union in International Climate Change Politics: Still Taking a Lead?*, London: Routledge.

Coen, D. and Richardson, J. (2009). *Lobbying the European Union: Institutions, Actors, and Issues*, Oxford: Oxford University Press.

Dupont, C. and Oberthür, S. (2018). 'The Council and the European Council: stuck on the road of transformational leadership' in R. K.W. Wurzel, J. Connelly, and D. Liefferink (eds.), *The European Union in International Climate Change Politics: Still Taking a Lead?*, London: Routledge.

Fabbrini, S. (2010). *Compound Democracies: Why the United States and Europe Are Becoming Similar*, Oxford: Oxford University Press.

Fabbrini, S. (2015). *Which European Union? Europe After the Euro Crisis*, Cambridge: Cambridge University Press.

Frasconi, M. (2019). 'Cambiare l'UE per accelerare la transizione verde', in E. Zanchini and M. Albrizio (eds), *Un Green New Deal per l'Europa: le idee e le sfide per rilanciare il progetto europeo*, Milano: Edizioni Ambiente.

Godet, C. (2020). 'An update on EU climate policy: Recent developments and expectations', in A. Orsini, and E. Kavvatha (eds.), *EU Environmental Governance: Current and Future Challenges*, London: Routledge.

Greenwood, J. (2009). 'Institutions and civil society organizations in the EU's multilevel system', in J. Joachim and B. Locher (eds.), *Transnational activism in the UN and the EU: a comparative study*, London and New York: Routledge Press.

Joachim, J. and Locher, B eds. (2009). *Transnational activism in the UN and the EU: a comparative study*, London and New York: Routledge.

Karr, K. (2007). 'Legitimacy and Boundaries of Interest Representation', in K. Karr, *Democracy and Lobbying in the European Union*, Frankfurt am Main: Campus Verlag GmbH.

Lehmann, W. (2009). 'The European Parliament', in D. Coen and J. Richardson (eds.), *Lobbying the European Union: Institutions, Actors, and Issues*, Oxford: Oxford University Press.

Lenschow, A. (2020). 'European Policy: contending dynamics of policy change', in H. Wallace, M. A. Pollack, A. R. Young and R. Christilla (eds.), *Policy-making in the European Union*, Oxford: Oxford University Press.

Marks G. (1993). 'Structural Policy and Multilevel Governance in the EC', in A. W. Cafruny and G. G. Rosenthal (eds.), *The State of the European Community: The Maastricht Debates and Beyond*, Harlow: Longman.

Monti, L. (2016). *Politiche dell'Unione Europea: La programmazione 2014-2020*, Roma: Luiss University Press.

OECD (2021). *Lobbying in the 21<sup>st</sup> Century: Transparency, Integrity and Access*, available at: <https://www.oecd-ilibrary.org/sites/c6d8eff8-en/index.html?itemId=/content/publication/c6d8eff8-en> (accessed: 10 September 2021).

Orsini, A. and Kavvatha, E. (2020). 'Introduction' in A. Orsini and E. Kavvatha (eds.), *EU environmental governance: current and future challenges*, London: Routledge.

Selin H., and VanDeveer S. D., (2015). *European Union and Environmental Governance*, New York: Routledge.

Skjaerseth J. B. (2019). 'The Commission's shifting climate leadership: from emissions trading to energy union', in R. K.W. Wurzel, J. Connelly and D. Liefferink (eds.), *The European Union in International Climate Change Politics: Still Taking a Lead?*, London: Routledge.



Telò, M. (2008). *Dallo Stato all'Europa*, Roma: Carocci editore s.p.a..

Telò, M. (2017). 'Regionalism and Global Governance' in S. Fabbrini, R. Marchetti (eds.), *Still a Western World?: continuity and change*, New York: Routledge.

Vogler, J. (2018). 'Global climate Politics: can the EU be an actor?' in Wurzel, R. K.W., Connelly, J. and Liefferink, D. (eds.), *The European Union in International Climate Change Politics: Still Taking a Lead?*, London: Routledge.

Wurzel, R. K.W., Connelly, J. and Liefferink, D. (2018). 'Introduction: European Union climate leadership» in R.K.W. Wurzel, J. Connelly and D. Liefferink (eds.), *The European Union in International Climate Change Politics: Still Taking a Lead?*, London: Routledge.

Zanchini, E. and Albrizio, M. (2019). *Un Green New Deal per l'Europa: le idee e le sfide per rilanciare il progetto europeo*, Milano: Edizioni Ambiente.

Zito, A. R. and Jacobs, J. E. (2009). 'NGOs, the European Union and the case of the environment', in J. Joachim and B. Locher (eds.), *Transnational activism in the UN and the EU: a comparative study*, London and New York: Routledge.

### **Scientific papers and working papers**

Amadio Viceré, M. G., Montague, E. and Wilkinson, B. (2017). 'Navigating the Unknown: Barriers to Evidence-Based Defence and Security Policy in the European Union', *The International Spectator*, 52(1): 88-99, DOI: 10.1080/03932729.2017.1256931.

Berkhout, J. (2013). 'Why interest organizations do what they do: assessing the explanatory potential of 'exchange' approaches', *Interest Groups & Advocacy*, 2: 227-250, DOI:10.1057/iga.2013.6.

Beyers, J. and Kerremans, B. (2007). 'Critical resource dependencies and the Europeanization of domestic interest groups', *Journal of European Public Policy*, 14(3): 460-481, DOI: 10.1080/13501760701243822.

Beyers, J., Eising, R. and Maloney, W. (2008). 'Researching Interest Group Politics in Europe and Elsewhere: Much We Study, Little We Know?', *West European Politics*, 31(6): 1103-1128, DOI: 10.1080/01402380802370443.

Bouwen, P. (2002). 'Corporate lobbying in the European Union: the logic of access', *Journal of European Public Policy*, 9(3): 365-390, DOI: 10.1080/13501760210138796.

Burns, C., Eckersley, P. and Tobin, P. (2019). 'EU environmental policy in times of crisis', *Journal of European Public Policy*, 27 (1): 1-19, DOI:10.1080/13501763.2018.1561741.

Chalmers, A. W. (2013). 'Trading information for access: informational lobbying strategies and interest group access to the European Union', *Journal of European Public Policy*, 20(1): 39-58, DOI: 10.1080/13501763.2012.693411.

Dür, A. (2008). 'Measuring Interest Group Influence in the EU: A Note on Methodology', *European Union Politics*, 9(4): 559-76, DOI: 10.1177/1465116508095151.

Dür, A. (2019). 'How interest groups influence public opinion: Arguments matter more than the sources', *European Journal of Political Research*, 58: 514-535, DOI: 10.1111/1475-6765.12298.

Cruce, F. (2011). 'How did we end up with this deal? Examining the role of Environmental NGOs in EU climate policymaking', *Bruges Political Research Papers*, 19.

Di Gregorio, M., Fattorelli, L., Paavola, J., Locatelli, B., Pramova, E., Nurrochmat, D. R., May, P. H., Brockhaus, M., Sari, I. M., and Kusumadewi, S. D. (2019). 'Multi-level governance and power in climate change policy networks', *Global Environmental Change*, 54: 64-77, DOI:10.1016/j.gloenvcha.2018.10.003.

European Parliament (Directorate-General for Research) (2003). 'Lobbying in the European Union: current rules and practices', *Constitutional Affairs Series*, available at: [https://www.europarl.europa.eu/RegData/etudes/etudes/etudes/join/2003/329438/DG-4-AFCO\\_ET\(2003\)329438\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/etudes/etudes/etudes/join/2003/329438/DG-4-AFCO_ET(2003)329438_EN.pdf) (accessed: 4 September 2021).

Gullberg, A. T. (2008). 'Lobbying friends and foes in climate policy: The case of business and environmental interest groups in the European Union', *Energy Policy*, 36 (8): 2964-2972, DOI:10.1016/j.enpol.2008.04.016.

Gupta, J., and Ringius, L. (2001). 'The EU's Climate Leadership: Reconciling Ambition and Reality', *International Environmental Agreements: Politics, Law and Economics*, 1: 281-299, DOI:10.1023/A:1010185407521.

- Han, H. and Wuk Ahn, S. (2020). 'Youth Mobilization to Stop Global Climate Change: Narratives and Impact', *Sustainability*, 12: 1-23, DOI:10.3390/su12104127.
- Klüver, H. (2012). 'Informational Lobbying in the European Union: The Effect of Organisational characteristics', *West European Politics*, 35(3): 491-510, DOI:10.1080/01402382.2012.665737.
- Knill, C., Heichel, S. and Arndt, D. (2012). 'Really a front-runner, really a Straggler? Of environmental leaders and laggards in the European Union and beyond – A quantitative policy perspective', *Energy Policy*, 48: 36–45, DOI: 10.1016/j.enpol.2012.04.043.
- Lee-Makiyama, H. (2021). 'The EU Green Deal and Its Industrial and Political Significance', *ECIPE policy brief*, 1: 1-10, available at <https://ecipe.org/publications/eu-green-deal/> (accessed: 10 September 2021).
- Lowery, D. (2013). 'Lobbying influence: Meaning, measurement and missing', *Interest Groups and Advocacy*, 2 (1): 1–26, DOI:10.1057/iga.2012.20.
- Meyer-Ohlendorf, N. and Meinecke, L. F. (2018). 'A Climate Law for Europe. Making The Paris Agreement real', *Ecologic Institute: Berlin*, available at: [https://www.ecologic.eu/sites/default/files/publication/2018/3527-climate\\_law\\_report\\_112018.pdf](https://www.ecologic.eu/sites/default/files/publication/2018/3527-climate_law_report_112018.pdf) (accessed: 10 September 2021).
- Moravcsik, A. (2002). 'In Defence of the 'Democratic Deficit': Reassessing Legitimacy in the European Union', *Journal of Common Market Studies*, 40(4): 603–624, DOI:10.1111/1468-5965.00390.
- Nicolaidis, K. (2013). 'European Democracy and Its Crisis', *Journal of Common Market Studies*, 51(2): 351–69, DOI:10.1111/jcms.12006.
- Page B.I., Shapiro R.Y. (1987). 'What moves public opinion?', *The American Political Science*, 81 (1): 23-44, DOI:10.2307/1960777.
- Piattoni, S. (2009). 'Multi-level Governance: a Historical and Conceptual Analysis', *European Integration*, 31(2):163-180, DOI:10.1080/07036330802642755.

Poostchi, B. (2002). 'The 1997 Treaty of Amsterdam - Implications for EU Environmental Law and Policy-Making', *Review of European Community and International Environmental Law*, 7(1): 85 – 92, DOI:10.1111/1467-9388.00130.

Richardson J. (1994). 'EU Water Policy: Uncertain Agendas, Shifting Networks and Complex Coalitions', *Environmental Politics*, 3(4): 139–67, DOI:10.1080/09644019408414170.

Rossa-Roccor, V., Giang, A. and Kershaw, P. (2021). 'Framing climate change as a human health issue: enough to tip the scale in climate policy?', *Lancet Planet Health*, 5: 553–59, DOI:10.1016/sS2542-5196(21)00113-3.

Schmidt, V. (2004). 'Europeanization of national democracies: the differential impact on simple and compound polities', *Politique européenne*, 13(2): 115-142, DOI:10.3917/poeu.013.0115.

Schreurs, M. A., and Tiberghien, Y. (2007). 'Multi-Level Reinforcement: Explaining European Union Leadership in Climate Change Mitigation', *Global Environmental Politics*, 7(4): 19-46, DOI:10.1162/glep.2007.7.4.19.

Stevens, F. and De Bruycker, I. (2020). 'Influence, affluence and media salience: Economic resources and lobbying influence in the European Union', *European Union Politics*, 0(0): 1-23, DOI: 10.1177/1465116520944572.

Tatham, M. (2008). 'Going Solo: Direct Regional Representation in the European Union', *Regional and Federal Studies*, 18(5): 493-515, DOI:10.1080/13597560802351523.

Torres, F. (2003). 'How efficient is joint decision-making in the EU? Environmental policies and the co-decision procedure', *Intereconomics*, 38 (6): 312-322, DOI:10.1007/BF02914021.

Vogler, J. and Stephan, H. R. (2007). 'The European Union in global environmental governance: Leadership in the making?', *International Environmental Agreements: Politics, Law and Economics*, 7: 389–413, DOI 10.1007/s10784-007-9051-5.

## **Official Documents**

Commission of the European Communities (1993). *Openness in the Community - Communication to the Council, the Parliament and the Economic and Social Committee*,

COM(93)258 final, available at: <http://aei.pitt.edu/4763/1/4763.pdf> (accessed: 10 September 2021).

Council of the European Union (2020). *Council conclusions on Climate Diplomacy*, available at: <https://data.consilium.europa.eu/doc/document/ST-5033-2020-INIT/en/pdf> (accessed: 10 September 2021).

Council of the European Union (2020). *Draft Council conclusions on Climate Diplomacy*, available at: <https://data.consilium.europa.eu/doc/document/ST-5033-2020-INIT/en/pdf> (accessed: 10 September 2021).

EUR-Lex (2017). *Treaty establishing the European Economic Community*, available at <https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:11957E/TXT&from=IT> (accessed: 10 September 2021).

European Commission (2012). *A blueprint for a deep and genuine economic and monetary union: Launching a European Debate*, available at <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0777:FIN:EN:PDF> (accessed: 12 April 2021).

European Commission (2018). *COMMUNICATION FROM THE COMMISSION: A Clean Planet for all – A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy*, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0773> (accessed: 25 August 2021).

European Commission (2019). *COMMUNICATION FROM THE COMMISSION: The European Green Deal*, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588580774040&uri=CELEX%3A52019DC0640> (accessed: 28 August 2021).

European Parliament and Council of the European Union (2013). *DECISION No 1386/2013/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 November 2013 on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’*, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT> (accessed: 28 March 2021).

European Parliament and Council of the European Union (2021). *REGULATION (EU) 2021/1119 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')*, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R1119&from=EN> (accessed: 4 September 2021).

European Communities (1997). *Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts*, available at: <https://www.europarl.europa.eu/topics/treaty/pdf/amst-en.pdf> (accessed: 5 June 2021).

Office for Official Publications of the European Communities (1992). *Treaty on European Union*, available at: [https://europa.eu/european-union/sites/europa.eu/files/docs/body/treaty\\_on\\_european\\_union\\_en.pdf](https://europa.eu/european-union/sites/europa.eu/files/docs/body/treaty_on_european_union_en.pdf) (accessed: 12 April 2021).

Official Journal C 326 (2012). *Consolidated version of the Treaty on European Union*, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT> (accessed: 12 April 2021).

Official Journal C 326 (2012). *Consolidated version of the Treaty on the Functioning of the European Union*, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT> (accessed: 12 April 2021).

Official Journal of the European Communities (1986). *Single European Act*, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:11986U/TXT&from=EN> (accessed: 12 April 2021).

## **Reports and position papers**

Balanyá, B. and Hakuma Dadci, L. (2020). 'A grey deal? Fossil fuel fingerprints on the European Green Deal', Corporate Europe Observatory, available at: <https://corporateeurope.org/en/a-grey-deal> (accessed: 10 September 2021).

BEUC (2020). *Feedback on "European Climate Law – achieving climate neutrality by 2050*, available at: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108->

European-climate-law-achieving-climate-neutrality-by-2050/feedback\_en?p\_id=6229246  
(accessed: 10 September 2021).

CAN Europe (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

ClientEarth (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

Climate Analytics (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

Coen, D., Kreienkamp, J. and Pegram, T. (2020). ‘REPORT: Multilevel Governance of Global Climate Change - Problems, Policies, and Politics’, *Global Governance and the European Union (GLOBE) project*, available at: [https://www.globe-project.eu/multilevel-governance-of-global-climate-change-problems-policies-and-politics\\_11368.pdf](https://www.globe-project.eu/multilevel-governance-of-global-climate-change-problems-policies-and-politics_11368.pdf) (accessed: 10 September 2021).

Copa-Cogeca (2019). *Copa and Cogeca position on climate action*, available at: <https://www.sieusoil.eu/wp-content/uploads/2019/10/02.-COPA-COGECA-Position-on-climate-action-Environment-and-Climate-Sep-2019.pdf> (accessed: 10 September 2021).

Copa-Cogeca (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

Enel Spa (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

[say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](#) (accessed: 10 September 2021).

Erbach, G. (2021). 'BRIEFING EU Legislation in Progress: European climate law', *European Parliamentary Research Service*, available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/649385/EPRS\\_BRI\(2020\)649385\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/649385/EPRS_BRI(2020)649385_EN.pdf) (accessed: 10 September 2021).

EUR-Lex (n.d.). *Glossary of Summaries: Civil Society Organization*, available at: [https://eur-lex.europa.eu/summary/glossary/civil\\_society\\_organisation.html](https://eur-lex.europa.eu/summary/glossary/civil_society_organisation.html) (accessed: 22 August 2021).

Eurobarometer (2017). *Special Eurobarometer 459: Climate Change*, available at: <https://europa.eu/eurobarometer/surveys/detail/2140> (accessed: 31 August 2021).

European Commission (2019). *What if we do not act?*, available at: <https://op.europa.eu/en/publication-detail/-/publication/56184f1e-1d89-11ea-95ab-01aa75ed71a1/language-en> (accessed: 10 September 2021).

European Commission (2021). *European Climate Law*, available at [https://ec.europa.eu/clima/policies/eu-climate-action/law\\_en](https://ec.europa.eu/clima/policies/eu-climate-action/law_en) (accessed: 29 August 2021).

European Commission (2021). *Special Eurobarometer 513: Climate Change Report Summary*, available at: [https://ec.europa.eu/clima/sites/default/files/support/docs/report\\_summary\\_2021\\_en.pdf](https://ec.europa.eu/clima/sites/default/files/support/docs/report_summary_2021_en.pdf) (accessed: 10 September 2021).

European Commission (n.d.). *EU Emissions Trading System (EU ETS)*, available at: [https://ec.europa.eu/clima/policies/ets\\_en](https://ec.europa.eu/clima/policies/ets_en) (accessed: 7 April 2021).

European Commission (n.d.). *European consensus on development*, available at: [https://ec.europa.eu/international-partnerships/european-consensus-development\\_en](https://ec.europa.eu/international-partnerships/european-consensus-development_en) (accessed: 17 April 2021).

European Council, Council of the European Union (2013). *Interest groups in EU decision-making*, available at: <https://www.consilium.europa.eu/en/documents-publications/library/library-blog/posts/interest-groups-in-eu-decision-making/> (accessed: 10 September 2021).



European Parliament (2012). *Elections to the European Parliament in 2014*, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012IP0462&from=EN> (accessed: 10 September 2021).

European Parliament (n.d.). *How are the Commission President and Commissioners appointed?*, available at: <https://www.europarl.europa.eu/news/en/faq/8/how-are-the-commission-president-and-commissioners-appointed> (accessed: 28 March 2021).

European Union (2020). *The European Union: what it is and what it does*, available at: <https://op.europa.eu/webpub/com/eu-what-it-is/en/> (accessed: 4 September 2021).

Food and Water Action Europe (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

Green 10 (2019). *2019 European Parliament Election Manifesto*, available at: <https://green10.org/wp-content/uploads/2017/06/GREEN-10-MANIFESTO-IN-ENGLISH-WITH-CONTACT-DATA.pdf> (accessed: 10 September 2021).

Independent Commission for Sustainable Equality (2018). *Report of the Independent Commission for Sustainable Equality (ICSE) 2019-2024*, available at: <https://www.socialistsanddemocrats.eu/sites/default/files/2020-06/en-report-of-the-independent-commission-for-sustainable-equality-2019-2024.pdf> (accessed: 10 September 2021).

InfluenceMap (2021). *Industry Associations and European Climate Ambition*, available at: <https://influencemap.org/report/Industry-Associations-and-European-Climate-Ambition-fdaeeb57dc404c90aaf2f82bbd729733> (accessed: 10 September 2021).

International Association of Oil and Gas Producers (2019). *Report to the Thirty Second Meeting of the European Gas Regulatory Forum 5-6 June 2019*, available at: [https://ec.europa.eu/info/sites/default/files/iogp\\_report\\_ccs\\_ccu.pdf](https://ec.europa.eu/info/sites/default/files/iogp_report_ccs_ccu.pdf) (accessed: 10 September 2021).

International Association of Oil and Gas Producers (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-Normativa-europea-sul-clima-conseguire-la-neutralita-climatica-entro-il-2050/feedback\\_it?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-Normativa-europea-sul-clima-conseguire-la-neutralita-climatica-entro-il-2050/feedback_it?p_id=6229246) (accessed: 10 September 2021).

International Association of Oil and Gas Producers (2020). *IOGP feedback to the proposed European Climate Law*, available at: <https://gtw1h238bgv3dmbvo37kcoow-wpengine.netdna-ssl.com/wp-content/uploads/2020/05/Feedback-on-European-Climate-Law-paper.pdf> (accessed: 10 September 2021).

Klugman, C. (2018). ‘The EU, a world leader in fighting climate change’, *European Parliamentary Research Service*, available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/621818/EPRS\\_BRI\(2018\)621818\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/621818/EPRS_BRI(2018)621818_EN.pdf) (accessed: 5 April 2021).

Lehmann, W. and Bosche, L. (2003). ‘Lobbying in the European Union: Current Rules and Practices’, *Constitutional Affairs Series, AFCO 104 EN*, available at: [https://www.europarl.europa.eu/RegData/etudes/etudes/join/2003/329438/DG-4-AFCO\\_ET\(2003\)329438\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/etudes/join/2003/329438/DG-4-AFCO_ET(2003)329438_EN.pdf) (accessed: 10 September 2021).

Parlameter (2019). *Heeding the Call Beyond the Vote: A Stronger Parliament to Listen to Citizens Voices*, available at: <https://www.europarl.europa.eu/pdf/eurobarometre/2019/parlemeter-2019-heeding-the-call-beyond-the-vote/report/en-report.pdf> (accessed: 10 September 2021).

Rocha, M., Krapp, M., Guetschow, J., Jeffery, L., Hare, B. and Schaeffer, M. (2015). ‘Historical Responsibility for Climate Change – from countries emissions to contribution to temperature increase’, *Climate Analytics*, available at: [https://climateanalytics.org/media/historical\\_responsibility\\_report\\_nov\\_2015.pdf](https://climateanalytics.org/media/historical_responsibility_report_nov_2015.pdf) (accessed: 12 April 2021).

Shell (2020). *Feedback on “European Climate Law – achieving climate neutrality by 2050”*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

Thomas, C.S. (n.d.). 'Interest group', *Britannica*, available at: <https://www.britannica.com/topic/interest-group> (accessed: 13 January 2021).

United Nations (1987). *Report of the World Commission on Environment and Development: Our Common Future*, available at: <https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf> (accessed: 10 September 2021).

VDA (2020). *Feedback on "European Climate Law – achieving climate neutrality by 2050"*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

Von der Leyen, U. (2019). *A Union that strives for more: My agenda for Europe*, available at: [https://ec.europa.eu/info/sites/default/files/political-guidelines-next-commission\\_en\\_0.pdf](https://ec.europa.eu/info/sites/default/files/political-guidelines-next-commission_en_0.pdf) (accessed: 10 September 2021).

Von der Leyen, U. (2019). *Opening Statement in the European Parliament Plenary Session by Ursula von der Leyen, Candidate for President of the European Commission*, available at: [https://ec.europa.eu/commission/presscorner/detail/en/SPEECH\\_19\\_4230](https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_19_4230) (accessed: 10 September 2021).

Von der Leyen, U. (2019). *Press statement by President Ursula von der Leyen on the European Green Deal*, available at: <https://www.youtube.com/watch?v=Bhl-YBhNFkA> (accessed: 10 September 2021).

WWF European Policy Office (2020). *Feedback on "European Climate Law – achieving climate neutrality by 2050"*, available at: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback\\_en?p\\_id=6229246](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-European-climate-law-achieving-climate-neutrality-by-2050/feedback_en?p_id=6229246) (accessed: 10 September 2021).

WWF and Greenpeace (2019). *A European Climate Law*, available at: <https://www.greenpeace.org/static/planet4-eu-unit-stateless/2019/11/20191008-GP-WWF-EU-climate-law-demands.pdf> (accessed: 10 September 2021).

## **Interviews and webinars**

Adviser at BusinessEurope, 14 May 2021, *online interview with Petrucci, A.*

Advocacy Manager at Youth and Environment Europe, 3 May 2021, *online interview with Petrucci, A.*

Associate at the European Climate Foundation, 23 April 2021, *online interview with Petrucci, A.*

Brenner Sgarbi, C., ‘Interest groups in the EU decision-making’, LUISS Guido Carli, 20 October 2020.

Climate and Energy Policy Coordinator at CAN Europe, 26 April 2021, *online interview with Petrucci, A.*

Coen, D. ‘GLOBE Webinar: David Coen - Business Lobbying in the European Union’, Leuven Centre for Global Governance Studies, 28 April 2021.

Confederal Secretary at the European Trade Union Confederation, 13 April 2021, *online interview with Petrucci, A.*

Deputy Secretary General and Director of EU Policy at the European Environmental Bureau, 25 May 2021, *online interview with Petrucci, A.*

Director for Global Policies and Sustainability at the European Environmental Bureau, 28 June 2021, *online interview with Petrucci, A.*

Director of European office of Legambiente, 6 April 2021, *online interview with Petrucci, A.*

Director of Public Affairs at CropLife Europe, 14 April 2021, *online interview with Petrucci, A.*

Environmental Counsellor of a Nordic Member State, 27 April 2021, *online interview with Petrucci, A.*

Expert of European Policies, Alleanza Italiana per lo Sviluppo Sostenibile, 19 April 2021, *online interview with Petrucci, A.*

Head of Cabinet at the European Parliament, 2 July 2021, *online interview with Petrucci, A.*

Head of Public Affairs at WWF Europe, 21 April 2021, *online interview with Petrucci, A.*

Head of Secretariat and Memberships of the European Alliance to Save Energy, 3 September 2021, *online interview with Petrucci, A.*

Head of Sustainability and Environment at EuroCommerce, 26 April 2021, *online interview with Petrucci, A.*

Journalist, Contexte, 29 April 2021, *online interview with Petrucci, A.*

Managing Director at EUROPEN, 7 May 2021, *online interview with Petrucci, A.*

Member of the European Parliament, S&D, 22 June 2021, *online interview with Petrucci, A.*

MEP Policy Advisor, 1 April 2021, *online interview with Petrucci, A.*

National expert at DG Environment, 18 June 2021, *online interview with Petrucci, A.*

Policy Advisor at Greenpeace Europe, 4 May 2021, *online interview with Petrucci, A.*

Policy Analyst at the Institute for European Environmental Policy, 9 April 2021, *online interview with Petrucci, A.*

Press Officer at Corporate Europe Observatory, 23 April 2021, *online interview with Petrucci, A.*

Public Affairs Manager at Utopia, 9 April 2021, *online interview with Petrucci, A.*

Public Official at the Permanent Representation of Germany to the EU, 4 May 2021, *online interview with Petrucci, A.*

Representative of the Confindustria Delegation to the EU, 4 May 2021, *online interview with Petrucci, A.*

Representative of the Secretariat-General of the European Commission, 26 March 2021, *online interview with Petrucci, A.*

Researcher, CNCD-11.11.11, 1 April 2021, *online interview with Petrucci, A.*

Senior Diplomatic Expert at the European Commission, 20 May 2021, *online interview with Petrucci, A.*

Streaming service of the European Commission (2020). *High-Level Public Conference on Implementing the European Green Deal - The European Climate Law*, available at: <https://webcast.ec.europa.eu/high-level-public-conference-on-the-climate-law> (accessed: 10 September 2021).

Vice-President of the European Parliament, 6 September 2021, *online interview with Petrucci, A.*

## *Appendix*

### **Template for the interviews<sup>91</sup>**

What is your opinion on the influence of interest groups in the European decision-making processes? Do you think they can enhance the democratic legitimacy of the European Union?

Which characteristics of an interest group are the most valued by European institutions? Is representativeness one of them? Or, rather, the element that mostly ensures a group's influence is its resources?

Is one institution more open to external influence than the others? Are some political groups more receptive to interest groups' lobbying?

How are you generally addressed to by interest groups?

Can you explain the strategy employed by your group in order to forward its requests to the European institutions? Which institutions or officials are the main targets of its lobbying activities? Do you also operate at the national level?

Do you relate more with friends or foes? Do you usually talk to your supporters or also to someone that needs to be convinced?

How do you engage with MS Permanent Representations in Brussels?

Which are the constraints that an environmental NGO has to face *vis-à-vis* industry lobbies?

Can the public visibility of an issue influence the outcomes of a group's lobbying activity?

As far as you know, what were the main inputs that the Commission received in the months preceding the Green Deal?

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<sup>91</sup> N.B. The present list of the questions that the author has posed during the interviews is not exhaustive, and they were subject to variation according to the role and the field of expertise of the respondent.

To what extent interest groups influenced the process of adoption of the European Green Deal?  
Can the EGD be considered as the result of the activism of particular NGOs and youth movements?

What was the contribution of your organization to the European Green Deal?

What is your opinion on the European Climate Law? Why do you think the EU institutions did not manage to reach an agreement of a 60% target for 2030?

What was the position of your organization on the European Climate Law and what was its role in the negotiations?

To your knowledge, was there a strong counter-lobbying effort? Could the EGD have been more ambitious without this action?

Can the EU be considered an international leader in the fight to climate change?

**Institutions and interest groups whose representatives have been interviewed for the present work:**

Alleanza Italiana per lo Sviluppo Sostenibile (ASviS)

BusinessEurope

Climate Action Network Europe

CNCD-11.11.11

Confindustria

Congress of Local and Regional Authorities of the Council of Europe

Contexte

Corporate Europe Observatory (CEO)

CropLife Europe

Directorate-General for Environment of the European Commission

EuroCommerce

European Alliance to Save Energy (EU-ASE)

European Climate Foundation (ECF)

European Environmental Bureau (EEB)

European Parliament

European Trade Union Confederation (ETUC)



## EUROPEN

Frans Timmermans' Team at the European Commission

Fridays For Future Italy

Greenpeace European Unit

Institute for European Environmental Policy

Legambiente

Permanent Representation of a Nordic country to the European Union

Permanent Representation of Germany to the European Union

Secretariat-General of the European Commission

Utopia

World Wildlife Fund (WWF)

Youth and Environment Europe (YEE)

## *Summary*

### **Introduction**

«Our most pressing challenge is keeping our planet healthy. This is the greatest responsibility and opportunity of our times. I want Europe to become the first climate-neutral continent in the world by 2050. [...] To make this happen, I will put forward a Green Deal for Europe in my first 100 days in office. I will put forward the first ever European Climate Law which will set the 2050 target into law» (Von der Leyen, 2019b). These are the words that Ursula von der Leyen pronounced in her very first speech in front of the European Parliament in July 2019. Her flagship initiative, a new growth strategy was announced: the European Green Deal, a roadmap that sets the pace for the transition towards net zero greenhouse gas emissions by 2050, by providing a comprehensive legislative framework and offering financial support for those regions that will be mostly affected by the transition. But also, a document that offers the Union a new *raison d'être*, a purpose uniting institutions, political groups and nation states towards a common goal.

### **Research design and methodology**

The aim of the present work has been to enquire the interplay between interest groups and the institutional structure of the European Union, with a particular focus on the case study of the European Green Deal (EGD). The dependent variable of the present research, the European Green Deal and more specifically its Climate Law, is considered the result of the interaction between the Multi-Level Governance (MLG) system of the European Union, identified as the independent variable, and the lobby activities of interest groups, that have been considered as the intervening variable. The research question that has guided this analysis is: have interest groups contributed to raising the environmental ambitions of the European Green Deal? Several scholars have emphasised the role of economic resources for the success of interest groups' strategies (Klüver, 2012; Stevens and De Bruycker, 2020). The author of the present research has added further elements to take into consideration: the reputation a group is able to build and its ability to establish meaningful relations with policy-makers, obtained by providing expertise and legitimacy towards a specific constituency. Building on these premises, the hypothesis that

has been elaborated is: the higher the resources available to a group are, the higher its probability of success in influencing the policy outcome.

As this study is intended to investigate the role of business lobbies and Non-Governmental Organizations in setting the environmental ambitions of the EU, the reason lying behind the choice of the European Green Deal is twofold. First of all, this document has been the most lobbied topic in the first hundred days of the current European Commission: it is therefore a suitable example for studying the methods interest groups employ in order to influence the policy process. Secondly, the measures it provides for, such as the European Climate Law, involve the multiple levels of decision-making authority of the Union, thus representing an interesting avenue to demonstrate how different actors concur to a policy outcome.

The present research has combined two data collection methods. The first has been the document analysis, that has allowed to obtain relevant information from a variety of documents, ranging from academic papers, books and official documents issued by European institutions, to webinars and position papers published on interest groups' websites. The second method has been based on semi-structured interviews, that have been essential to complement the analysis. The answers provided during a total of 32 interviews have been functional to testing the hypothesis developed by the author. The interviews have been divided into a general part, concerning the activity of the group or institution which the respondent is member to, and a section related to the European Green Deal and the Climate Law. Participants were selected on the basis of their relevance for the topic under analysis. Some examples are a Vice-President of the European Parliament, the Confederal Secretary at the European Trade Union Confederation, the Deputy Secretary General and Director of EU Policy at the European Environmental Bureau, the Head of Sustainability and Environment at EuroCommerce, the Head of Cabinet of a Green MEP, the Director of the European office of Legambiente, a Public Official at the Permanent Representation of Germany to the EU as well as an Environmental Counsellor working at the Permanent Representation of a Nordic Member State.

The data analysis method employed in the work has been the one of process-tracing, since it is the most suitable for single case research designs and allows to delve into causal processes between an independent and dependent variable. The purpose of theory-testing process tracing, in particular, is to understand whether a causal mechanism is present and whether it functioned as theorized. The theory that has been tested will be outlined in the next section.

## **Theoretical framework**

In light of the aspects mentioned earlier, a combination of the Multi-Level Governance (MLG) perspective and the Multiple Streams Framework (MSF) has been considered as the most appropriate theoretical framework to enquire the present case study.

The European Union can be regarded as a system of Multi-Level Governance since the decision-making authority is distributed and shared along three dimensions: the central and local governments, the State and civil society, and the State and supranational bodies (Piattoni, 2009). Even though the MLG perspective is characterised by a «lack of clarity about how to reconcile governmental hierarchies with horizontal autonomy» (Di Gregorio et al., 2019: 65), as well as a limited capacity to evaluate the significance of each level of governance, it is particularly suited for the study of interest groups' influence on European environmental policies. As observed by Di Gregorio et al. (2019), a comparison among forty-seven different cases has demonstrated that a high number of actors and levels of decision-making improves policy outputs in the environment sector. The same point has been made by Coen et al. (2020): progressive policy entrepreneurs, such as labour unions, industry associations, NGOs, as well as regions and Member States, can «promote their preferred policy solutions on more than one level of governance, engage in broader coalitions, and utilize multiple policy venues» (Coen et al., 2020: 7). Nonetheless, the result of a fragmented process is that «the preferences of the actors involved remain the main determinant of environmental outcomes» (Di Gregorio et al., 2019: 65). Especially since environmental action implies winners and losers, some groups may actively oppose to certain policies and thus lower climate ambitions. Veto players can be represented by laggard countries as well as the representatives of those sectors that will lose profits as the result of European policies. Suffice it to say that five large fossil fuel companies have spent 250 million on EU lobbying over the last ten years (Coen et al., 2020).

In order to effectively study how MLG processes can create favourable structural conditions for actors to scale up environmental ambitions, this research has adopted the method proposed by Coen et al. (2020), i.e. combining the MLG perspective with the Multiple Streams Framework (MSF). According to the latter, a window of opportunity for an effective change opens when three streams converge: the problem, politics and policy stream. The problem stream is related to the perception of a problem, which might change when new scientific evidence or serious crises occur. The politics stream concerns the willingness of policy-makers to adopt certain policies. The receptiveness of key actors might improve as a result of various factors, such as election outcomes, NGOs mobilizations and citizens' pressures. Finally, the

policy stream regards the availability of policy options, that can represent solutions to the problem under scrutiny. Combining the MLG and the MSF approaches, the European Green Deal can be intended as a context-specific outcome, resulting from complex multilevel dynamics that have determined the convergence of favourable problem, politics and policy streams.

### **Development of the analysis**

The following part will be dedicated to the structure of the present dissertation, emphasising the main elements that each chapter has considered.

The European Union cannot be classified as an international organization or a federal state, but rather as a *sui generis* polity with a particular allocation of power and competences to different actors: vertically, among the national and subnational level and the supranational one, and horizontally, among the different institutions who have differentiated powers. All these actors have to collaborate in order to generate a policy outcome. The EU can be more specifically defined as a compound democracy: a multiple separation of power system, implying a dispersion of decision-making authority among a dual legislature, represented by the European Parliament and the Council, and a dual, or “Janus-like” (Fabbrini, 2015: 38), executive, embodied by the European Commission and the European Council.

In the first chapter, an historical perspective has been adopted to illustrate the various treaty reforms that have led to the current regime of environment policies. The first formal recognition of environmental issues occurred with the Single European Act (SEA), adopted in 1986, which established an explicit legal foundation for the adoption of environmental policies. With the entry into force of the Treaty on European Union, or Treaty of Maastricht, in 1993, EU policies were divided into three pillars and the qualified majority voting system was extended to most environmental issues. In 1997, the Treaty of Amsterdam was adopted, including for the first time the achievement of a balanced and sustainable development among the objectives of the EU. Finally, the Treaty of Lisbon, entered into force in 2009, organised the competences of the European Union into three typologies: exclusive, shared and supporting, with environmental matters falling under the second domain. The LT also established the ordinary legislative procedure for environmental policy-making, thus considering the European Parliament on an equal footing with the Council.

The chapter has proceeded with the definition of the concept of leadership and with an historical overview of the EU’s role in the international arena. Vogler and Stephan (2007) have observed

how «in all major global environmental fora, the EU has been one of the few actors to consistently argue in favour of institutional reforms and the speedy and accountable implementation of existing commitments (Vogler and Stephan, 2007: 391). As its Member States have increasingly delegated executive, judicial and legislative powers to central institutions, notwithstanding its internal complexity, the EU has been able to show external actorness in the field of climate change.

The second chapter has provided a conceptualization of the lobbying activity and of the different Non-State Actors involved in the decision-making processes of the European Union. Interest groups (IGs), identified as the intervening variable of the causal mechanism under examination, have been defined as those organisations that aggregate political preferences and that aim at affecting the policy outcome, but do not seek political office (Beyers et al., 2008; Stevens and De Bruycker, 2020). These actors can be professional lobby firms and law firms, Non-Governmental Organizations (NGOs), trade unions, think tanks, corporations and industry federations. As a result of the increasing delegation of authority to the EU, Non-State Actors started to move their lobbying activities from the national level to Brussels. The European Commission began to recognize the role of these actors and, in 1993, published the Communication on “Openness in the Community”. This document showed its willingness to establish a more open and transparent dialogue with the general public, also mentioning the involvement of non-governmental organizations and profit-making interest groups (Commission of the European Communities, 1993). Indeed, the work of David Coen on business lobby in the EU, started in the 1990s, has proved the existence of a general trend towards direct lobbying<sup>92</sup> and direct political action in the last thirty years (Coen, 2021). At the time of the writing, more than 12000 interest representatives are listed in the European Transparency Register<sup>93</sup>.

Interest groups, in order to successfully affect the policy outcome, have developed a wide range of actions and tactics. These are commonly distinguished between insider and outsider strategies, or formal and informal relations with policy-makers. Groups can hire public relations firms and consultancies or professional lobby firms in order to represent their interests, and

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<sup>92</sup> Direct lobbying implies direct contacts between the policy-maker and the lobby group. It can be distinguished from indirect lobbying, that instead occurs when the interest group seeks to influence the policy process indirectly, by shaping the public opinion.

<sup>93</sup> *Transparency Register*, accessible at: <https://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en> (accessed: 10 September 2021).

operate through sector associations or umbrella organizations. In alternative, they can directly lobby through their public affairs departments and in-house lobbyists. They can exploit traditional media channels and the social media to shape the public debate and indirectly pressure policy-makers. They can fund think tanks in order to publish researches or can organize citizens' mobilizations. They can participate to Expert and Advisory groups with European institutions or host webinars and private events inviting key decision-makers. In sum, they are able to take as many routes of influence as their staff and economic resources allow to. IGs are able to find windows of opportunity for their action not only thanks to their abilities and characteristics, but also because European institutions are particularly receptive to outside inputs. This chapter has demonstrated that decision-makers have multiple incentives to maintain an open approach towards IGs: these actors «can function as multipliers and catalysts of support for specific policy orientations» (European Council, Council of the European Union, 2013) and can represent powerful allies in the institutions' «quest for democratic legitimacy and agents capable of performing democratic functions» (Greenwood, 2009: 93). Formal institutional actors gradually establish a relation of mutual dependence with IGs. The Head of Cabinet of a Green MEP, interviewed by the author of the present research, has confirmed that «it is extremely important that decision-makers listen to the organizations that are affected by certain decisions or have sufficient means to know what people expect from them» (Head of Cabinet, European Parliament, 2 July 2021). Furthermore, as underlined by Karr (2007), «from the point of view of the citizen, interest groups also have a broader impact on strengthening sustainable representation and democratic participation [...] [as] they provide the means of political involvement in between and beyond elections» (Karr, 2007: 74). This contribution assumes an even stronger meaning if read in light of the words of Cruce (2011): «If the aim is to create input legitimacy, then representativeness will be an important factor. If instead the aim is to achieve good legislation, i.e. output legitimacy, then it is likely that more attention will be directed to it if the interest groups have good ideas and are well informed» (Cruce, 2011: 19).

The third chapter represents the empirical section of the analysis. In the first part, thanks to the information gathered through the interviews, the author has been able to illustrate the ways in which interest groups move in the context of the European Political Opportunity Structure. The strategies suggested in the theoretical section have been demonstrated, and the characteristics ensuring the success of a group have been discussed. Moreover, it has been highlighted that the presence of groups representing a general and non-economic interest, and in particular environmental NGOs, is pivotal in ensuring effective long-term policies.

The subsequent parts of the chapter have been dedicated to the application of the Multiple Streams Framework to the case study. The problem stream has been briefly mentioned, since an analysis of scientific evidence – such as the IPCC Special Report of 2018 – and of recent environmental crises does not fall into the remit of the present research. In this context, it has been suggested that the declarations by several national parliaments of a climate emergency, the 2030 Agenda for Sustainable Development and the Paris Agreement were crucial elements in the problem definition. As far as the politics stream is concerned, several factors have created the momentum for ambitious environmental policies. The 2018–2019 youth climate movement can be considered as one of the most widespread environmental social movements in history (Han and Wuk Ahn, 2020):

They have adopted the language of justice to make climate change a salient issue and to reveal the failure and inaction of the existing establishment, including political leaders and fossil fuel companies. While one cannot measure the direct causal impact that these climate strikes have had on state and intergovernmental climate change policies, this worldwide youth mobilization has aroused a sense of urgency, [and] provided an alternative discourse (Han and Wuk Ahn, 2020: 2).

This view has been supported by several interviewees, that have emphasised how «youth movements were representative of the whole societal and political context, which made it impossible for politicians to avoid the climate issue» (Journalist, *Contexte*, 29 April 2021). The Senior Diplomatic Expert of the Cabinet of Frans Timmermans, interviewed by the author of the present work, has observed that «the Fridays for Future marches, and all these young generations going out on the streets, [...] played a tremendous role because they were a political thermometer of what was necessary» (Senior Diplomatic Expert, European Commission, 20 May 2021). Unprecedented levels of public engagement on climate change have been accompanied by the election of the greenest Parliament in European history (Coen et al., 2020) and the activism of major NGOs. On this regard, the work has brought the example of Climate Action Network (CAN) Europe and the European Environmental Bureau (EEB). The above-mentioned elements contributed to a modification in the narrative around climate change and have determined an increase in the media salience of the issue.

The chapter has proceeded with the analysis of the policy stream, studying the policy solution represented by the European Climate Law, whose aim is to provide a direction to European policies by enshrining the climate-neutrality objective in legislation. The work has identified two examples of institutionalized engagement with interest groups. First of all, the Commission published a roadmap on the Climate Law that was open to stakeholders' feedbacks from 9<sup>th</sup>



January 2020 to 6<sup>th</sup> February 2020. A total of 931 replies were received, including European and national industrial associations, NGOs, private companies, public authorities and individual EU citizens. Secondly, on 28<sup>th</sup> January 2020, the Commission organised a public event, the “High-level public conference on implementing the European Green Deal – the European Climate Law”. A broad range of stakeholders had the occasion to share their views on the Climate Law, addressing its social and financial aspects and engaging with the public present. For both cases, the author has selected relevant contributions in order to provide examples of the inputs given by IGs to European institutions. Through a comparison between a position paper issued by Greenpeace and the WWF, and the text of the European Climate Law, it has been possible to note the limited influence of these NGOs on the final document. One of the main reasons lying behind this divergence is represented by the major influence exerted by industry lobby on European decision-makers. Several studies (Coen et al., 2020; Balanyá and Hakuma Dadci, 2020; InfluenceMap, 2021) have been dedicated to reveal their prominent role, and their predominance has been underlined during the majority of the interviews conducted for the present work. Not only business groups spend huge amounts of money for lobby activities, thus being able to reiterate their message multiple times, but they are also able to provide technical and specific expertise – that politicians need in order to elaborate policy proposals. Furthermore, they are capable of establish relationships with national policy-makers, that will in turn bring their position in intergovernmental fora. The MLG system of the EU thus plays a crucial role in enabling interest groups to have access to policy-makers situated at different levels of government.

## **Findings and concluding remarks**

The combination of document analysis and semi-structured interviews has allowed to verify the hypothesis. A positive relation has been observed between the resources available to a group and its capacity to influence the policy outcome.

This section will briefly summarize the main findings of the empirical research. Interest groups tend to act as early as possible in the policy process, as they will have more chances to succeed if policy-makers have not formed their opinions yet and the amendments have still to be written. Well-endowed IGs generally cover all the possible routes of influence throughout the policy cycle: at the national level, with the support of their local offices or members, and at the European level, engaging with all the institutions – the EP, the Commission and the Council, as well as the Committee of the Regions and the Economic and Social Committee. This has

been confirmed during several interviews. The Deputy Secretary General and Director of EU Policy of the EEB, for instance, has explained that they provide inputs in the agenda-setting phase, and, after the proposal is pronounced, they engage with Member States and their Permanent Representations in Brussels. The EEB representative has added that they also relate with the European Parliament, especially in the early stages, providing suggestions on possible amendments (Deputy Secretary General and Director of EU Policy, EEB, 25 May 2021). In order to use time and resources in an efficient manner, IGs tend to prioritise the relations with certain policymakers, according to their role, rather than their political affiliation. In addition, it has been possible to show that interest groups rarely prefer or utilise a single tactic. They adapt their strategy according to the interlocutor and the relationship they have with him or her, to the phase of the decision-making process and the type of information required by policy-makers, and, finally, the aim of the group – such as enhancing their public support or convey a specific message. It is important to note, however, that the choice of strategies mainly depends on the financial and human resources available to a group. The contributions of the respondents have allowed to demonstrate that ENGOs, *vis-à-vis* industrial lobbies, have a limited capacity to gather economic resources and to exert political influence, both directly on policy-makers and through the constituency a MEP represents.

Through the document analysis conducted on the feedbacks provided by IGs during the High-Level Public Conference and the consultation on the Climate Law roadmap, as well as on their position papers, it has been possible to observe that the main differences between the solutions offered by ENGOs and by industry lobbies were related to the percentage of GHG emissions reductions by 2030, the social impacts of short-term targets, and the role of gas in ensuring the transition to a lower carbon economy. In particular, the inputs given by business representatives included frequent references to the ability of industry to provide for infrastructures and research and development capacities, to the number of jobs that will be saved and created while investing in gas, CCS and CCU technologies, and to the necessity to maintain and enhance the competitiveness of European industries on the international stage.

The answer to the research question that the author of the present work has provided is that the role of NGOs and youth movements has been to render accessible scientific claims and evidence and to shape the public awareness, thus contributing to render climate change an indisputable priority for policy-makers. Nonetheless, the analysis has demonstrated that industry lobbies have managed to frame their priorities in a narrative around jobs and economic growth and to exploit their privileged access to policy-makers. These elements, combined with

the capacity to propose feasible solutions and the means to achieve them, have resulted in an imbalanced influence, and therefore in lowering the ambitions of the European Green Deal and the Climate Law. The Environmental Counsellor of a Nordic Member State, interviewed during the present research, has confirmed that the groups «that have the biggest chances to be heard are those coming with a concrete text proposal, with a justification or motivation that can be understood and that is feasible» (Environmental Counsellor, Nordic Member State, 27 April 2021). And this is what industries have been able to do.

As far as the MLG system of the Union is concerned, the work has demonstrated that the absence of a single point of central leadership has become an enabling rather than constraining factor for interest groups. The diffusion of authority has allowed external actors to gain access to the process: the need of each institution to gather specific information – in order to propose accurate policy solutions and to acquire a leadership position – enabled interest groups to inject their requests into the system.

This enquiry does not claim to provide a univocal vision of the causal mechanism occurring in the case of setting the ambitions of the EGD and the Climate Law: in fact, it does not assume that the mechanism identified as the intersection between MLG dynamics and interest group activity is the only explanation of the policy outcome. Nevertheless, it is worth reminding that the present dissertation represents one of the first studies regarding the role of interest groups in the adoption of the EGD and the Climate Law. Therefore, it might offer a starting point for future analysis concerning this topic.

In conclusion, climate change is a global challenge that requires a global response. The EU is determined to be a leader to tackle this issue, and the European Green Deal is a clear example of this commitment. Unfortunately, the nature of the environment as a public good<sup>94</sup> makes it particularly susceptible to free-riding, especially because the costs of abatement are national and to be paid now, while the benefits are global and attainable within a long-term perspective. Nevertheless, the President of the European Commission Ursula von der Leyen has stressed: «The cost of the transition will be big, but the cost of non-action will be much bigger» (European Commission, 2019). The costs of inaction are not only of economic nature: as pointed out by the director of the European Centre for International Political Economy, «a failed European Green Deal would also mean a much broader EU policy failure» (Lee-Makiyama,

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<sup>94</sup> A public good is a commodity or service that benefits all members of a society. The main problem associated to public goods is free-riding: since these goods are available to everyone, regardless of whether each person pays for them, it is possible to benefit from them though refusing to pay.

2021: 2). With its geopolitical repercussions, the European Green Deal is not just a simple strategy for the Commission: it is the occasion for the EU to pose itself as a credible leader in the international arena. As pointed out by Fabbrini (2010), the European Union has evolved «in the direction of a supranational organization which affects large parts of member-states' politics and policies» (Fabbrini, 2010: 175). Hopefully, it will be for the better, but only if the EU will be able to filter negative influences and implement its environmental ambitions.