

# Where is power really situated in the EU?

**Complex multi-stakeholder negotiations and the climate and energy 2030 targets**

Inga Margrete Ydersbond





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**Abstract**

The literature on EU integration gives no clear answer as to where real decision-making power in the EU is situated. Which stakeholders are the most influential when major decisions are made, for example? An approach held to have considerable explanatory potential for EU policies in general, and potentially for climate and energy policy in particular, is the advocacy coalition framework (ACF). However, few studies have applied ACF together with other theories/frameworks, such as liberal intergovernmentalism (LI) and historical institutionalism (HI), to assess the degree to which various stakeholders involved at the EU level manage to achieve their preferences. Using the EU's new 2030 headline climate and energy policy targets as a case of EU climate and energy policy, this study asks: how can we explain the outcome of negotiations in the EU, as exemplified in the 2030 negotiations? Drawing on more than 30 research interviews with representatives of key stakeholders conducted before and after the final political negotiations, combined with extensive document studies and participation in stakeholder events, this report argues that the result appears to be a genuine compromise for all stakeholders involved. Findings confirm the Commission's importance as an agenda setter (HI) and the crucial role and positions of heavyweight member states like Germany, France, the UK and Poland (LI), which were probably affected by their key energy industries and long-term energy policies. The study also finds large long-term advocacy coalitions within the interest group community (ACF). Moreover, the final decision may be viewed as negotiated compromise between advocacy coalitions at various levels (ACF), but only when the ACF criterion of non-trivial degree of coordination is not very rigorously operationalized.

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Inga Margrete Ydersbond



## 1 Introduction<sup>1</sup>

The 2030 targets are an essential part in the creation of what seems set to become the EU's second *climate and energy package*, a prestige project indeed. The EU aims to continue its leadership by example in international climate and energy policy and in international climate negotiations (see Oberthür and Roche Kelly 2008). The 2030 climate and energy framework defines the EU's level of ambition in its climate and energy policy 2020–2030 for mitigation of greenhouse gas (GHG) emissions, increased production of renewable energy, and energy efficiency. Under this framework, by 2030, the EU is to reduce GHG emissions by 40%, achieve domestic consumption of renewable energy of at least 27%, and improve energy efficiency by at least 27%. The target for GHG emissions reduction is binding for all member states, the target for renewable energy binding only at the EU level, and the energy efficiency target is merely indicative. In addition, the 2030 climate and energy framework includes several clauses on reforming the main tool for achieving mitigation of GHG emissions: the EU Emissions Trading System (EU ETS) (Council 2014f).

The 2030 negotiations were particularly important for EU leaders, including the heads of the most supranational of the EU institutions, the European Commission (hereafter: Commission) and the European Parliament (hereafter: Parliament), and for member-state leaders, because of the next global climate negotiations aiming for an agreement to follow up the Kyoto Protocol was, in Paris, December 2015. It was essential for EU and for member-state leaders to have their own commitments, so as to be able to notify the United Nations early and then also inspire other participants to launch ambitious commitments. The 2030 climate and energy framework is likely to have wide-ranging consequences for the EU's energy systems the next decades, as this framework is what defines the level of ambition at the overarching level. It is intended to contribute substantially to the large-scale transformation of the energy systems that the EU aims to achieve by 2050 (Commission 2011). The first Climate and Energy Package, on which the 2030 climate and energy framework builds, stipulated that, by the year 2020, EU was to achieve reduction of GHG emissions by 20% from 1990 levels, that the member states were to have binding national renewable energy targets that would lead the EU to have 20% consumption of renewable energy, and that energy efficiency (indicative target) should be improved by 20% compared to projected levels (Council 2007), the '20-20-20' targets. Internationally, the legislative package was regarded as progressive, not least since it included a strengthening of the EU ETS, which is the world's first international emissions trading system, and the world's first international binding targets on renewable energy. The targets and the measures for implementing them have contributed to an unforeseen expansion in the use of renewable energy in the EU, improved energy efficiency, and reduction of GHG emissions.

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<sup>1</sup> This report is a part of the research on European climate and energy policy conducted by the research centre Strategic Challenges in International Climate and Energy Policy (CICEP).

Member-state governments and their key industries (LI), institutions like the EU's central governance institutions (HI) and the advocacy coalitions of interest groups and others at various political levels (ACF) therefore all have had a major focus on influencing the final outcome and have viewed it as a top priority.<sup>2</sup> The negotiation process was marked by great controversy, which makes it particularly interesting from an analytical perspective because controversial processes exhibit greater variation as regards stakeholders' political positions and are thus also highly relevant for assessing 'who gets what' in the end (Thomson 2011, 31, 32). These features make the 2030 negotiations a case of historical importance, and are weighty arguments for scrutinising the political processes involved (Levy 2008, 7). In the end, who emerged as powerful? Who got what, and how? And – what happened?

Where power is *really* located in the EU, and which stakeholders might be *decisive* in the EU's political processes is anything but clear-cut. For example, Jordan et al. (2012, 44) have noted that 'the EU seeks to lead by example but is itself a relatively leaderless system of governance.' Various theories have been applied to explain how EU policies have come about. These include Liberal Intergovernmentalism (LI) (Moravcsik 1998), Neofunctionalism (NF) (e.g. Risse 2005, Haas 2004), Multi-Level Governance (MLG) (e.g. Hooghe and Marks 2001), Institutionalism (e.g. Steinmo, Thelen, and Longstreth 1992), as well as general theoretical approaches as the Advocacy Coalition Framework (ACF) (Sabatier 2007, 1988). ACF appears to have been little used in a complementary fashion in studies of EU climate and energy policies before, despite Sabatier's (1998) claim that it should be highly relevant for explaining policy processes in the EU. Thus, application of ACF together with theories emphasizing other actors and mechanisms such as institutionalism seems a fruitful research approach for eliciting new theoretical and methodological insights about the gigantic 'organisational petri dish' of the continuously developing EU governance system. Compound use of theories can yield richer and more precise inferences that are closer to reality (Jupille et al. 2003, Tallberg 2010, 644). This is also similar to how a skilled diplomat with many years of experience and with good insight would understand the process. The EU's new major targets in its climate and energy policies for 2030 lend themselves to such complementary theory application, as it seems likely that using theories this way can contribute to explaining the final outcome better than only using only one (e.g. Jevnaker 2015). Moreover, the theories identify different mechanisms that influence decision-making.

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<sup>2</sup> Moreover, all theories belong to the mid-level ontologically. The report is placed within the philosophy of science strand of scientific realism. This is a mid-level type of direction between constructivism and positivism which fits well with process tracing (Bennett and Checkel 2015, 21). Historical institutionalism does not focus solely on EU institutions, but rather on different types of institutions. However, in this context, historical institutionalism applied to EU institutions is considered a valid choice of case, as one main developer of the theory, Pierson (1996), focuses on the central EU institutions in applying the framework to demonstrate its usefulness.

This study asks:

To which extent can LI, ACF and HI explain the outcome of climate and energy negotiations in the EU, as exemplified in the 2030 negotiations?

To my knowledge, no research literature has comprehensively described and analysed the political processes leading to the EU's climate and energy 2030 targets. Bürgin (2014) analyses why there was a binding national renewable energy target in the 2020 climate and energy framework but not in the 2030 framework. Fagan-Watson et al. (2015a) present and discuss the lobbying strategies of various business associations working to influence the 2030 framework. Vaagland (2015) discusses the political roles of Germany and Poland in these political negotiations. Studies of EU climate and energy policy-making tend to focus on a limited group of stakeholders, such as some member states and a few interest groups, or have included several stakeholders, but have described their actions very briefly. Conducting a study aimed at including *all* the member states and *all* the most important interest groups in the interest group community, together with a survey of the actions of the central EU institutions, is an endeavour likely yield richer, broader and more precise inferences about the EU decision-making process. Such an analysis with 'all' stakeholders, has to my knowledge, not been conducted before – with the exception of Sattich (2013), who used ACF to assess the political processes that lead to the revised EU ETS Directive and the Renewable Energy Directive (RES Directive, hereafter: Renewables Directive) to form the first Climate and Energy Package.

Liberal Intergovernmentalism (LI) is a key theory to include in such a study: first, because it has been applied extensively within the scholarly literature as well as in the popular debate as a way of explaining power relations in the EU. According to LI, the real decision-making power still is located at the member-state level. Especially the dominant/large member states are expected to be influential (Moravcsik 1993). Second, energy policy is typically a strong national domain, and *energy security* in the sense of security of energy supply is crucial in national policies (see Duffield 2012). Hence the EU's climate and energy policy would be expected to be a field where the member states should try to retain as much sovereignty as possible to protect their own interests, especially if large industries perceived as important for the government are threatened/affected. Third, legislation in the energy and climate policy field affects key economic stakeholders such as the utilities industry, the petroleum industry and the energy-intensive industries. These stakeholders can be expected to have significant capacities for lobbying due to their economic resources, links to policy-makers and strong interest in the outcome.

The Advocacy Coalition Framework is relevant for several reasons. First, Sabatier (1998, 121) argues that ACF is optimal for explaining EU processes, not least because stakeholder coalitions may span several levels of government and conduct 'political venue shopping.' Such strategies might prove a very efficient tactic for transnational advocacy coalitions aiming to influence EU decision-making, as the EU multi-level

system includes multiple decision-making arenas across organisational levels, and thus several possible veto points as well. Given the EU's institutional structure, ACF becomes a tool for explaining how changes at one political level may influence policies at another – which is particularly relevant for legislative activities in the EU (Sabatier 1998, 121). Second, climate and energy are the policy fields where ACF has been applied the most frequently, according to Weible et al. (2009). Previous research has identified advocacy coalitions in the EU's climate and energy policy (see Nilsson et al. 2009, Ydersbond 2014a). Despite this, the EU's climate and energy policy has received relatively little attention from researchers applying ACF.<sup>3</sup> Third, ACF recognizes that subsystems are often nested within each other. Fourth, ACF emphasises the role of information and knowledge (Jenkins-Smith et al. 2014). Such coalitions should be especially likely in the EU's multi-level governance system, where information and expertise is an important currency (Coen 2005, 208, Marshall 2010, 556,). Not least, information should be a factor of key relevance in the EU's climate and energy policy, a very complicated field where the decision-makers' need for information is likely to be especially great, as issue complexity is generally held to increase the leverage of interest organisations (Klüver 2013a, 182). Coalitions can be expected to generate more and better information than individual organisations, and also provide the involved groups with greater leverage (Mahoney 2007). Rozbicka (2013, 843) argues: 'The ACF gives additional insights, which can complement the other theoretical models and approaches.' However, the concept of *advocacy coalitions* seems to have been employed rather vaguely in some studies. Several studies mention it (see Coen 2005, 207, Meckling 2011, 28, Klüver 2013b), without showing how the described advocacy coalitions are delimited from other types of coalitions by applying the defining criteria: groups or persons with 1) *non-trivial degree* of coordination and cooperation over long time and 2) that these groups or persons also share *policy core beliefs* (Jenkins-Smith et al. 2014).

Historical Institutionalism is a relevant theory for generating insights about the 2030 negotiations. First, HI focuses on how path dependencies and creation of institutions serve to condition the later paths of various organisations. The EU's climate and energy policies have become increasingly stronger (see Tosun et al. 2015, 5). New institutions have been established, such as ACER and ENTSO-E, especially since around 2000, and the number of energy-policy legal instruments has increased (see Benson and Russel 2014). Thus, it is relevant to investigate path dependencies and institutional expansion: how EU legislation on energy and climate issues has expanded to encompass new issues, how some decision-making competence has moved to the EU level and how the EU bureaucracy is expanding. Second, Pierson (1996) argues that European integration increases as a result of member state loss of control, caused by factors such as entrepreneurship of supranational institutions, but also because of unintended consequences. Such supranational entrepreneur-

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<sup>3</sup> Engel (2007) and Dreger (2008) have applied ACF to understand the EU's renewables policy and the design of EU ETS together with other frameworks, such as institutionalist approaches and Kingdon's policy streams.

ship has, according to previous studies, been crucial in the creation of recent legislative acts, such as the Climate and Energy Package of 2009 and the Third Energy Package (Eikeland 2011, Wettestad et al. 2012, Boasson and Wettestad 2013). Third, historical institutionalism is important because, as energy policy often involves decisions of investment with very long time horizons,<sup>4</sup> the institutional setting in which it is created can be expected to have great consequences (see Steinmo et al. 1992). Mayer (2008) tested the explanatory value of historical institutionalism and liberalism on the case of the EU's external energy policy<sup>5</sup> in recent decades, and concluded that:

[...] the Commission has played an active role in expanding its initially vague and modest energy related powers to a degree originally not envisaged by member-states (Mayer 2008, 250).

Transparency in research is a central principle. According to Moravcsik (2014), lack of transparency is in fact problematic in much research within international politics. This also seems to be the case for studies of decision-making processes in EU climate and energy policies. For example, several studies fail to explain thoroughly the methodology applied in the printed text or online (see Cox and Dekanozishvili 2015). Interview guides are often not attached, so the reader knows little about what questions have been asked (see Dreger 2008). Quotes are often not presented directly or indirectly, so the reader has no/little idea what *really* has been said or who has said what. This point might be of crucial importance, as interviewees often differ in how well they know a given situation, and their views may also be influenced by where they are employed, etc. These features can make it difficult to know where various inferences have been derived from, which in turn makes it hard to evaluate the strength of various inferences presented. By exploring one case of historical importance in depth, testing three relevant theories and following strict standards such as presenting interview data and all other sources used for optimal transparency, this report aims at contributing theoretically, methodologically and empirically to the research literature.

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<sup>4</sup> Constructing various types of power plants, electricity grid infrastructure, gas pipeline infrastructure etc. requires large up front investments and decisions on such investments are thus typically made with a time horizon of three to five decades.

<sup>5</sup> Defined as the EU's energy policy towards external actors.





## 2 Theories/theoretical frameworks

### 2.1 Liberal Intergovernmentalism

LI rests on three basic premises: a) state behaviour is rational; b) national governments are independent, but constrained by the intensity of the preferences of domestic groups that are affected by the legislation under negotiation and whether domestic groups are divided in their positions; and c) national governments negotiate with each other in an intergovernmental fashion (Moravcsik 1993, 480, 481). Hence, EU negotiations should be understood as two-level games. Governments that most intensely want to achieve an agreement will give concessions to others and expend greater efforts (Moravcsik 1993, 499). In the context of the 2030 negotiations, politicians representing France, Germany, Italy, Spain and the UK would be expected to work especially intensely and grant concessions because of the high reputational cost for the EU of not having a credible stance prior to the Paris 2015 climate negotiations. Implicitly, in such a case, advocacy coalitions and leaders of EU institutions would then be less important for political outcomes than would politicians in government (Moravcsik 1993, 491). Governments might delegate some authority to supranational institutions like the Commission, but *only* in order to achieve specific goals such as economic growth and prosperity domestically and to strengthen domestic authority (Moravcsik 1993, 507). Countries create institutions like the European Community in order to reduce international transaction costs (Moravcsik 1993, 508).

National governments have an incentive to co-operate where policy co-ordination increases their control over domestic policy outcomes, permitting them to achieve goals that would not otherwise be possible. This situation arises most often where co-ordination eliminates negative international policy externalities (Moravcsik 1993, 485).

Moravcsik (1993) crafted a theory that many scholars view as aimed at explaining the outcomes of the EU's major intergovernmental conferences (IGCs) – but this report argues that, by extension, the theory also encompasses negotiations on secondary legislation on issues, such as climate and energy policy, where member states have retained a high degree of self-determination. This is also underscored by Moravcsik and Schimmelfennig (2009, 74), who argue that LI applies to everyday EU decision-making when legislation is agreed upon '[...] by *de facto* consensus or unanimity, even when the formal rules seem to dictate otherwise.' Thus, they argue that LI is applicable to a much wider range of political processes than the large intergovernmental conferences originally in focus. When the 2030 framework was decided in October 2014, the member states agreed on unanimity as the voting procedure, thereby giving states a strong hand because they could threaten to veto the agreement. LI emphasises that industries that are significantly affected by legislation in terms of gains or losses per capita also will have the greatest influence, particularly the potential losers (Moravcsik 1993, 483–488, 505). This implies that national energy or energy-related industries – like the utilities industry, the renewables industry, the

petroleum industry and the energy-intensive industries – would all have an impact on their country’s negotiating position, as the targets had the potential to affect their operating conditions and economic performance significantly. Moreover,

[...] governments of large, prosperous, relatively self-sufficient countries tend to wield the most influence, because they gain relatively little from agreement, compared to their smaller, poorer, more open neighbours. The former can therefore afford to be more discriminating about the terms they will accept (Moravcsik 1993, 500).

Thus, the most populous and wealthiest member states would be expected to be the most influential in the 2030 negotiations. These assumptions lead to the following expectation:

### **Main expectation, LI:**

The outcome of the negotiations can be understood as a negotiated compromise where the largest member states were the weightiest. Their most affected industries could be expected to influence their government’s negotiating position.

This report will enquire specifically into the role of key member states Germany, the United Kingdom, France, Italy, Poland and Spain, but also the positions of other member states in the negotiations in 2013–2014. France, Germany, Italy, Poland, Spain and the UK were chosen because they are the six largest member states in terms of population (Eurostat 2015b), and because they, with the exception of Poland, also have the highest gross domestic products (GDPs) (Eurostat 2015a). Poland has been included as the largest and wealthiest Eastern European member state, and because of its leadership role in this group. The report examines the relationship between the political positions of member states and the final targets, called *attained influence*. The report also asks which countries or coalitions of countries were seen, by others, as being important. This is referred to as *attributed influence*. In addition, the report will look into the role of key affected industries, especially in these six key member states. The countries will be conceptualised as unitary actors, and represented by what the main negotiating parties argued for in the negotiations – although that might of course not necessarily be the case in practice. Thus, the report presents what the official negotiators presented as their political positions on targets for GHG emissions, renewable energy and energy efficiency, whether they should be binding, having one single versus three targets, etc. Within the member states we focus on the renewables industry, the utilities industry, the umbrella organisation for business and the petroleum industry.

## **2.2 The Advocacy Coalition Framework**

ACF posits that public policies will be marked by which coalitions are dominant, or take form of negotiated agreements between ‘previously

warring coalitions' (Sabatier and Weible 2007, 205). ACF defines an advocacy coalition as 'consisting of members who share policy core beliefs and engage in a nontrivial degree of coordination' (Weible et al. 2009, 132). Such coalitions are based on *policy core beliefs*, which in this case mean views on questions like whether implementation of EU sustainability policies will impede or enhance economic growth and competitiveness, and whether countries should implement environmental actions domestically or rather try to do their share via quota purchase in EU ETS/the international quota market.<sup>6</sup> What counts as a non-trivial degree of coordination in ACF is not further defined, and has thus been subject to a wide range of interpretations and operationalizations.<sup>7</sup>

Advocacy coalitions regularly try to influence political decision-making within their subsystem – the latter, defined as 'actors from a variety of public and private organisations who are actively concerned with a policy problem or issue, such as agriculture, and who regularly seek to influence public policy in that domain' (Sabatier 1998, 99). An advocacy coalition usually consists of a range of participants: representatives of public and private institutions, business, research institutions, politicians, journalists and others. Thus, advocacy coalitions are broader groups than the traditional 'iron triangles' analysed for explaining policy change (Weible et al. 2009b). In this case the advocacy coalitions would include public and private organisations that worked to influence EU's climate and energy 2030 framework, and the subsystem would be EU climate and energy policy. In the interest group community, the interests of groups/organisations and their lobbying is particularly evident, so combining the ACF research with interest group research approaches should be fruitful: 'Focusing on complex, divergent political context, the advocacy coalition framework helps to complement the analysis of EU interest groups' activity that is based on models which prioritize rational choice and resource dependency' (Rozbicka 2013, 846).

The individual is considered to have bounded rationality (Simon 1976, Jenkins-Smith et al. 2014, 190). Major external events may emplace constraints on the conditions within which the stakeholders operate, but may also open 'windows of opportunity,' and can be understood as *external shocks* (Sabatier and Weible 2007, 193). Agreements are typically understood as the result of the dominant advocacy coalition achieving its political aims, as a negotiated compromise between two or more advocacy coalitions, as a result of an internal shock, or as an external shock. Literature on EU climate and energy policy has identified a 'green' advocacy coalition with the renewables industry and environmental nongovernmental organisations (ENGOS) and an advocacy coalition in the utilities industry and organisations working for emissions

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<sup>6</sup> Policy core beliefs are the common ideas and beliefs that induce coalitions of various groups to come together to influence decision-making over longer periods, typically at least a decade. Earlier, the ACF scholars distinguished between different layers of beliefs, but later, studies have shown this to be difficult and not a particularly fruitful approach (Jenkins-Smith et al. 2014). Therefore this report will employ only policy core beliefs/preferences.

<sup>7</sup> See Weible et al. (2011) and Jenkins-Smith et al. (2014).

trading (Ydersbond 2012, 2014a) – but these coalitions seem to differ somewhat from those identified by Sattich (2013). Moreover, the energy-intensive industry also worked hard to influence the Climate and Energy Framework (Wettestad 2009). The advocacy coalitions in the last round of negotiations can be expected to be similar to those that lobbied in connection with the 2020 framework, as advocacy coalitions tend to remain stable for a decade or so (Jenkins-Smith et al. 2014).

### **Main expectations, ACF:**

The outcome of negotiations may be understood as a negotiated compromise among several advocacy coalitions. Likely to be active are: a) a ‘green’ coalition consisting of e.g. the renewables industry and ENGOs, b) the utilities industry and c) the energy-intensive industry.

To identify advocacy coalitions, this report examines the stated preferences of interest groups and other actors concerning heated issues in the 2030 negotiations. 1) Do they argue for one main target or three targets? 2) Do they propose binding targets for renewables, energy efficiency and reduction of GHG emissions? 3) What are their levels of ambition regarding the new targets? 4) Do they propose national-level or EU level targets?<sup>8</sup> Their scores on these indicators will give indications of their underlying policy core preferences on EU sustainability and market policies. To measure a proxy for the influence of advocacy coalitions, the report examines the distance between a coalition’s political position and the final outcome regarding the targets, as well as who various stakeholders hold to have been influential (attained influence). Furthermore, we examine which coalitions the various stakeholders perceive as influential (attributed influence). Finally, we investigate how private stakeholders have worked to influence the decision-making (process tracing). According to ACF, in order to be regarded as an advocacy coalition, various groups must as noted coordinate their political views and actions in a *non-trivial way* (Jenkins-Smith et al. 2014).<sup>9</sup> Such non-trivial degree of coordination will be operationalized as participation in

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<sup>8</sup> Other indicators of their preferences/interests are 5) how they have acted and which positions they have taken on related Commission legislative acts in the field. These include their political positions on the Energy and Environmental State Aid Guidelines (EEAG) launched spring 2014 (Commission 2014g), as well as reactions to the EU Energy Security Strategy, published summer 2014 (Commission 2014f).

<sup>9</sup> ACF originally described coalitions of individuals with similar attitudes, not organisations. However, in research applying ACF, both organisations and individuals are commonly used as entities (Jenkins-Smith et al. 2014). As to interest groups, coordination of political positions is probably best conceptualised as taking place mainly among different organisations in general, and not among individuals, since a key task of the interest organisation is to generate common interests among its members. By contrast, in large public EU bodies like the Commission, various DGs and also various units within them may well have differing preferences.

joint meetings, issuing common press statements and letters, and arranging joint events – all this over longer time spans, because advocacy coalitions are typically stable over a decade or so (Sabatier 1988, Jenkins-Smith et al. 2014)

### 2.3 Historical institutionalism

When European integration is examined over time, the gaps in member-state control appear far more prominent than they do in intergovernmentalist accounts (Pierson 1996, 126).

Historical institutionalism acknowledges that member states are the key to understanding European integration, but holds that also *EU institutions* must be taken into account in explaining decision-making processes *over time* (Pierson 1996). The EU has increased in depth and scope; EU institutions have been expanding and have thus enhanced their bureaucratic capacity and decision-making power. There is agencification, the EU has established more and more agencies (European Union 2015b). EU legislation encompasses more legislative areas and probably has greater impact on the member states than ever (Hooghe and Marks 2001, De Wilde and Zürn 2012). These general tendencies apply also to the EU's climate and energy policy (see Dupont 2013). The decision-making competence of the Commission, the extent of EU legislation and bureaucratic capacity in the related DG Energy and DG Climate – as well as their partially detached agencies, the European Environment Agency (EEA) and Agency for the Cooperation of Energy Regulators (ACER) – is arguably greater than ever (see Benson and Russel 2014, Tosun et al. 2015). In the 2030 case, the institutions to study would include the relevant DGs, DG Energy and DG Climate and the existing legal framework that formulates current levels of ambitions in EU climate and energy policy, like the 20-20-20 targets<sup>10</sup> of the Climate and Energy Package.

Historical institutionalism emphasises that current choices are affected and often determined by policy choices that were made early in a historical process by a governmental system, and that have later become institutionalized practices. This is termed *path dependency*. The reasons for this gradual transfer of legislative competence and expansion of legislation at the EU level are related to several factors, including: a) autonomous action of EU-level institutions and their institutional self-interest. Here, supranational entrepreneurship comes in. b) Legislation may have unintended consequences, and can be used for purposes originally was not part of the discourse. Once legislation is established, it may be hard to reform. Moreover, national decision-makers ('principals') have limited capacity for a complete overview of EU processes ('agents'). c) Furthermore, national decision-makers, motivated by re-election concerns, will have restricted time horizons that guide their actions. d) Member state preferences may shift (Pierson 1996, 131–148). As the Commission has long sought to create one single energy market for gas and electricity and maintain the EU's status as a global environmental leader, it is likely to continue along the path of searching

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<sup>10</sup> The measures for attaining them are explained in detail in Chapter 4.

supranational entrepreneurship. It will therefore seek to strengthen EU institutional capacities as well as the depth and scope of legislation in climate and energy policy.

**Main expectation on HI:**

The negotiations outcome may be understood as a result of supranational entrepreneurship of the Commission and the Parliament, and also as a path-dependent outcome of earlier climate and energy legislation.

Proxies/indicators for EU-institution influence are a) distance between the Commission's and the Parliament's formulation of targets and the final outcome (attained influence); b) how influential the various stakeholders perceive the Commission and Parliament as being (attributed influence); c) the ways in which the Commission and the Parliament tried to influence the final decision, such as the policies they proposed and their rhetorical actions (process tracing); and d) to which extent the current agreement is dependent on the existence of previously formulated legislation in the same field, like the Climate and Energy Package (legislative path dependency). The reason why the Commission and the Parliament are scrutinised here is that they are the arguably most supranational of the EU's executive bodies (see Egeberg 2012, 946, Egeberg et al. 2012, 510).

### 3 Methodological considerations

This study addresses the following research question:

To which extent can LI, HI and ACF explain the outcome of climate and energy negotiations in the EU, as exemplified in the 2030 negotiations?

Here, the 2030 negotiations are a case of controversial EU climate and energy policy negotiations at the highest political level. The conclusions from this study might be used to make *analytical generalisations*, e.g. generalisations to potential populations of cases with similar features (Yin 2009). Similar cases could be other high-level and very controversial EU negotiations on climate and energy issues. The explanations for the 2030 case may be tested on other cases, as pointed out by Beach and Brun Pedersen (2013, 157), but to which extent the mechanisms identified are valid for other cases is impossible to predict, as underscored by Bennett and Checkel (2015, 14). Only time will show if and to what extent the mechanisms identified and the conclusions from this study are applicable to other cases as well. To answer the research question, case-study techniques such as process tracing based on extensive document studies and interviewing have been employed, together with comparative techniques.

#### 3.1 Sources of data

Data have been gathered from a wide range of sources. In spring and autumn/winter 2014 some 30 research interviews were conducted with key stakeholders, aimed at shedding light on the 2030 negotiations and the political positions of various stakeholders. In autumn 2015, 22 research interviews were conducted, mainly in order to obtain data on EU policies on electricity grid interconnection. During the last round, interviewees also mentioned factors relevant for the research project on the 2030 negotiations, so those interviews have been included in this study. This point was mentioned explicitly during the interviews. The objective in all three rounds of interviewing was to get key stakeholders' specific insights and reflections on the political processes, understand more about their groups' political positions, obtain an impression of how they argued, and also collect data on politically sensitive issues such as lobbying strategies like coalition-making. This is also emphasised as typical advantages with conducting research interviews (Beyers et al. 2014, 176). Gathering sufficient data and gaining a firmer understanding of such factors would have been difficult without these in-depth research interviews.

Interviewees were contacted by a formal letter attached to an email. If they did not answer, they were contacted by telephone. The interviews were conducted in spring 2014, autumn/winter 2014 and autumn 2015 in Brussels and in Oslo, in person and by telephone. Thus, the first round of interviews was conducted while the negotiations were still ongoing, the second soon after they had finished and the third round approximately one year later. This timing allowed the researcher to get an accurate impression of the political debates as they were unfolding, as there were

great many issues discussed and a very large group of stakeholders, and because several of the matters discussed were very complicated. With the close proximity in time to the events, there is reason to believe that the interviewees had an accurate memory and could answer precisely. A potential drawback with this approach lies in the fact that the ‘ongoingness’ of the political negotiations during the first round of interviews also meant that some interviewees may well have provided incomplete information due to the political sensitivity and the high stakes involved. Conducting a round of interviews after the negotiations were recently finished made it possible to obtain new data while the interviewees still had the political processes fresh in mind. In addition, this strategy may have provided data on issues that had been too politically sensitive to mention while the negotiations were still ongoing. Finally, the last round of interviews in 2015 provided additional and essential data.

Interviewees were selected on the basis of their organisational affiliation and proximity to the political process, and may be considered key informants and elite informants. They can be categorised in nine groups:

- 1) Members of the committees in charge of the 2030 legislation in the European Parliament: the committees on Industry, Research and Energy (ITRE) and Environment, Public Health and Food Safety (ENVI), from the European People’s Party (EPP) and Alliance of the Liberals and Democrats (ALDE).
- 2) Commission officials working on related legislation in DG Energy.
- 3) Environmental nongovernmental organisations at the EU/European level: Greenpeace EU, Climate Action Network Europe (CAN), Coalition for Energy Savings (CoE), Friends of the Earth Europe (FoE).
- 4) The renewable energy industry at the national and at the EU/European level: Bundesverband Erneuerbare Energie (BEE, the German Renewable Energy Federation), European Renewable Energy Federation (EREF), European Wind Energy Association (EWEA).
- 5) The utilities industry at the national and at the EU/European level: Eurelectric (EU level), Statkraft (Norway, national level), Energy Norway (the Norwegian Utilities Association, national level), Agder Energi (Norway, national level), Union Française de l’Électricité (UFE, the French Utilities Association, national level).
- 6) Transmission system operators: Statnett (Norway, national level).
- 7) European business associations: BusinessEurope.
- 8) The gas and petroleum industries at the EU/European level, FuelsEurope<sup>11</sup> and Eurogas.
- 9) Other well informed persons: The Brussels Office (Brüsselkontoret), European Climate Foundation (ECF), Mission of Norway to the EU, independent consultant for the buildings sector, Third Generation Environmentalism (E3G).

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<sup>11</sup> Formerly called Europia.



Permanent representations (permreps) of key EU member states like Germany and Poland were also contacted, but they never replied to the interview requests. Similarly, some representatives of interest organisations did not respond to requests, declined to set aside time, or cancelled the arranged interview. All interviewees were granted anonymity due to the political sensitivity and high stakes of the issues involved, as this could make them more open to share their views. Some interviewees also declared that the interview would be given *only* on the premise of anonymity because of the political sensitivity of the topics discussed.

Representatives of interest groups rather than, for instance, companies, were chosen because many companies use their trade associations as the main tool for representing them in EU climate and energy policy (see Fagan-Watson et al. 2015a). EU policy-makers in the Commission and the Parliament also prefer meeting European trade associations and NGOs rather than individual companies or citizens, to hear the aggregated views of various groups (Greenwood 2007, 343, interview Eurelectric 2014b). Therefore, this report focuses more on European-level interest groups as representatives for business and civil society than on single companies or other types of organisations such as national interest organisations.

The interviews were semi-structured to enable follow-up questions; the order of the questions could be adjusted, and the elite interviewees could answer freely and elaborate upon their views – emphasised as typical advantages by e.g. Aberbach and Rockman (2002) and Andersen (2006). The interviews were like in-depth conversations. Sometimes, interviewees also asked the researcher about various topics, like the political positions of the Norwegian government and Norwegian civil society. Interview questions concerned matters like their organisations' political positions on various issues, political strategies, which stakeholders they perceived to be especially influential, and the impact of the third Russia–Ukraine crisis. Much additional interesting information was given by the interviewees when they were free to elaborate on the questions (see Appendices to this report for the three interview guides).

A drawback with this semi-structured approach is its limited replicability (Berry 2002, Mikecz 2012). In addition, depending on the context, the exact phrasing of the interviews and their order, interview questions might be understood differently by the various interviewees, as noted by e.g. Beyers et al. (2014, 179–180). The interviewees/respondents came from the whole of Europe and the USA, with a wide range of cultural, educational and language backgrounds, which might also have impacted their answers. For enhanced data accuracy and for gaining trust, interviewees were given the opportunity to check all quotes, comment on all information related to their organisation, and view the text in the context of a draft for this report. Interviewees were also asked follow-up questions regarding which actors they thought had been most influential in the end, which proved useful for expanding the analysis. In addition, all interview data were, to the extent possible, checked against other information to confirm, disconfirm or nuance the picture. During and after the interviews, the researcher took notes on key points mentioned. Most interviewees allowed the interviews to be taped, and most of these

interviews were transcribed afterwards for optimal accuracy. The research interviews were conducted in English, Norwegian and German. In accordance with the Norwegian guidelines for ethics in research in the social sciences, law and the humanities, prior notification of the project was given to the Norwegian Social Science Data Services (NSD).

In addition to the interview data, many other sources have been used for mapping and understanding the political processes, including directives, communications, White and Green Papers from the Commission, minutes of meetings in the European Parliament, responses to the public hearings arranged by the Commission on the 2030 framework and on energy efficiency, and various Council documents. EU media channels like *EurActiv* ([www.euractiv.com](http://www.euractiv.com)), *EUobserver* ([www.euobserver.com](http://www.euobserver.com)) and *European Voice*, now *Politico* (former address: [www.europeanvoice.eu](http://www.europeanvoice.eu), from 2015 onwards, [www.politico.eu](http://www.politico.eu)) were followed regularly to gain insights into the processes and the public debate. In addition, the researcher participated in various relevant stakeholder events, including conferences and debates arranged by the interest organisations Eurelectric and EWEA, at the Centre for European Policy Studies (CEPS), Institute for European Policy Studies (IES), in the European Parliament and by the news agency Interfax. This participation facilitated interaction with the stakeholders, showing which arguments they presented to support their causes, which topics were the most controversial, and how the debates in the field of climate and energy were framed and linked. Through scrupulous evaluation of the sources, source and method triangulation, as well as commenting by the interviewees, all data were checked against other data to achieve an accurate and complete picture, as recommended by methodologists such as Beach and Brun Pedersen (2013, 129, 135) and Bennett and Checkel (2015, 27). Because of the high complexity of the negotiations, the researcher took care not to complete the analysis until the final framework negotiations had been completed, in order to reduce the risk of confirmation bias based on premature analysis.

### 3.2 Theory-testing process tracing

The aim of this extensive data gathering was to conduct process tracing as described by e.g. Bennett and Checkel (2015). The definition used here is '[...] the analysis of evidence on processes, sequences, and conjunctures of events within a case for the purposes of either developing or testing hypotheses about causal mechanisms that might causally explain the case' (Bennett and Checkel 2015, 7). Process tracing is here used to apply causal mechanisms that may be derived from the three theories mentioned – ACF, HI and LI – to generate insights about the processes that have unfolded.

Explanation via reference causal mechanisms, unlike that via reference to covering laws, involves a commitment in principle to being consistent with the lowest level of analysis and finest degree of detail observable (Bennett and Checkel 2015, 12).

Causal mechanisms are ultimately unobservable (Bennett and Checkel 2015, 11, 12). The researcher must employ *proxies* (indicators) – observable implications of the theories (Bennett and Checkel 2015, 12), here as formulated in hypotheses and the description of what data may support or

not support them. The literature on research methodology describes various types of process tracing: the main categories are theory-testing process tracing, theory-generating process tracing and explaining-outcome process tracing (Beach and Brun Pedersen 2013). Theory-testing process tracing, as conducted here, proceeds by formulating falsifiable expectations of the theories and assessing whether the data confirm or disconfirm them (Levy 2008, 11, Bennett and Checkel 2015). As two of the theories chosen – the Advocacy Coalition Framework and Historical Institutionalism – focus on policy processes that unfold over several years, this report follows the political processes from 2007 onwards. The first Climate and Energy Package may be viewed as a critical juncture in EU climate and energy policy-making. Therefore, this is a justifiable choice as regards timing, as critical junctures are typical places to start process tracing (Bennett and Checkel 2015, 26). However, as the 2030 negotiations are the chief topic of the report, the main emphasis is on the processes that unfolded from the time when the discussions gained prominence in the EU political debate, from 2012 onwards.

The dependent variable in the study will be the targets on renewable energy, energy efficiency and GHG emissions as formulated in the 2030 climate and energy framework, agreed upon in the Council at its meeting 23 to 24 October 2014. Specifically: a domestic reduction of GHG emissions of at least 40% compared to 1990 levels, an EU-level target of achieving at least 27% of energy consumed to come from renewable energy sources and an indicative target of at least 27% improved energy efficiency compared to projections (Council 2014f). Other parts of the framework will also be noted in the analysis.

### 3.3 Measuring influence on the final 2030 framework

Due to the great number of stakeholders involved in the negotiations and the many matters up for consideration in the negotiations, there is no easy or obvious way to establish causality as to which stakeholders achieved what in the final text. Moreover, several issues were negotiated simultaneously, including other matters than the climate and energy targets – like the formulation of new Energy and Environment State Aid Guidelines (EEAG). An interviewee commented:

When you put very few people in the room, with a very complicated set of decisions, and they are not just talking about climate and energy, they are talking about all the trade-offs with other issues (interview Eurelectric 2014b).

Among the issues that could be a part of this ‘horse trading’ were the top posts in the EU bureaucracy (interview Statnett 2014c). If these negotiations are understood as a part of a reiterated diplomatic negotiation game conducted over several years and involving a large number of issues, the picture becomes further complicated. Sebenius (1983) and Putnam (1988) use the term *issue linkage/synergistic linkage* in referring to bargaining where various issues are coupled with another. What is admitted/given to other negotiating parties to ‘sweeten the pill,’ Putnam (1988) labels *side payments*, in his famous model of two-level games. This game model is built into Moravcsik’s (1993) liberal intergovernmentalism. In such a complicated issue-environment, and with the contro-

versy and high stakes involved, it is impossible for a researcher to obtain all data that might reveal influence. Given the secrecy of the high-level diplomacy involved, many relevant documents and other information will remain closed to the public up to several decades following negotiations. Some of the most relevant documents in this regard, for example the minutes of the European Council meetings, will be available to the public only 30 years later (Council 2015). Other pertinent data sources are documents such as preparatory drafts that include information about the debate among the member states, with their objections and suggestions for change (Thomson 2011, 33).

Following the logic of Adcock and Collier (2001) in operationalizing and measuring concepts, *power* is here measured through an operationalization of *influence*, a logical way to examine complex multi-stakeholder negotiations. The definition of influence used in this report is that employed by Nagel (1975, 1929) ‘a causal relation between the preferences by a group of actors regarding an outcome and the outcome itself.’ Influence here is operationalized in a three-fold way described in the following sections. First, influence is measured as proximity between the negotiating positions of various stakeholders and the Council conclusions. This is called *attained influence* (Dür 2008, 565–567, for discussion of ways of measuring influence, see also Klüver, 2013b and Bernhagen et al. 2014). Such proximity may of course be coincidental or because a stakeholder happened to be placed ‘right in the middle’ to start with, as noted by e.g. Barry (1980, 184) and Thomson (2011). Attained influence is measured by examining the proximity between the political positions taken in documents: for example, when a country argued for a 35% reduction in GHG emissions and the final target was 40%, the absolute distance would then be 5%. Positions of the other member states must also be taken into consideration. If other member states argued for a target of, say, 38% or 42% GHG emissions reduction, these countries would be more successful as regards attained influence than the member states that wanted a 35% outcome. Both initial and final negotiating positions are taken into account here. The formula applied is similar to that formula used by Cross (2012, 81), and attained influence is the same as what Cross calls ‘bargaining success.’ An actor’s political position is called  $X_{ia}$ .

$$\text{Attained influence} = [X_{ia} - \text{outcome}]$$

Cross (2012) also models bargaining success with *issue salience* as experienced by the member states regarding the issues at stake. In this report, issue salience is implied in the analysis and the discussion, but is not assessed systematically across member states. Also formulations in the Council conclusions are included, e.g. if a stakeholder argued for formulations like ‘at least’ before the targets, which would enable the target to be adjusted upwards at a later stage. Another important factor to take into consideration is measuring influence (lobbying success) in relation to distance to *the reversion point* (Bernhagen et al. 2014). The reversion point would in this context be no agreement on targets for 2030, which was a plausible and real option. Thus, actors in favour of setting new targets for 2030 that were higher than the 20-20-20 targets would be

‘successful’ in their endeavours if there were final agreement on higher targets for 2030 than the ones formulated for 2020.

One way a researcher can map political positions is by creating spatial scales, ranging from, for example, 1 to 100, where countries with the most extreme positions take the values 1 and 100, and the rest are placed in-between (Thomson 2011, chapter 2). To conduct such mapping of member-state political positions in controversial cases where the most important information is available only in European Council archives that are closed to the public, Thomson (2011, 32, 33) argues that interviewing experts is the sole viable option. These experts may include persons in the permanent representations in Brussels and others. However, obtaining access to such sensitive information during and immediately after the 2030 negotiations was not deemed a feasible strategy. The researcher did contact central figures in DG Energy, but these declined to be interviewed because of the sensitivity of the issues at stake. Permanent representations of central member states were also contacted, but they never replied. An alternative to key and elite interviews for mapping political positions would be to conduct an expert survey right after the 2030 agreement. This approach could have the advantage of increasing the number of persons who might answer, but this was considered even less likely to yield relevant data than if interviews could be arranged with stakeholders. As the political negotiations were very controversial, it was rather unlikely that, immediately afterwards, a group of experts like top bureaucrats and political advisors would respond to a survey revealing country positions on sensitive areas. Moreover, surveys are vulnerable to low response rates, making this a risky strategy as regards data quality.

Some member states have issued publicly available information about their political positions on the 2030 framework in statements such as position papers, whereas other member states did not make their political positions public. The Commission overview following the hearing summer 2013 briefly outlined the positions of about half of the member states (Commission 2013b); likewise with the overview made by Ibec (2013). Public overviews of all member states’ political positions have been scarce, with the exception of *EurActiv*’s table from 2014 (*EurActiv* 2014j), and Evan’s (2014) maps, where no sources are cited.<sup>12</sup> The present report uses the best available data to assess the member states’ political positions. For some member states, their positions have been identified from communications with other member states in formal EU documents and in stakeholder interviews. Other member states issued public statements presenting their views. Thus, the overview of member-state positions presented in 7.1 is probably accurate in describing the positions of most member states, but may contain some minor errors due to the lack of verifiable data.

Mapping interest groups positions and the positions of the Parliament and the Commission proved to be a much easier task. These stakeholders were actively promoting their positions publicly and published various

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<sup>12</sup> The researcher contacted *EurActiv* and asked for their sources, but never received a reply.

types of data documenting what they meant. The interest groups published various types of press statements, position papers, media briefs and reports, as well as working for their case in various media channels. In the case of the Parliament, the position was what the Parliament agreed upon in various votes. The Commission's political position is what the Commission proposed as the framework. Interview data and event participation helped substantiate the positions of the various stakeholders. The countries, interest groups and central EU institutions are not placed relative to each other, but on which percentage position they have argued for, such as a 40% reduction of GHG emissions; or what their stated at hearings, such as that there should only be one target, and that only in the case of a global agreement in Paris in December 2015.

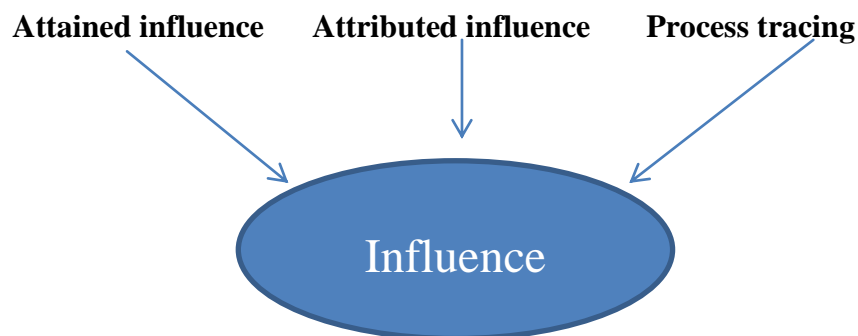
What counts as 'successful' preference attainment is far from straightforward, as success in some cases might mean achieving an outcome that is 'less bad' than the original proposal (see Bernhagen et al. 2014). Bennett and Checkel (2015, 32) call the matter of identifying stakeholders' real preferences *the revealed preference problem*: Stakeholders may publicly display more extreme political positions than their original preferences as a 'counterweight' to the political positions of others. One interviewee said that interest groups tactically choose positions in order to influence the public debate: '[...] I think that there are a lot of NGOs who see themselves as really having to play that role of holding the line at one end' (interview Greenpeace 2014). Another interviewee held that ENGOs like Greenpeace managed to influence the debate by 'setting the spectrum' of political positions (interview EPP 2014). This indicates that Greenpeace's positioning may have had a real impact on the 2030 discourse. Further, measuring successful preference attainment is difficult because member states or other stakeholders may shift their position during the negotiations, depending on, for example, which positions other member states take, as they are under considerable pressure to reach an agreement but also want to demonstrate to their domestic constituencies that they 'won.' Such shifts are clearly evident in the discrepancy between the member states' original political positions and the political positions shown in Table 1.

The second way of measuring influence is by conducting *process tracing*. Of course, process tracing of complicated political processes involving a very large group of stakeholders is a demanding task. To avoid 'black-boxing' the ways of which influence has been attained by various interest groups and other stakeholders, this report examines some of the channels of influence that have been used by the interest group community and others by enquiring into their use of lobbying strategies such as meetings with national and EU-level politicians, media strategies, participation in hearings, issuing position papers, writing letters and organising events. Extensive process tracing of all stakeholders in this very complicated 'negotiation game' is impossible, but the report seeks to shed light on at least some main strategies of some of the core stakeholders. A disadvantage of the broad focus of this research project is that it is impossible to know exactly which actors attained what through the various channels. On the other hand, by scrutinising the actions of a large group of stakeholders based on systematic evaluation of their actions and positions, the report should offer a credible approximation and interpre-

tation of the 2030 negotiations that has thus far been lacking in the research literature.

A third and less straightforward way of measuring influence is by obtaining data on who the various participants view as being powerful, as stated in interviews and also in public debates, press releases and newspaper interviews. This is called *attributed influence* (Dür 2008, 565–566). The danger in focusing on which organisations and people the interviewees think are influential is that the data may become anecdotal and random. Thus, it is important to have a critical reading of statements regarding influence. Interviewing is far from a flawless strategy of measuring attributed influence, as various incentives may lead respondents to overstate or understate how they view their own and others' influence, for tactical or other reasons (Berry 2002, Beyers et al. 2014). However, most information provided by the interviewees could be confirmed by other types of documentation, such as by information from other interviews or position papers, so the researcher believes that they responded as openly as they considered possible. Combining methods of measuring influence and various sources of data this way is recommended by Dür (2008, 569, 570) to reduce the risk of drawing erroneous inferences about influence. Still, many sources of data are not available, so researchers and other readers might later discover relevant issues that are not discussed in this report. In any case, by using such an extensive, transparent and precise approach, this study aims at achieving high measurement validity (Adcock and Collier 2001), as well as internal validity – both emphasised as prominent strengths of case studies (George and Bennett 2005, Gerring 2007).

**Figure 1: Measuring influence**



The research literature offers three ways of measuring influence: the proximity between a political position and the outcome, 'attained influence', how an actor views the influence of itself and other actors, 'attributed influence', and through process tracing to evaluate the effect of the various strategies.

### **3.4 Comparative techniques**

To assess the relationship between a member state's energy policy, energy infrastructure, long-term energy targets and positions in the 2030 negotiations, the study employs two kinds of comparative evaluation. First, the report provides a description of the energy policies of the largest member states in terms of population and GDP plus Poland: they are expected to be particularly influential because they have more resources to offer side payments and other types of concessions, and to conduct lobbying for their own interests (Cross 2012, 78). The case comparison of the largest member states contributes data on the connection between political positions and domestic energy policy – more of a structural process tracing/pattern matching, as described by George and Bennett (2005). Second, a comparative analysis is conducted based on a dataset created for studying the relationship between the member states' energy policies and their political positions in the 2030 negotiations. The dataset is displayed in Table 2a and Table 2b. The comparative tables do not provide data about the underlying causality and causal mechanisms, but give an indication of structural relationships that may affect the political positions of member states, making congruence analysis possible. Assessing the actual chains of influence within all the member states is beyond the scope for this analysis.



## 4 EU climate and energy policy developments from 2007

### 4.1 The first Climate and Energy Package

As noted, the EU has long sought to be a global environmental leader, and its member states encompass most of the states that have committed themselves to reduce GHG emissions under the Kyoto Protocol (see Oberthür and Roche Kelly 2008). To meet obligations under the Kyoto Protocol, but also achieve other targets such as enhancing competitiveness, creating jobs and improving energy security, the member states in 2007 agreed on achieving the headline 20-20-20 targets by 2020 (Council 2007). These *tritych targets* were intended to be mutually reinforcing. For example, improving energy efficiency would make it easier for member states to achieve the GHG reduction target, as the amount of energy consumed would decrease and thereby also the pollution from power production (see Commission 2010, 7).

To achieve these targets, the EU issued various pieces of legislation. The major instrument for reducing GHG emissions was the revised EU Emissions Trading Scheme (EU ETS) (Council and Parliament 2003, 2008), plus the Effort Sharing Decision (ESD) (Council and Parliament 2009c), which required the sectors not included in the EU ETS to reduce their GHG emissions. The package also included the Directive on Carbon Capture and Storage (the CCS Directive) (Council and Parliament 2009d) and the Renewables Directive. The latter was the main tool for boosting production of renewable energy (Council and Parliament 2009a). To improve energy efficiency, the EU's executive institutions and the member states later produced the Energy Performance of Buildings Directive (recast) (EPBD) in 2010 (Council and Parliament 2010), and the Energy Efficiency Directive (EED) in 2012 (Council and Parliament 2012, ITRE 2014) as well as directives aimed at improving the performance of various products. In addition, member states agreed on the revised Fuel Quality Directive (FQD) to reduce emissions from car fuels (Council and Parliament 2009e), and car emissions regulations (CER).<sup>13</sup> The ETS, RES and CCS Directives and the ESD together were

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<sup>13</sup> Full names: Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading system of the Community (Revised EU ETS Directive), Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020, Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC, Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006, Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast), Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives

called the *Climate and Energy Package*. This agreement was comparatively ambitious in an international context, something which stakeholders, researchers and other analysts have attributed to several factors. According to CAN (interview 2014), one factor that facilitated agreement on the package was that the Central and Eastern European countries still were fairly new in the EU. In addition, Poland hosted the United Nations Framework Convention on Climate Change (UNFCCC) Conference in Poznan, so the Polish government directed its attention more to that rather on what was underway in the EU. The timing of the targets and the directives is seen as having been advantageous, a window of opportunity: they were decided before the economic crisis hit Europe and thus could be more ambitious than crisis-struck member states would probably have agreed to later (see Gullberg 2013). Germany, which held the EU presidency when the agreement on the targets was made, is credited with having an important role for ensuring an ambitious agreement (Cox and Dekanozishvili 2015).

Stakeholders have criticised the coherence and functioning of the Climate and Energy Package from several angles. At least parts of the utilities sector and others disagreed about the targets and means to implement them, finding them mutually contradictory or not strong enough (see Eurelectric 2013, Skjærseth 2013, 37, Commission 2014i, 205, Zgajewski 2014). The Commission itself recognised, for instance, that some of the policies prescribed by the directives contradicted each other, but underlined also that the targets also could be mutually supporting (Commission 2013d, 7). The green NGOs and the renewables industry, on the other hand, argued that these interactions were advantageous and also politically intended (interview FoE 2014). In their view, the contradiction in the targets lay in the fact that, if the overarching targets of 20% renewable energy and 20% energy efficiency were met, this would lead to 24% reduction of GHG emissions (CAN 2013).

It [the Climate and Energy Package] could have been much better. The renewables and the energy savings together is calculated with the mean of 24–25% greenhouse gas cuts, so it was simply crazy to have a greenhouse gas target of only 20% [...] Talking about renewables and energy savings, they assumed that there would be a 30% greenhouse gas target. But for political reasons etc., the EU decided to start at 20 and offer 30 in the event of an international agreement in Copenhagen, which of course never happened (interview FoE 2014).

These opposing views on the functioning of the Climate and Energy Package reflect more general tugs-of-war in defining what constitutes ‘reality’ in EU’s climate and energy policy, defining what the problems and challenges are, and what possible solutions might be.

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2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC, Revised Fuel Quality Directive. Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC.

## 4.2 Consequences of the first Climate and Energy Package

According to various analyses conducted by/for the Commission and the European Environment Agency (EEAg), the targets on GHG reduction and renewable energy are likely to be achieved by 2020. The energy efficiency target will fall short of achievement, by a scant margin, unless additional measures are implemented, with projections showing that the EU will achieve 18–19% and not 20% (EEAg 2013, Commission 2014a, k, Commission and Parliament 2014, Commission 2015g, h). The Commission is, as of winter 2016, working on a review of the energy efficiency directives to see whether they have fulfilled/contributed to target attainments, and will then evaluate future policy options. Parts of the EED will ‘expire’ by 2020, so the Commission is evaluating what should be done there. One possible policy tool is linking EU financing to the implementation of energy efficiency policies (Commission 2014a, interview DG Energy 2014b). Some member states have been referred to the CJEU for not fully transposing the EPBD (Commission 2014b, c). Also transposition of the EED seems to have proved difficult. ‘In the course of the second semester of 2014, the Commission launched infringement procedures for non-transposition of the Energy Efficiency Directive against 27 EU Member States (all except Malta)’ (Commission 2015a). The reason for this tardiness in attaining energy efficiency targets is attributed to various factors, including lack of political will, poor administrative capacity, and the fact that the directives are very technically demanding to implement (interview DG Energy 2014b). The GHG emissions target and the energy efficiency target are well on the way to being attained because of the economic crisis, which led to the closure of large heavily polluting industries, especially in Southern and Eastern Europe, and to lower energy consumption (Commission 2014h). Stakeholders seem to evaluate the prospects of achieving the 20-20-20 targets somewhat differently. The 2020 Keep On Track project has conducted a critical assessment of whether the targets for renewable energy from heating and cooling will be met in several of the member states. Moreover, most member states are falling behind their interim targets for renewable energy in the transport sector. The project’s model ends up at a 17.9% share of renewable energy if the current support frameworks are not altered. This pessimistic forecast is attributed especially to unstable legislative frameworks for renewable energy (KeepOnTrackEU 2014).

It is hard to evaluate the total impact of the various pieces of climate and energy legislation. Some data indicate that the targets and the legislative measures for implementation have made the EU as well as the European Economic Area (EEA) more sustainable. For example, the product standards imposed by legislation, such as the Ecodesign Directive, are credited with significantly lowering the energy use of household appliances (Council and Parliament 2009b, Centre for Strategy & Evaluation Services and Oxford Research 2012). The stricter standards have forced the producers to create products with considerably lower energy consumption than before. Stricter standards are also likely to have contributed with improved products in other areas as well. As noted by one Commission official: ‘Much good technology has come out of strict regulation [...]’ (interview DG Energy 2014b). A representative from

European Climate Foundation (interview ECF 2014) pointed out ‘[...] regulations can actually have a more direct impact on emissions reductions than market based mechanisms, which is different from the paradigm that was ten years ago,’ as exemplified in the case of the car emissions regulations. The impact and importance of regulations has also been pointed out by Grubb et al. (2013). A further example of the influence of EU legislation is that the Renewables Directive has probably contributed to getting member states such as Sweden and EEA countries such as Norway to expand their renewables production (Ydersbond 2014b).

## 5 The 2030 climate and energy framework negotiations

The political negotiations leading to the EU climate and energy legislation for the period 2020–2030 unfold over several years. Debate/discussion on the targets started as early as in 2010 (interview Statnett 2014a). In 2012, there was a debate about the level of the GHG emissions target, continuing into 2013, where stakeholders discussed reductions of 35%, 40% or 45% (interview Eurelectric 2014b). The formal legislative process started in spring 2013 when the Commission issued a Green Paper on the new headline targets (Commission 2013d). Then, summer 2013, the Commission arranged a hearing/consultation on the proposed targets, where it received 557 responses from stakeholders like NGOs, trade unions, industry associations, companies, member states, local authorities, academia, think tanks, other institutions and members of the public (Commission 2013c, 2014i, 9). This gives an indication of the importance of the targets and the ensuing legislation for stakeholders, as well as of potentially wide-ranging consequences of the targets. This was also mentioned by interviewees: ‘[...] There are so many stakeholders that are active. It’s unbelievable, compared to any other legislative proposal’ (interview Statnett 2014a). The process culminated in a high-level stakeholder conference arranged by the Commission in summer 2013 (Commission 2013e). There stakeholders discussed several options regarding structure of the targets, means of implementing them, and reform of the existing strategies and tools. Among the issues discussed was reform of EU ETS, EU’s flagship policy for decreasing GHG emissions, as it long had suffered from very low ETS quota prices and no longer functioned as a strong incentive for getting industries to pollute less (for discussion of policy options, see Höhne et al. 2013, Geden and Fischer 2014, 16, Hermann et al. 2014 and Spencer et al. 2014, 7–12).

### 5.1 The Green Growth Group argues for higher ambitions

Several groups of stakeholders seem to have joined forces during 2013. A total of 13 environment and energy *ministers*, including the UK Secretary of State for Energy and Climate, Edward Davey, came together to create momentum for a more environmentally-oriented outcome of the negotiations (Davey 2013). Calling themselves the Green Growth Group<sup>14</sup> (GGG), they authored a joint pamphlet in autumn 2013 (GGG 2013). Davey himself was sceptical to a binding renewables target, in line with the position taken by his own government, but still signed the group’s statements calling for a binding 27% renewables target at the EU level. Another key GGG issue was strengthening the EU ETS (Davey 2013, UK Government 2014, The Climate Group 2014). In December 2013, a group

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<sup>14</sup> Members of Green Growth Group: Melchior Wathelet, Belgium; Rasmus Helveg Petersen, Denmark; Keit Pentus-Rosimannus, Estonia; Ville Niinistö, Finland; Philippe Martin, France; Sigmar Gabriel, Germany; Barbara Hendricks, Germany; Gianluca Galletti, Italy; Wilma Mansveld, the Netherlands; Jorge Moreira da Silva, Portugal; Dejan Židan, Slovenia; Miguel Arias Cañete, Spain; Lena Ek, Sweden; and Edward Davey, the United Kingdom. Later, the environment minister of non-EU member Norway, Tine Sundtoft, also joined.

of environment and energy ministers from Austria, Belgium, Denmark, France, Germany, Ireland, Italy and Portugal, most belonging to the GGG, sent a letter to the Commission demanding a binding renewables target as a part of the targets proposed (Mitterlehner et al. 2013, Keating 2014a). In spring 2014, the GGG argued for a binding target of 40% reduction of GHG emissions, a binding renewables target of at least 27% of energy consumption from renewable sources at the European level, and an efficiency target as a part of the 2030 framework (GGG 2014). That summer, several of the members wrote a letter requesting an ambitious and binding target regarding energy efficiency (Wathelet et al. 2014). The views of the Green Growth Group are not identical with the positions held by the ministers national governments, although there is overlap in several cases.<sup>15</sup>

A group of member states, in this report labelled the ‘Ambitious Group of Member States’ argued for three mutually reinforcing, binding and ambitious targets.<sup>16</sup> The Ambitious Group of Member States consisted of Austria, Belgium, Denmark, Germany, Ireland, Luxembourg, Portugal and Sweden. The members did not cooperate formally as did the Visegrad+ Group. They met *ad hoc* and thus had a loose form of collaboration with each other (interviews BEE 2014a, EREF 2014a and EWEA 2015). In fact, this group was formed somewhat late in the process (interview EWEA 2014). Denmark, Germany, Luxembourg and Sweden supported a target of at least 30% renewable energy, and Portugal even a 40% renewables target, during the 2014 negotiations (DMCEB 2013, Council 2014b, Diekman and Schultz 2014, *Die Zeit* 2014b, Greenpeace 2014d). Germany and Denmark were deemed particularly important here (interviews Eurelectric 2014b, FoE 2014), and Germany was the leader of the group (interview EWEA 2015). These ‘green’ countries were also targeted by the Broad Green Community<sup>17</sup> to create an alliance of green countries; they met with representatives of the renewables industry prior to the Council meetings in March and in October 2014 (interview EWEA 2015).

These ‘green’ countries generally hold positive views on renewable energy and have implemented ambitious policies to increase their renewables shares in recent decades. Some of them also have very ambitious energy efficiency policies in an international perspective. Moreover, several, like Germany, France and Denmark, have been deeply ambivalent or very negative to nuclear energy and shale gas, and have implemented policies to reduce coal use significantly and increase the production of renewable energy<sup>18</sup> (see Austrian Government 2013, Patel

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<sup>15</sup> For example, although Green Growth Group argued for an EU-wide binding target of 27% renewable energy, the UK official position was that there should only be one target, for reduction of greenhouse gases. Germany, Denmark, Portugal and Luxembourg officially argued for a renewables target higher than 27%.

<sup>16</sup> ‘Green’ here denotes to the member states expressed levels of ambitiousness in their argumentation for the targets. Thus, a member state arguing for high and binding multiple targets with an at least formulation included, would count as being ambitious. This label might be viewed as controversial.

<sup>17</sup> The Broad Green Community will be described extensively in Chapter 6.

<sup>18</sup> See for example Table 2a and Table 2b.

and Viscusi 2013, DEA 2014, Eikeland 2014, *EurActiv* 2014g, REN21 2014). After a change in government in autumn 2014, and now with an environment minister from the Green Party, Åsa Romson, Sweden's 2030 position changed to become the most ambitious among all the member states: 50% GHG emissions reduction, 40% renewable energy and 30% energy efficiency (Miljö- och energidepartementet and Romson 2014).

## 5.2 The Parliament as a pusher for sustainability

Two committees were responsible for the 2030 targets in the European Parliament: the Committee on Transport, Research and Energy (ITRE) and the Committee on the Environment, Public Health and Food Safety (ENVI) (Parliament 2014b). Thus, the 2030 case had two rapporteurs, one from each committee: Anne Delvaux (Group of the European People's Party (EPP), Belgium, ENVI), and Konrad Szymański (European Conservatives and Reformists Group (ECR), Poland, ITRE). During autumn 2013, the members of the European Parliament (MEPs) and their assistants worked hard to draft an initiative report aimed at pushing the Commission in a greener direction (ITRE and ENVI 2013, interview EPP 2014). This report was especially the result of strong engagement from MEPs connected to the European Forum for Renewable Energy Sources (EUFORES) network and other MEPs who were active on the 'green side' (interviews ALDE and EPP 2014).

On 9 January 2014, the ITRE and ENVI Committees in the European Parliament voted in favour of three binding climate and energy targets: 40% GHG emissions reduction, a 30% share of renewable energy, and 40% improvement in energy efficiency (see *EurActiv* 2014m). They also launched the abovementioned initiative report, which stated that the targets should be ambitious and mutually reinforcing. The aim was to put pressure on the Commission to be more ambitious in its proposals for new climate and energy policies (interview EPP 2014, Parliament et al. 2014). To gain support for the report and a parliamentary majority for ambitious and binding targets, the 'green-minded' politicians worked hard to find supporters within the various party groups (interview ALDE 2014). On 5 February, the European Parliament plenary voted on the 2030 framework and adopted the text on the 2030 targets. In this text, the Commission was also requested to put forward binding targets for electricity grid interconnection in the 2030 framework (Parliament 2014a, clause 103). The result was in favour of a GHG reduction target of at least 40%, a nationally binding renewables target of at least 30% of energy consumption and an energy efficiency target of 40% (Parliament 2014b, 470–471).

## 5.3 The Commission proposal of 22 January 2014

There was considerable speculation as to what the Commission would propose as headline targets for the 2030 framework. The Commissioners and member states were apparently split regarding the targets (Harvey 2014). The Commission issued its proposal very close to the launching

event of 22 January for interservice consultation<sup>19</sup> and added measures for protection against ‘leakage,’ because of the high stakes involved. Documents are known to have been leaked in the EU system, especially during such interservice consultations. Interviewees confirmed that draft EU documents formulating policies under discussion often end up on the tables of stakeholders (interest groups etc.) whether intentionally or not. Proposals may be sent out as ‘trial balloons’ before they are launched in order to see how stakeholders react (interviews Energy Norway 2014, Eurelectric 2014b and FuelsEurope 2014).

Yes, it’s very rare that genuine secrecy is kept. I will give you an example. *All* Commission proposals are leaked ahead of time, and you know, it’s a method. It’s the way the Commission is testing responses (interview Eurelectric 2014b).

On 22 January 2014, Energy Commissioner Oettinger, Climate Commissioner Hedegaard and Commission President Barroso finally issued a Communication proposing the headline targets to guide EU’s climate and energy policy from 2020 until 2030. Some of the formulations, such as ‘at least’ and ‘binding’ for renewable energy, were added at the last minute, allegedly after pressure from Germany and others (interviews BEE 2014a, Energy Norway 2014, Eurelectric 2014b, FoE 2014, FuelsEurope 2014 and Greenpeace 2014). The proposed targets were as follows: a reduction of GHG emissions by at least 40%, an EU-wide binding target for renewable energy of at least 27% share of total EU energy consumption, and with higher ambitions in EU’s energy efficiency policies. The actual target for energy efficiency was left until the summer and the planned communication on the progress towards the 2020 energy efficiency target. The 2030 proposal also mentioned reform of the EU ETS through the establishment of a market stability reserve (MSR) and increasing the number of quotas to be taken out of the market every year: ‘backloading’ (Commission 2014j, m). A tool to achieve the new targets would be the *new governance system*, which was not defined and was thus up for further discussion (Commission 2014j). Also mentioned in the Communication were key EU priorities such as improved energy market integration, promotion of security of energy supply and complementary policies.

Reducing GHG emissions by 40% was the lowest possible figure for remaining within a trajectory toward the EU’s long-term target of 80–95% reduction of GHG emissions by 2050. It was harshly criticised by the environmental NGOs, the renewables industry, and several other groups and organisations (interviews ECF 2014, EREF 2014a and FoE 2014). Since these groups worked together, they are in this report called the Broad Green Community. The proposed renewables target would, in its legal aspects, represent a weakening from the previous target in the first Climate and Energy Package, which had been binding on the member state level and thus obliged the individual member states to increase their renewables shares individually (Council and Parliament 2009a). As the EU has neither funding for large-scale investment in

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<sup>19</sup> Consultation with the various Commission Directorates-Generals (DGs) on the issues before a policy is launched.



renewables, nor land, legislative authority or enforcement procedures to ensure that the 27% target is achieved, it remains far from obvious how this target is to be attained. Regionalisation,<sup>20</sup> with member states cooperating with neighbours to achieve increased production of renewable energy, is one possibility (interview Statnett 2014a). Commission President Barroso remarked that the member states were free to set their own and more ambitious targets (*Süddeutsche Zeitung* 2014)

The EU-wide target could be viewed as a compromise where member states that wanted to continue with their ambitious policies, like Germany, Denmark and Sweden, could do so, while others could choose a slower pace (interview Eurelectric 2014a). Friends of the Earth (FoE) also interpreted the renewables target as a Commission compromise for striking a balance between the ambitious and the less ambitious member states as regards renewable energy:

I think the Commission just felt it was simpler just NOT to propose a [nationally binding] renewables target, and the countries who are particularly motivated by the renewables, will continue to do so anyway. And the others will do what they want (interview FoE 2014).

The Communication was harshly criticised by the Broad Green Community (interviews ECF 2014, EREF 2014a and FoE 2014). This will be described in greater detail in 6.2.5.

#### 5.4 One overarching target, or three?

The Commission aims to launch science-based policies, and policies that can lead to improved welfare in Europe. The Commission's own impact assessment, which accompanied the 2030 Communication, implied that a triptych approach with targets on renewable energy and energy efficiency would have a positive long-term effect on overall EU GDP growth, whereas a single GHG target would impact negatively (Commission 2014i). Thus, there seemed to be little connection between the proposed targets in the Communication and the Commission's own calculations about what would benefit the EU in general, as shown in various Commission reports. This was also harshly criticised by the environmental NGOs and the renewables industry (see EREC 2014b, *EurActiv* 2014d, Riley 2014). EREF (interview 2014a) remarked: 'Unless they get the targets right and have three [nationally binding] targets again, with renewables and energy efficiency, it is a stillborn child.'

And the proposal, in fact, doesn't take the blindest bit of notice of the evidence. These three reports, the Cost of Energy [Energy prices and costs in Europe (Commission 2014d)], the competitiveness study [by DG Ecfm (see Neslen 2014a)] and the Impact Assessment [to the 2030 Communication (Commission 2014i)].

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<sup>20</sup> Regionalisation seems to have popped up as a new buzzword in the EU discourse, and may have several implications, including regional cooperation in policy planning, joint regional projects support schemes, setting renewable energy targets at the regional levels, monitoring of the renewable energy targets at the regional level and regional cooperation at the subnational level (see discussion in Gephart et al. 2015).

You get the impression that these three documents don't exist (interview EWEA 2014).

The discrepancy between the targets proposed and the implicit recommendations of the impact assessment could be due to several factors. For instance, the Commission must try to balance many concerns in launching policy proposals, and will therefore aim to propose legislation acceptable to all the member states. This was mentioned in some of the interviews:

Clearly, when a proposal comes, there are lots of consultations going on, and Oettinger talks to the Germans, to the French, to everyone, ... 'is that possible?' 'is that possible?' To avoid having the proposal killed immediately the day after, he tries to ensure that he has people on board (interview Eurelectric 2014a).

Research offers no simple answers to what legislation might be the most efficient for achieving the overarching climate and energy goals. The topic is highly contentious in academic and in mainstream debates. A 'one target–one tool approach,' i.e. that the only target should be one for reducing GHG emissions, and the tool to achieve it should be the EU ETS – is favoured in some economic thinking (see Frondel et al. 2010), while other prominent economists point out that, to boost growth in renewables and achieve sustainable energy system transformation, regulatory measures are essential, including stable support mechanisms for renewable energy. According to that view, one single target with only one tool to achieve it is insufficient: what is needed would be three targets with a diverse row of tools (Gross et al. 2012, Grubb et al. 2013, Lehmann and Gawel 2013). Some interviewees also noted the importance of legislation on energy efficiency and renewable energy, while others argued staunchly that carbon pricing should drive improvements in energy efficiency and growth in renewable energy.

There are many other issues involved, and therefore, the reality is that the government does intervene, and therefore it would be better for us to accept that whatever we do, renewables and energy efficiency, as the Commission says, are the 'no-regrets options.' We need to do a lot of them. Therefore, you know, it's more helpful to be up front and say that (interview ALDE 2014).

## 5.5 The Visegrad+ Group

During the negotiations, EU leaders in charge and member state leaders focused on how to get the *Visegrad+ Group* 'on board.' The original *Visegrad* countries – the Czech Republic, Hungary, Poland and Slovakia – had been collaborating on various issues since 1991 (Visegrad Group 2015). In the period leading up to the 2030 climate and energy agreement, they were joined by Romania, Bulgaria and Croatia, forming the Visegrad+ Group, led by Poland. The Visegrad+ Group argued that, given their economic situation and low capacity for implementing what they saw as costly and burdensome measures that potentially could lead to carbon leakage, there should only be one EU target, for reduction of GHG emissions (CEE Bankwatch Network 2014, Council 2014a, Van Rensen 2014a, Visegrad Group 2014a, b, c). Moreover, the Czech Republic and Romania originally argued that targets should be set only in

the case of a global agreement at the Paris Protocol meeting in December 2015, and Poland held that a framework should not be agreed upon until 2015 at the earliest (Commission 2013b, 2). Throughout the negotiations and until the final Council summit in October 2014, the Visegrad+ Group threatened to veto the framework. Croatia, however, did not sign the last joint statement issued by the group, which may indicate that it no longer agreed with the group's positions (Visegrad Group 2014b). That members of this group were critical to ambitious climate and energy policies was nothing new. Poland, for instance, had been discussing and criticising EU climate and energy policies staunchly for years, and had vetoed earlier EU decisions and initiatives such as the Roadmap 2050 (see Keating 2012).

### **5.6 The third Russia–Ukraine crisis: From competitiveness focus to energy security discourse in the EU**

After the economic crisis had left its mark, much of the public discourse had concentrated on whether ambitious EU climate and energy policies were affordable, and what such policies could do to competitiveness. This changed with the third Russia–Ukraine crisis, and energy security became a main issue (interviews ALDE 2014, CAN 2014, CoE, 2014, DG Energy 2014a, ECF 2014, Eurogas 2014, Eurelectric 2014a, FuelsEurope 2014, Greenpeace 2014 and The Brussels Office 2014). The crisis had a considerable impact on EU policies, not least climate and energy policies, in 2014. After the Ukrainian population had ousted the Russia-friendly President Yanukovich, Russia cancelled the advantageous gas-purchasing contracts, and demanded 'market prices' for the gas it/Gazprom sold to Ukraine. Importantly, about a third of the gas consumed in the EU is transported by pipelines through the Ukraine. Earlier, Russia twice stopped gas exports to Ukraine, negatively affecting also EU member states. Moreover, some Southern and Eastern European countries are heavily dependent on import of Russian gas, and several of the gas pipelines to these countries pass through Ukraine. Therefore, the crisis put European energy supply security on the top of the agenda of the EU and member state leaders (Commission 2014f).

The third Russia–Ukraine crisis escalated after Russia's annexation of the Ukrainian peninsula of Crimea in February 2014. Tensions between Russia and the Western countries were further aggravated by the shooting down of the passenger airplane Malaysia Airlines MH17 in July, attributed to Russian troop missile launchers (see Parfitt 2015), and with the confirmation that Russian troops fighting within Ukrainian borders 2014 (see CBS 2014). EU and national leaders implemented measures that enable gas to be sent through new transit routes, '*reverse flows*,' so that Ukraine and EU member states dependent on imports of Russian gas would have access in the case of a Russian export halt.

[...] Reverse flows and multi-dimensionality if you will, that was not in place in 2009. So it's a bit of a different scenario, more positive for Europe, than it was in 2009. And Putin is aware of that. And so, that would give him a little bit more hesitation to turn off the valves to Ukraine, because he knows we already are tempted to pit it away from Russian gas, and so if he does that, if he turns it off, he knows he will give more reason for the Commis-

sion to just say, 'ok, no more gas,' thinking 5–10 years (interview Eurogas 2014).

To retaliate for the Russian invasion and annexation, the EU member states, the USA and other Western countries gradually imposed heavier targeted sanctions, with negative impacts on the Russian economy. In return, Russia implemented countersanctions on those countries, to the frustration of European businesses with important export markets in Russia (BBC 2014a, European Union 2015b). US leaders, EU leaders and national political leaders engaged in intensive diplomatic talks with Russian and Ukrainian leaders to resolve the various issues that were emerging, not least the war in Eastern Ukraine (*EurActiv* 2014o). Particularly Putin's long-term objectives were the topic of considerable discussion and worry. From June until December 2014, Russia no longer exported gas to Ukraine, allegedly because Ukraine refused to pay the higher prices that Russia was demanding (BBC 2014b).

Both before and after the October agreement on the 2030 framework, the fact that energy security had become paramount was exploited and highlighted by various interest organisations. They lobbied for a range of measures to reduce EU dependency on imports of Russian petroleum. Among the solutions advocated were exploitation of shale gas (OGP 2014, Reuters 2014), reduction of energy demand (CoE 2014), import of gas from new sources in the Mediterranean (Ellinas 2014), expansion of gas transport architecture and greater domestic production of renewable energy (Fouquet 2014, Greenpeace 2014b, Ydersbond and Sveen 2014a).

Well, obviously, it's a huge opportunity for energy efficiency. I think it's the, it's been something that we have always thought about as one of the benefits of energy efficiency, like reduce greenhouse gas emissions, economic growth, jobs, improving energy security. It has always been one of the things. And now, it's suddenly *the big* [thing] (interview CoE 2014).

The energy security aspect also seems to have played into the attitudes of the MEPs. It made them more aware of what ambitious climate and energy policies could mean for energy security, thus constituting a 'window of opportunity.' In the 5 February 2014 vote on the Parliament's position, the proposal of the Parliament was supported by 341 to 263 votes, i.e. of 56.5% to 44.5% (Milevska 2014).

[...] particularly energy security, ...has meant that some members on the right of the Parliament who were not perhaps so interested in climate change do understand the importance of energy efficiency for energy security. And therefore, they were more open to vote on something ambitious for energy efficiency than they would... there were a number of votes that we won in the Parliament that a couple of years earlier we probably would have lost (interview ALDE 2014).

The EU member states had been expected to agree on the headline targets for 2030 in the 19 March meeting of the Council. With the crisis escalating in Ukraine, energy security and geopolitical issues came to top the meeting agenda (Council 2014e), and the Council requested the Commission to launch an energy security strategy for the EU. The fact

that the Visegrad+ countries were deeply critical to the proposed targets (see Visegrad Group 2014b) probably also contributed to delaying the decision, as several issues remained to be sorted out before approval in the Council could be gained on the new framework. Thus, the 2030 framework decision was postponed to the Council meeting to be held in October 2014 (Council 2014e).

June 2014, the Commission launched the comprehensive European Energy Security Strategy (EESS), with short-, mid- and long-term strategies for dealing with the situation where several Eastern and Southern European countries were heavily dependent on Russian gas and the fact that the EU's annual fuel bill amounted to more than 400 billion euros (Commission 2014f). This energy security strategy was connected to the 2030 climate and energy framework:

The Union's energy security is inseparable from the 2030 framework for climate and energy and should be agreed together by the European Council. The transition to a competitive, low-carbon economy will reduce the use of imported fossil fuels by moderating energy demand and exploiting renewable and other indigenous sources of energy (Commission 2014f, 19).

The EESS noted that energy security could be improved by faster implementation of projects for better gas and electricity grid interconnection in Southern and Eastern Europe. In addition, the EESS proposed that the old target for grid interconnection of 10% should be followed by a target of 15% interconnection by 2030 (Commission 2014f, 10). It also mentioned moderating energy demand to enhance energy efficiency, improving the functioning of the internal energy market and increasing energy production within the EU's borders (Commission 2014f). The impact assessment following the EESS was heavily criticised by actors in the Broad Green Community for its way of counting the energy savings potential when/if a target of 40% energy efficiency were attained (WWF 2014). In addition, members of this community criticised for the minor role the Commission allocated to renewables as against gas.

But again, we have asked them to take this crisis of supply security as a chance to increase the instruments for increasing deployment of renewables. I don't see this echoed anywhere. So far, there are quite a few journalists who have taken that up. I can't find anything in the Commission's communications, formal and informal where they seem to accept this link (interview BEE 2014a).

As in the case with the earlier crisis, the third Russia–Ukraine crisis seems to have spurred institutional innovation in the EU. In spring 2014, Polish Prime Minister Donald Tusk proposed an Energy Union for common purchasing of gas, to reduce the market power of Russian suppliers, in particular the largest company Gazprom, with its close ties to the Russian government (Tusk 2014). EU has sought to become less dependent on import from single suppliers, ever since the gas-supply crises in winter 2006/2007 and 2009, which also pushed energy security to the top of the EU and European agendas. Political leaders in the member states, commission officials and analysts argued that Russia uses gas as a geopolitical tool: Companies from member states friendly to Russian policies have been granted lower prices for gas in their supply

contracts than companies from other member states. The Energy Union idea was taken up by the newly elected Commission President Jean-Claude Juncker, who used the concept to establish a new body/five-year project for coordination of all issues in EU climate and energy policy when he reorganised the Commission in autumn 2014. The Energy Union is led by Commission Vice President Maroš Šefčovič (Commission 2015d).

### **5.7 The Energy Efficiency Communication Summer 2014**

The Russia–Ukraine crisis also played a major role in the debate on the energy efficiency target to be proposed in summer 2014. A large-scale lobbying campaign was conducted to make the energy efficiency target more ambitious (interview CoE 2014). Several participants pointed out that improved energy efficiency would serve to lower demand for gas and thus raise energy-supply security in the EU. The summer 2014 hearing on energy efficiency received 733 responses, a rather large number. Ministers in the Green Growth Group asked for binding energy efficiency targets (Wathelet et al. 2014). In July, the Commission proposed an energy efficiency target of 30%. The ambition level of the target was influenced by the Russia–Ukraine crisis. Achieving a 40% reduction in GHG emissions would require only a 25–27% improvement in energy efficiency. Higher ambitions in the form of, for instance, more energy-efficient buildings would reduce demand for Russian gas, since a large proportion of the imported gas is used for heating (Commission 2014a). Thus, energy efficiency improvements like reducing the need for heating would make several countries less dependent on gas imports: [...] ‘every additional 1% in energy savings cuts gas imports by 2.6%’ (Commission 2014a, 15). Also interviewees saw the proposed target for energy efficiency as being heavily influenced by the Russia–Ukraine crisis.

[...] the Commission said ‘25% is cost-effective, but we will propose 30% in light of the developments regarding security, because the Ukraine crisis played into this, so, if we push further we can further reduce our import dependency’ (interview Eurelectric 2014c).

This very accurately describes of some core points of the energy efficiency communication:

The Commission's Communication on a 2030 policy framework for climate and energy identified a level of energy savings of 25% as part of a strategy to deliver the 40% greenhouse gas emission reduction target in the most cost-effective manner. However, given the increased relevance of bolstering EU energy security and reducing the Union's import dependency, the Commission considers it appropriate to propose a higher target of 30%. This would increase the costs of the 2030 Framework by €20 billion per annum but would still deliver tangible economic and energy security benefits (Commission 2014a, 17).

### **5.8 Final framework negotiations**

There was no certainty that the targets would in fact be agreed upon at the Council's October meeting, given their controversial nature and because

unanimity had developed as the expected decision-making procedure. As commented by CAN (interview 2014): ‘But, it’s very challenging on these extremely complicated files [issues] to make all 28 countries to fully agree. And that’s what makes it extra difficult.’ The Commission and member state negotiators/diplomats were still working hard to forge a compromise four weeks prior to the Council meeting (Davenport 2014). At the last preparatory meeting between the energy and environment ministers, two topics were of overarching importance, and probably reflected the major remaining conflicts among the member states: enhanced electricity grid interconnection, and the implementation of new EU climate and energy policies in the less wealthy member states (Italian EU Presidency 2014). Some three to four weeks prior to the meeting, the Visegrad+ countries vehemently opposed legally binding targets for renewable energy and energy efficiency (Visegrad Group 2014b). Two weeks before the final decision, the German Chancellor Angela Merkel and Danish Foreign Minister Martin Lidegaard stated that there was a chance of not reaching an agreement at the meeting (Darby 2014a, Keating 2014b). Until the last week, the Visegrad+ Group, led by Poland, threatened to veto the final agreement, so as to get concessions from the other member states (Cienski 2014, *EurActiv* 2014n, Goettig and Hardy 2014). Also late in the process, there were apparently heated discussions within the Commission as well.

The Visegrad+ Group were not the only veto players. Spain and Portugal had long struggled with poor electricity grid interconnection to the main European continent, aggravated by their investments in large-scale expansion of wind and solar power. The Iberian countries threatened to veto the final agreement if the summit did not include enhanced ambitions regarding interconnectivity (Darby 2014a, c, *EurActiv* 2014c, Neslen 2014b). Negotiations with Spain and Portugal continued until the day before the final Council meeting. According to some media, in the end, Poland was the only member state to oppose a 40% GHG emissions target (Darby 2014c). Traynor and Neslen (2014) noted that member state diplomats (‘sherpas’) were still meeting in the afternoon prior to the summit meeting 23 October. However, it seems that the Visegrad+ Group were no longer a unitary bloc by the end of the negotiations (Evans 2014, interviews E3G 2014 and EREF 2014b).

After lengthy negotiations at the October Council meeting, the member states agreed on the legislative framework (Neslen 2014b, Teffer 2014). At the beginning of the meeting, the Heads of Member States determined that unanimity would be the decision-making rule (Crisp 2014), as common in negotiations of this type. This gave potential veto states greater power in later negotiations on implementation measures and when the targets may be revised in 2020 (interviews BEE 2014b and EREF 2014b), and may also reduce the decision-making power of the European Parliament in the co-decision procedure (Crisp 2014). The 2030 climate and energy targets were as follows: a binding target of at least 40% reduction in GHG emissions compared to 1990 levels, and EU-wide binding target of at least 27% renewable energy, an indicative target of at least 27% energy efficiency, minimum 10% interconnection by 2020 and ‘the Commission will also report regularly to the European Council with the objective of arriving at 15% interconnection by 2030.’ There is to be

a review of the energy efficiency target in 2020, with a view to increasing it to 30%. In addition, several other important points were included, among them reform of the EU ETS (Council 2014f). ETS reform would mean increasing the *linear reduction factor* – the amount of quotas to be taken out of the system – from 1.74% to 2.2% every year. The 2030 framework also included a review clause stating that the framework would have to be reconsidered after the global climate negotiations in Paris in December 2015 (Council 2014f). In theory, this should make it possible to reduce the level of ambition in the framework, but Commission officials have stated that this is not an option.

The draft conclusions from the 13 October meeting between the energy and environment ministers show that several phrases were changed from the time of that meeting and the final text (Council 2014g). Main changes:

- 1) the wording ‘at least’ was inserted before the GHG emissions target, to allow for upward adjustment at later stages (point 2 in the final conclusions);
- 2) several formulations about prevention of carbon leakage, protecting competitiveness and ensuring affordable energy prices were added, and also a sentence on avoidance of windfall profits (point 2.4);
- 3) clauses that less wealthy member states, i.e. member states with per capita GDP below 60% of the EU average, would be allowed to allocate free emission allowances to their energy sectors. However, this could not exceed 40% of the total amount of auctioned allowances (point 2.5);
- 4) NER 300<sup>21</sup> will be increased and small-scale projects will also be eligible. The formulation about small-scale projects was new. Henceforth, the reserve was called NER 400 (point 2.6);
- 5) The draft conclusions had proposed that 1–2% of the EU ETS allowances should be in a reserve fund available for member states with less than 60% of EU average GDP per capita; Here, the draft conclusions suggested while the final conclusions were that 2% of the ETS allowances would be allocated to this fund. A formulation to the effect that this fund should be managed by the European Investment Bank (EIB) was changed: the fund was to be managed by the member states, with the EIB involved selecting which projects should receive funding (point 2.7);
- 6) interconnection was included (point 2.8), so that the framework included a clause stating that, to attain solidarity, growth and inter-connection, 10% of the EU ETS allowances should be distributed among member states with less than 90% of EU per capita GDP;
- 7) a clause that there would be no reduction of amount of allowances to be auctioned of the rest of allowances was included (point 2.9);

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<sup>21</sup> NER300, the New Entrants Reserve Fund is a framework programme that funds research on CCS and renewables projects. The capital comes from a percentage of the income from sales in the EU ETS.



- 8) a formulation about a one-off reduction of EU ETS allowances, to be decided before 2020, was included (point 2.12);
- 9) formulations about fossil dependency in transport sectors and of the importance of strengthening a directive on the quality of petrol were included (point 2.13);
- 10) also included was the formulation ‘without preventing Member States from setting their own more ambitious national targets and supporting them, in line with the state aid guidelines, as well as taking into account their degree of integration in the internal energy market’ (Council 2014f, 5) (point 3);
- 11) in the final conclusions, the energy efficiency target was lowered from an indicative target of 30% to an indicative target of 27%, which could be increased to 30% in the scheduled review in 2020;
- 12) mention is made of increasing electricity grid interconnection, under the heading ‘Clauses on achieving a fully integrated and functioning energy market,’ and not under the heading ‘Energy Security’ as in the old document (Council 2014g, f);
- 13) the phrasing of ‘a target of 15% interconnection within 2030’ was changed to: ‘the Commission will also report regularly to the European Council with the objective of arriving at a 15% target by 2030’ (point 4) (Council 2014c, 6).

In the final agreement, the Visegrad+ Group were given several ‘concessions.’ To help them implement the targets without excessively heavy financial expenses, member states with GDP per capita below 60% of the EU average would be allowed to give free allowances to the power sector and obtain access to revenues from the EU ETS to modernise their energy systems and improve energy efficiency. The Effort Sharing Decision (ESD), applying to the non-ETS sectors, would also be distributed according to a GDP/capita measure. This was formally justified by considerations of fairness and solidarity (Council 2014f, 3, 4). EU structural funds would be provided by the EIB and the European Bank for Reconstruction and Development (EBRD) to a range of energy efficiency and renewables projects in the member states, particularly the Eastern ones (Commission 2014e, *EurActiv* 2014a). This will amount to a considerable amount of financial and other support for the Visegrad+ Group, and not the least for Poland (Neslen 2014b). Thus, the new Polish Prime Minister, Ewa Kopacz, declared that Poland had ‘won’ the EU summit (*EurActiv* 2014m) – an interpretation echoed in various media channels.

The fact that the EU will work to finance and push for better interconnection, and also that the interconnection target was included in the final package, was viewed as victory for Portugal and Spain (interviews E3G 2014 and EWEA 2015). Still, the interconnection targets formulated were not very strong: The first target of 10% was created in 2002, originally to be attained by 2010. Now the phrasing was changed to a text where the 10% target was to be achieved by 2020, and that the Commission would give priority to ensuring that this would happen. The second target, interconnection by 2030, was phrased as ‘with the objective of arriving at 15%’ (Council 2014f, 7) – political, and not legally binding.

The negotiating parties could finally heave a collective sigh of relief when the framework negotiations were completed. EU leaders and member state leaders hailed the targets as a major step forward (see Neslen 2014b). French President Hollande called the agreement ‘a compromise’ (AFP-JJI and Bloomberg 2014). The outcome was considered a success for the EU, as the agreement provided both a strategy and obligations that were comparatively ambitious internationally. They lent the EU legitimacy for encouraging others to be ambitious in international climate negotiations. That may have had considerable effect when the state leaders agreed on a new global agreement to mitigate global GHG emissions in Paris at their meeting in December 2015 (UNFCCC 2014):

We have sent a strong signal to other big economies and all other countries: we have done our homework, now we urge you to follow Europe’s example (Climate Commissioner Hedegaard 2014, quoted by Neslen, 2014b).

However, reactions in the interest group community were very mixed. These are described in Chapter 6.

## **5.9 Other prominent climate and energy issues in 2014**

### *5.9.1 The first EU energy and environment state aid guidelines*

EU climate and energy policies are continuously developing, and 2014 was a year of big events in that domain. During spring 2014, the Commission proposed energy and environment state aid guidelines (EEAG), which for the first time included guidelines on support policies for renewable energy, energy efficiency, infrastructure, generation adequacy and CCS (Commission 2014g). Nuclear energy was exempted (Commission 2014g), but the Commission could still launch state aid cases against nuclear projects which they consider to be receiving state aid. These guidelines are regarded as a soft policy instrument because they are not binding (interview EREF 2014b). The first draft of the guidelines left a great many points unclarified (Neslen 2014d). It was harshly criticised by member states like France, Germany and the UK, as well as by interest groups representing the renewables industry and lawyers for providing too strict terms for support of renewable energy, giving exemptions for energy-intensive industries and proposing rules for capacity mechanisms (Clover 2014, EPIA 2014, interview EWEA 2014, interview Statnett 2014a, Neslen 2014c). The renewables industry pointed out that the new guidelines might prevent expansion of renewable energy in precisely the energy systems that functioned best – decentralised energy systems:

So, we also have a clash between centralised supply and decentralised supply, which you see, which is very slick, built in Alumina’s ambush policies in the guidelines [EEAG] to kill those systems on the decentralised level which were the best, the feed-in mechanism, and to implement tendering procedures with an exemption possibility. [...] but in effect, if these guidelines come through, they are amputating the member states’ economic policies to a large extent (interview EREF 2014).

After the feedback round, the Commission issued the final text, which included exemptions from the guidelines for small-scale renewable

energy facilities such as solar photovoltaic panels, and small-scale wind farms, allegedly after pressure from Germany, among others (Commission 2014g). During these weeks, the affected stakeholders lobbied heavily, and that may have had a major impact on the final guidelines. EWEA viewed the changes in the final guidelines as a significant lobby victory for the renewables industry, and not the least as a result of EWEA's lobbying (interview EWEA 2014, follow up communication with EWEA 2015), although the organisation was very dissatisfied with the outcome (EWEA 2014a).

It seemed somewhat unclear what the consequences/impact of the guidelines would be when implemented. Jacobs (2015, 123) notes that the final EEAG *de facto* allows member states to achieve similar investment security as through feed-in tariffs by letting member states implement floating premiums to support renewable energy. Germany, often a powerful actor in EU climate and energy policy, was, according to EREF (interview 2014b), weakened by the domestic debates on state aid guidelines. Some analysts hold that Germany had designed its own new support system for renewable energy, implemented summer 2014, to be in line with the state aid guidelines (see also Clover 2014, Eikeland 2014). However, this German reform had been planned long before the EEAG were launched.

As expected, some stakeholders welcomed the new energy and environment state aid guidelines – for example, parts of the power sector like Eurelectric, which had lobbied for such guidelines for years (Eurelectric 2014a, interview Eurelectric 2014a). Eurelectric was generally satisfied with the outcome, but pointed out that most solar photovoltaic panels in Germany would fall below the threshold and thus be exempted, and that the exemptions would make the guidelines less efficient (Eurelectric 2014c, interview Eurelectric 2014a). Other stakeholders were extremely sceptical. The renewables industry was deeply disappointed, as they felt that the state aid guidelines discriminated against small-scale producers of renewable energy (EPIA 2014).<sup>22</sup> In the same vein, EWEA criticised the guidelines for limiting and removing support to renewable technologies that did not compete fairly with other technologies (EWEA 2014a). The same was the case for Greenpeace, which long had been lobbying for strong support mechanisms for renewable energy at the member state and the EU level; the new guidelines might halt the expansion of renewable energy by requiring changes in well-functioning national support mechanisms:

And that's where we are quite disappointed with the state aid guidelines yesterday, because they are really pushing a lot of renewables into the sort of feed-in premium market, which may or may not work. A technology may or may not be ready for it (interview Greenpeace 2014).

The EEAG process stands as a clear example of the tug-of-war about legal competence in energy and climate policy between the member

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<sup>22</sup> The European Photovoltaic Industry Association (EPIA) in 2015 changed its name to SolarPower Europe.

states and the Commission. According to Article 194 of the Lisbon Treaty, member states have national competence over their domestic energy mix (Council and EU 2007). Still, EU legislation on the internal energy market, such as the EEAG, might influence this energy mix, thereby limiting this national right. This was also pointed out by interviewees:

But then, with the state aid guidelines, we can see that they used their competence in competition policy to just propose these guidelines that are actually impacting the member states' competence on energy mixes, *a lot*. So, it's *very* conflicting in a way. It's just extremely difficult to build a common energy policy if security of supply and energy mix is still a national competence, because you need to have some harmonisation of these things if you want to achieve the three big objectives like sustainability, security of supply and competitiveness (interview Statnett 2014a).

### 5.9.2 *The Åland case*

Interesting in regard to EU competition policy principles vs EU climate and energy policy principles is the *Åland case* (in full: *Ålands Vindkraft AB vs Energimyndigheten*, case C-573/12). On 1 July 2014, the European Court of Justice (ECJ, since 2015: Court of Justice of the European Union, CJEU) delivered its ruling in the *Åland case* on renewables subsidies (CJEU 2014). This legal case made the power industry in Europe hold its breath (interview Statnett 2014b). The background was that, having installed wind turbines that also contributed to export of electricity to Sweden, a power company on the Finnish island-territory of Åland went to the Swedish court after its application for receiving Swedish support through the Swedish-Norwegian certificate system was turned down by the Swedish Energy Authority (*Energimyndigheten*). The Swedish regional court referred the case to the ECJ, on the grounds that if the company won, that would imply that national support mechanisms for renewable energy would be open for all applicants across Europe. That in turn would threaten the national expansion of renewable energy production and thus also the achievement of reducing of GHG emissions in the shorter and longer term. Which member state would launch support mechanisms for renewable energy infrastructure that would be placed in other countries? The ECJ ruled that it was legal to reserve national support mechanisms for national power producers, and that national support systems for renewable energy could thus prevail (CJEU 2014, Sveen 2014, Ydersbond and Sveen 2014b).

### 5.9.3 *Hinkley Point C*

Moreover, considerable controversy has surrounded the Hinkley Point C power plant, a new nuclear reactor that the UK government has planned to subsidise heavily so as to increase the amount of baseload capacity<sup>23</sup> in the British electricity market. DG Competition first signalled that this funding would be a violation of EU competition rules, and then made an

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<sup>23</sup> Base load capacity: production capacity from a power production facility that can provide the system with electricity that covers a minimum demand.

about-face half a year later (see Van Renssen 2014c), permitting it on the condition that the UK provided some justifications for the planned support scheme (Commission 2014n). This U-turn on the part of DG Competition was probably the result of hard political bargaining. The Hinkley Point C case was important because it gave a hint of the kind of state aid that would be allowed to support nuclear energy in the member states (Van Renssen 2014c). Parts of the European power sector have been deeply negative to the Hinkley Point C project, arguing that such subsidisation of one power producer would be to the detriment of all other producers in the same country and elsewhere, as well as transmission grid companies (interviews Eurelectric 2014a, speaking in a personal capacity and Statnett 2014b).

Hinkley C. is so special, and particular. According to our calculations, in relation to that price, we would have earned 5–6 billion a year. It is similar capacity in such a reactor and a cable. The Brits are of course saying that it is more stable, but it is at a price. And then the length of the contract, and that they will give the Chinese full access. That would never have happened ten years ago, right? And *everything* [the expenses] is guaranteed by Prime Minister Cameron (interview Statnett 2014b, own translation from Norwegian).<sup>24</sup>

As of early 2016, it seems that this grandiose project will be started despite massive difficulties in recent years. One of the companies intended to be responsible for construction, Areva, has not performed well economically. Nuclear projects generally struggle in obtaining financing loans (interview EREF 2014b). In addition, a German energy collective, Greenpeace energy, threatened to take the Commission to the CJEU for allowing such state aid, to get the project annulled (*EurActiv* 2015a). Austria has referred the case to the CJEU as an instance of illegal state aid (Gosden 2015). Several interconnectors are planned between the UK and the neighbouring countries (INEA 2014), which may reduce the profitability of the project and reduce the need for greater generating capacity in the UK power market. However, the Chinese government had purchased a part of the plant, and thus, the final investment decision was expected to happen by the end of 2015, but was delayed by EDF in the beginning of 2016 (Farrel and Macalister 2015, *World Nuclear News* 2015, *World Nuclear News* 2016).

#### 5.9.4 Completion of the Internal Energy Market

The Heads of State had decided that the member states were to achieve a common internal energy market for electricity and gas (IEM) by 2014, with no ‘energy islands’<sup>25</sup> left in the EU by 2015. The aim of this IEM is that energy should have competitive prices, it should be secure, and it should be sustainable. A prerequisite for achieving this is improving gas and electricity grid interconnection within and between the member states. The target of competitive pricing of electricity did not seem to be

<sup>24</sup> Original quote are presented in an appendix.

<sup>25</sup> Defined as country with less than 10% interconnection capacity to its neighbouring countries.

fully attained, as wholesale electricity prices on average had dropped significantly, while retail prices increased because of taxes and levies (Commission 2014d). Electricity and gas grids were developed and the situation had been improved, so that the energy systems were more stable than earlier. Still, there remained several electricity islands in Europe, including the Iberian Peninsula, the Baltic States, Ireland and the UK. By 2014, most transmission system operators (TSOs) in Europe had complied with the requirements of the Third Energy Package as to unbundling. Binding European rules for how agreements should be made, Network Codes (NC), were increasingly developed and implemented. In February 2014, 14 member states launched day-ahead market coupling for better management of cross-border flows of electricity, later to be joined by Spain and Portugal in May 2014. The Agency for the Cooperation of Energy Regulators (ACER) has become a respected EU agency. There is still ample room for increased and improved communication: the European Network of Transmission System Operators for Electricity (ENTSO-E) and European Network of Transmission System Operators for Gas (ENTSO-G) will need to cooperate more with ACER in the future (Commission 2014l).

## 6 Political positions and lobbying strategies

Before and during 2013 and 2014, various member states, interest groups, companies, ministers and others gathered to coordinate their political positions and increase their political leverage for the negotiations that came. The following overview in this chapter describes some of the most important alliances, presenting the member states' positions, then the positions among the interest group community and other private stakeholders and some of their lobbying strategies. Third, the political positions in the Parliament and the Commission are described and discussed.

Stakeholders opinions were (and still are) based on differing world views and were divided on all aspects related to the proposed targets and how the new legislation should be formulated and implemented – all very controversial. Four examples in case: a) should the new legislation have one headline target for GHG emissions reduction versus three targets, including also targets for renewable energy and energy efficiency? b) How high should the targets be set? c) Should they be binding? In that case, should they be binding at the EU, member state or sectorial level? d) 'At least' formulations (or similar) enabling upward adjustments at later stages (interviews ALDE 2014, BEE 2014, BusinessEurope 2014, CoE 2014, DG Energy 2014a, Eurelectric 2014a,b,c, FoE 2014 and FuelsEurope 2014). Other topics discussed by stakeholders included revision of the EU ETS and enhanced electricity grid interconnection between member states. Interviewees differed in their views on which of the targets were the most contentious and what were the most contentious topics on the whole (interviews Eurelectric 2014b, Eurogas 2014, FoE 2014, FuelsEurope 2014 and Greenpeace 2014).

There was hectic lobbying throughout the negotiation period: a great many stakeholders, including key member states, seem to have placed main emphasis on influencing how the targets were formulated. Interviews and documentation such as position papers and organisations' own web pages demonstrate extremely hard and extensive lobbying from many involved groups. They used the whole range of lobbying strategies, including: media interaction; issuing position papers, hearing statements and press releases; arranging meetings with MEPs, permanent representations of member states and staff in the Commission at the different levels; arranging events; publishing reports to substantiate their own views; and participation in working groups.<sup>26</sup> Their activity and attention foci depended on where in the process the legislation was, as usual.

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<sup>26</sup> For more extensive overview of the lobbying strategies of some of the involved business associations, see Fagan-Watson et al. (2015a).

## 6.1 Political positions: largest member states

### 6.1.1 Germany

The German government found that the Commission's proposal of 22 January 2014 was in essence positive: 'pointing in the right direction' (Council 2014b, 8). German negotiators argued strongly for three targets: a GHG emissions reduction target of at least 40%, a binding EU-level target for renewable energy of 30% of gross final energy consumption and a binding 30% target for increasing energy efficiency. To achieve renewables growth as set out in the EU-level target, each member state should make 'a fair and reliable contribution towards achieving the target' (Council 2014b, 9). However, according to Diekman and Schultz (2014), in reality the German government favoured a binding renewable energy target, to be implemented at the national level. The new EU framework should support member states that have ambitious national policies on renewable energy and allow them to implement national measures to achieve their aims. Energy efficiency was seen as important for several reasons, including attaining climate and energy goals, reducing the costs of energy and import dependency, and also making the economy more competitive. The German government also emphasised that energy-intensive industries should not become less competitive internationally, and that carbon leakage was to be avoided. ETS reform, including a market stability reserve (MSR) was welcomed (Council 2014b). The German ministries in charge of climate and energy were politically aligned (BMW<sub>i</sub> and BUNBR 2014).

At the national level, the aim of the German authorities is to transform its energy system to a sustainable standard through a policy/political concept known as the *Energiewende*, the Energy Concept, which enjoys wide popular backing (BEE 2013, Morris 2015a, Wyman 2015). *Energiewende* policies are aimed at creating a far more sustainable profile in energy production and energy consumption through large-scale expansion of renewable energy and implementation of energy efficiency policies (BMW<sub>i</sub> 2014). In the wake of the Fukushima nuclear plant melt-down, the German government decided that *all* electricity production from nuclear energy would be phased out by 2022. Further, by 2050, 80% of electricity consumption and 60% of gross final energy consumption is to be from renewable energy sources. Germany wants to mitigate GHG emissions by 80–95% in the same period (German Government 2010). Shale gas is very controversial, as is carbon capture and storage (see Jung 2011, Inderberg and Wettestad 2015). The government has opened up for scientific exploration of shale gas at 3000m depth, provided that environmental standards have been fulfilled and that the *Länder* (federal states) agree (Morris 2015b, Neslen 2015b). Production of renewable electricity has been expanding rapidly in recent years (Agentur für Erneuerbare Energien 2015), resulting in 34% of net electricity generation in the first half of 2015, and ending up at about 35% of net electricity production in 2015 (Burger 2015, 2016). Also, energy efficiency has increased substantially (Heinrich Böll Stiftung 2015).

German industries were not aligned as regards the EU's headline targets. The umbrella organisation of the German industries, Federation of



German Industry (*Bundesverband der Deutschen Industrie*, BDI), warned that a strengthening of the 20-20-20 targets for 2030 would lead to loss of competitiveness and jobs (MEDEF et al. 2014). The German umbrella utilities association, German Association of Energy and Water Industries (*Bundesverband der Energie und Wasserwirtschaft*, BDEW), argued for a binding overarching target of reducing GHG emissions by 40% to achieve cost optimal emissions reductions. Renewable energy should only have a mandatory target at the EU level, and that should be included only if this was to be achieved in a technology-neutral and cost-efficient way at the EU level, and through European policy instruments (BDEW 2013). The German Renewable Energy Federation, the umbrella organisation for the German renewables industry (*Bundesverband Erneuerbare Energie*, BEE), argued for higher targets for GHG emissions reduction than what had been proposed, a renewables target binding at the national level of 45% and a higher energy efficiency target (BEE 2014a). Thus, it was disappointed with the final framework (BEE 2014b). By contrast, the German Coal Industry Federation (*Bundesverband Braunkohle*, DEBRIV), argued that there should be only one target, and only if an international climate agreement could be achieved. In this, they were similar to their European umbrella organisation Euracoal (Euracoal 2013b, DEBRIV 2014).

### 6.1.2 The United Kingdom

The United Kingdom argued for a ‘one target–one tool approach’ where the GHG emissions target should be set at a reduction of 40% that could be increased to 50% if the Paris 2015 summit resulted in an ambitious global agreement. UK argued that having a single GHG emissions target would stimulate achievement of the most cost-effective solutions across the EU. To achieve such a sustainable transformation, the EU ETS would have to be reformed. The 40% target should be communicated to countries around in the world to motivate them to formulate their own climate pledges before the Paris climate conference. If the Paris negotiations should bring an ambitious agreement exceeding the 40%, the EU should get access to international emission credits. The UK emphasised that an EU-level target for renewable energy would be acceptable, but that it should *not* lead to a renewables target at the national level imposed by EU legislation. The proposals for ETS reform were viewed as insufficient, and the UK recommended taking out (cancelling) a large amount of surplus allowances in the ETS market before 2020 (Council 2014d, Vaughan 2014). Whitehall scepticism towards the proposed energy efficiency target was also noted by the media: a 25% target was desired, but a 27% target could be accepted (Neslen 2014b, Schmitz and Schultz 2014). These views were strongly expressed by the UK Secretary of State for Energy and Climate Edward Davey:

We don't need a binding renewables target in 2030. We need the most ambitious greenhouse gas emissions target that we can possibly achieve. That's what you need for the climate change talks, that will drive investment in all low carbon (Wintour and Mason 2014).

Germany and the UK argued that they would prefer an early agreement on the targets, preferably at the Council meeting in March 2014. Both

countries underlined the importance of EU as a leader in the upcoming global climate negotiations in Paris (Council 2014b, d).

The UK government has launched several domestic measures to achieve a sustainable energy system transition. Since the 1990s, a key climate strategy to reduce GHG emissions and other pollution has been replacing coal with gas – the UK ‘dash for gas.’ The UK Climate Change Act of 2008 requires emissions reductions of 80% compared to 1990 levels, by 2050. To achieve this, the UK must create five-year carbon budgets that set a cap on how much can be emitted (Committee on Climate Change 2015). The UK has also opted for extraction of shale gas domestically, to bolster energy-supply security, stimulate economic growth and create jobs (UK Coal Authority and UK Department of Energy & Climate Change 2015). CCS is regarded as necessary, so the UK intends to develop capacity in the coming years and decades (Department of Energy & Climate Change 2015, Inderberg and Wettestad 2015). As noted, the UK also aims at greater use of nuclear power through the construction of a new nuclear reactor, Hinkley Point C, to provide baseload capacity in the electricity system (BBC 2008). Production of renewable electricity has increased substantially in recent years, following the implementation of various support mechanisms, and reached a share of 22.3% in the first quarter of 2015 (UK Government 2016). Offshore wind has received particular attention, as the UK has the EU’s highest potential for production from this source; and as of 2015 had a total estimated capacity of 5,054 MW from offshore wind (RenewableUK 2015). Still, Luxembourg, the Netherlands and the UK were the only EU countries that failed to achieve the interim renewable energy target set in the Renewables Directive (Commission 2015f). Energy efficiency in terms of energy per unit of GDP has increased substantially the last decades (UK Government and UK Department of Energy & Climate Change 2015, 8–9). In summer 2015, after the 2030 negotiations, the UK government proposed changes that would greatly reduce economic support for new renewable technologies like solar photovoltaic energy and offshore wind (Evans 2015, Macalister 2015).

UK politics have for decades been characterised by strong Euro-scepticism, and deep scepticism towards the country’s EU membership. This has also been typical for UK views of how much authority should be given to the EU level in climate and energy matters, such as the functioning and the role of the Energy Union. There, the UK has argued firmly for national self-determination of the domestic energy mix and against any transfer of competence away from the member states (UK Government 2015).

The Confederation of British Industries (CBI) argued for a 40% reduction of GHG emissions and that this target should be achieved by improvement of EU ETS (CBI 2012). Thus, it was satisfied with the final outcome (CBI 2014). Energy UK, the UK utilities organisation, held that a GHG mitigation target of 40% was desirable; further that no nationally binding targets for renewables and energy efficiency would be needed, as the effects required would come from achieving the GHG target (Energy UK 2014). In contrast, RenewableUK, the interest organisation for the UK renewables industry, argued that there should be a nationally binding renewables target. Since the Commission proposed a renewables target

only at the EU level, the UK should assume leadership here and promote renewable energy (RenewableUK 2014). Oil & Gas UK, the interest organisation for the UK petroleum industry, does not seem to have taken a public position on the climate and energy targets.

### 6.1.3 France

France argued for an overarching GHG mitigation target of at least 40%. It accepted targets for renewable energy and energy efficiency, but not strong ones: the government wanted an EU-wide binding target of 27% renewable energy, and pressed for an energy efficiency target of at least 30% in summer 2014 (Commission 2013b, *EurActiv* 2014f, j, interview EWEA 2015). According to Ibec (2013), France also argued for better coordination of measures and instruments, such as ETS reform if expansion of renewable energy and energy efficiency should lead to a drop in ETS quota prices. French negotiators worked to find a solution acceptable to all member states, not least the Visegrad+ Group (Lewis 2014).

France has low GHG emissions because most of its electricity comes from nuclear power, successful energy efficiency policies and low use of gas and coal. Similar to the UK, Germany and the EU in general, France has seen a decoupling between economic growth and energy consumption (MESDE 2014). To achieve a sustainable energy system transition, it aims to increase energy efficiency, enhance production of renewable to diversify the electricity mix, reduce wastage and reduce GHG emissions from various sectors (EEAg 2014a, MESDE 2014). In 2014, the French government launched the Energy Bill, which was ratified in August 2015. By 2030, GHG emissions are to be reduced by 40% compared to 1990 levels. Renewable energy is to have a share of 32% of the energy mix, while 40% of the electricity production is to be renewable. By 2025, waste in landfill is to be reduced by 50%. By 2050, final energy consumption is to be reduced by 50% compared to 2012 levels. Other targets include renovating 500,000 homes a year to make them more energy efficient and create 75,000 new jobs (*The Tree* 2014, *EurActiv* 2015b, Glastra 2015, MESDE 2015). In summer 2015, France set the target of improving energy efficiency by 34% by 2030 compared to 2012 (Ala-Kurikka 2015b). The long-term target is to reduce the production of electricity from nuclear power from 75% to 50% of electricity generation. In addition, a carbon tax has been introduced (Glastra 2015) and France has banned hydraulic fracturing – ‘fracking’ (*ENDS Europe* 2013). The fact that France was to host the UN climate conference in December 2015 probably created extra pressure for having ambitious domestic climate and energy policies.

The Federation of French Industry (*Mouvement des Entreprises de France*, MEDEF), together with BDI and Lewiatan, argued for a single GHG emissions-reduction target of 40%, and that this should be binding only if a global climate agreement could be reached at the 2015 Paris summit. Targets for renewable energy and energy efficiency were not explicitly mentioned, but MEDEF noted that targets and instruments needed to be coordinated (MEDEF et al. 2014). The French Utilities Association (*Union Française de l'Électricité*, UFE), thought the 40% GHG reduction target that was decided upon was a correct measure, but

was not a strong proponent of the target for energy efficiency, and it was against the renewables target (UFE 2014). The French Renewable Energy Association (*Syndicat des Énergies Renouvelables*, SER), regarded the 2030 agreement as less ambitious than that adopted in 2009, because then the member states had nationally binding renewables targets (SER 2014).

#### 6.1.4 Italy

Italy supported a target of reducing GHG emissions by 40%, a non-binding target for energy efficiency of 30% and an EU-wide binding target for renewable energy of at least 27% according to *EurActiv* (2014j). Italy held the EU Council presidency when the 2030 targets were to be agreed upon (Italian EU Presidency 2014), and had a five-pillar programme for energy in the EU, where first pillar was to finalise EU's climate and energy framework for the period from 2020 to 2030. This programme was criticised for being rather vague, contradictory, and for forgetting energy efficiency (see Colantoni 2014)

Italy's energy mix is dominated by oil and gas, as is also the case for the electricity mix. The country is highly dependent on import of energy, including electricity (particularly from France), as well as oil, gas and coal (Commission 2013a, WNA 2014a, IndexMundi 2015). The intensity of energy use per unit of GDP (carbon intensity) has declined significantly since 1980 (Cammi and Assanelli 2012), and Italy is now regarded as a country with high energy efficiency (Commission 2013a). CCS technology is being tested at two research sites (ZERO 2015b). Nuclear energy was abandoned by referendum after the Chernobyl disaster in 1986 and later after a referendum in the wake of the Fukushima disaster in 2011 (WNA 2014a). Italy adopted a National Energy Strategy in 2013, where it pledged to overachieve the EU 20-20-20 targets as well as to achieve targets for 2050. This overachievement included attaining a renewables share of 19–20% in gross final energy consumption, reducing GHG emissions by 21% compared to 2005, and reducing primary energy consumption (improving energy efficiency) by 24% (Italian Ministry of Economic Development 2012, Nachmany et al. 2015). Key objectives are further development of the national energy sector, improving energy security, and achieving climate and energy targets (Italian Ministry of Economic Development 2012). In addition, the authorities emphasise measures that can reduce electricity prices, which are substantially higher than the EU average (Commission 2013a). The Italian government has launched policies that imply retroactive cuts in support mechanisms for producers of renewable energy. This has led stakeholders to refer the case to the Italian constitutional court and to the Commission for violation of the Renewables Directive (Giacomelli and Robotti 2014).

The Italian Business Association, *Confindustria*, felt that the 2030 agreement was good in that the GHG emissions reduction target was accorded primacy. Confindustria urged the Italian government to care to ensure competitiveness of Italian industry, its energy-intensive industry in particular (Confindustria 2014). The Italian Utilities Association, *Assoelettrica*, commented on the targets set and the scenarios proposed in the 22 January 2014 impact assessment: it held that, in all scenarios presented, the benefits would outweigh the costs when the costs of pollution and the associated health damage were included (Assoelettrica

2014). From Assoelettrica's membership in Eurelectric, one might infer that their political positions were also similar, e.g. support of an overarching GHG target of 40% and that renewable energy and energy efficiency should be what would come out of implementing this target (Eurelectric 2014g). Towards the end of the negotiations, the Italian Renewable Energy Association, *AssoRinnovabili*, supported the political position of the European Wind Energy Association on the 2030 framework, which was a binding and strong national target of at least 30% renewable energy and a GHG emissions reduction target of 40% (*AssoRinnovabili* 2013, 2014).

### 6.1.5 Spain

The Spanish government originally argued for a target of 40% reduction of greenhouse gases, but no targets for renewable energy and energy efficiency (Commission 2013b). This appears to be a considerable change from the position they had in the negotiations leading to the Climate and Energy Package in 2008/2009. There the Spanish government, together with Germany and Slovenia, had declared that they would not accept a package which would not allow them to choose support mechanisms for renewable energy nationally (Taylor 2008). This position implies support for strong domestic measures to support renewable energy. In this round of negotiations, Spain and Portugal did not want to accept the agreement unless it included a binding target on electricity grid infrastructure (interviews EWEA 2015 and UFE 2015). Spain and Portugal have struggled with low interconnection to France in recent decades, a problem that has become particularly acute with the increasing amount of power produced by intermittent sources in the energy system, leading to large surpluses that the electricity companies have not been able to sell. After some years of generous support policies for renewable energy, and in the aftermath of the economic crisis of 2008, the Spanish government launched retroactive policies where producers of renewable energy had to pay back. For this, the Spanish government has been sued in several courts. In the first case to be taken to an international arbitration tribunal, the ruling was not in favour of the complainants (Weyndling 2016).

The Federation of Spanish Industry (*Confederación Española de Organizaciones Empresariales*, CEOE) argued that there should be EU measures only if global climate agreement could be achieved at the 2015 Paris summit, and that measures should be taken to prevent carbon leakage (CEOE 2013, 2014). The Spanish Utilities Association (*Asociación Española de la Industria Eléctrica*, UNESA), felt that a 40% target of GHG reduction should be an overarching target. The EU ETS should be reformed, and there should be efficient frameworks to stimulate investments renewable energy and energy efficiency (Eurelectric 2014g).<sup>27</sup> The Spanish Renewable Energy Association (*Asociación de Empresas de Energías Renovables*, APPA), found that the 2030 targets

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<sup>27</sup> UNESA did not participate in the Commission's consultation in 2013, and does not seem to have published position papers on the 2030 climate and energy framework. Its position had been deduced from the fact that it has agreed to Eurelectric's manifesto: Eurelectric would normally have noted in writing if a member held dissenting views.

were far too weak, and argued that the renewables target should be at least 30%, as proposed by the European Parliament (APPA 2014).

#### 6.1.6 Poland

Poland held that there should be a target only if a global climate agreement could be reached, as a ‘flexible’ negotiating strategy would be the most effective to avoid a breakdown of negotiations, and to prevent any reduction of EU competitiveness. In 2013, Poland argued that there should be a climate and energy package in 2015 at the earliest (Commission 2013b, Yeo 2013). Later, it held that there should be only one target, a 35% reduction of GHG emissions (Vaagland 2015, 67), with the EU ETS as the main instrument. Carbon leakage should be addressed, for example by extending the EU ETS to include non-EU countries as well. The Polish government pointed out that the main reason for the low price of the EU ETS quotas was the economic crisis (Polish Government 2013). Additional measures should be considered – like reducing petroleum imports, reducing support to new technologies (e.g. renewable energy) and improving energy efficiency. Moreover, future overarching goals should be technologically neutral, e.g. there should be no new target for renewable energy, leaving the member states free to decide which technologies to support, including nuclear energy and shale gas extraction. To substantiate this, the Polish government cited the Treaty of the Functioning of the EU (TFEU, the ‘Lisbon Treaty’). Another key point was that responsibility for reducing GHG emissions should be based on considerations of fairness, like the member state’s capacity for implementing new measures. To achieve a more sustainable energy system, research should be targeted at developing low-carbon coal technologies. It was feared that overly ambitious climate policies would drive up energy prices, in turn leading to loss of competitiveness. Further, member states should have the freedom to decide how to use the revenues from the NER300 fund (Polish Government 2013). Poland has sided with the UK as a strong proponent of shale gas extraction at the EU level (FoE 2014b).

Coal-fired power plants produce 85% of the electricity in Poland (Kureth 2015), and coal has a share of more than 50% in the energy mix (Commission 2015b). Production of renewable energy has increased in recent years following the implementation of the Renewables Directive (Commission 2015b). Extraction of shale gas has been a priority area for improving domestic energy security, but earlier estimates about reserves have been slashed. Moreover, Poland’s largest utility, state-owned PGE, owns major coal assets as well as a large share of the coal-fired power plants (PGE 2015). One aim has been to construct two new nuclear power plants (WNA 2015i), but analysts have doubts as to whether this will happen. Electricity grid infrastructure is to be expanded in the coming years. Coal companies have suffered major economic losses because Polish coal is more expensive than, for instance, coal from Australia (Foy 2014), and because international banks and funds no longer contribute to the financing of coal projects (Ancygier and Szulecki 2016).

The confederation of the Polish industry, *Lewiatan*, agreed with BDI and MEDEF that there should be a single GHG emissions target, to be

implemented only if a global climate agreement were reached in 2015 (MEDEF et al. 2014). The Polish Utilities Association (*Polski Komitet Energii Elektrycznej*, PKEE), held that implementing the 20-20-20 targets and also the 2030 targets would represent a ‘huge burden for the Polish economy and for households’ because they would lead to higher energy prices. Thus, the association favoured burden sharing (PKEE 2014). By contrast PWEA, the Polish Wind Energy Association, saw the lack of a nationally binding renewables goal in the package as a threat to future security of energy supply and welfare, and advocated a goal of minimum 35% renewable energy (PWEA 2014).

## 6.2 The interest group community and other stakeholders

### 6.2.1 *The utilities industry*

Ten of the largest European utilities and gas companies created the Magritte Group in 2012. It called for a ‘one target-one tool approach’ – there should be one overarching GHG emissions target, and the tool to achieve it should be a reformed ETS (Magritte Group 2014a, b). The Magritte group is led by the largest utilities company in Europe, GDF Suez (Greenpeace 2014e, 11, Statista 2015). Other members are the companies RWE, Fortum, OMV, Iberdrola, E.ON, ENI, ENEL, Gastera, gasNatural fenosa and CEZ Group. Some members of this group, such as E.ON and RWE, are normally fierce competitors. Several have their assets heavily invested in power-production facilities that use coal and gas as energy sources, as well as in gas transmission infrastructure. A large share of their fuel is imported (Greenpeace 2014e, 2, 6, 7). OMV left the group during 2014 (Greenpeace 2014e, 11). According to representatives of the European environmental movement and the European renewable energy industry (interview BEE 2014b) and environmental organisations, the Magritte Group had close contact with key persons in the ‘big negotiating game.’

As the so-called Magritte Group – a self-named collection of some of the EU’s largest energy companies – they have enjoyed remarkable access to European Commissioners, MEPs and heads of government, which they used to lobby against progressive energy policies (Greenpeace 2014e, 3).

Pitted against the Magritte Group as regards political position was a loose coalition of large utilities companies, the Coalition of Progressive European Energy Companies. It stressed the importance of binding multiple targets and renewables growth for EU energy system transition, and argued for a legally binding target of at least 30% renewable energy. Members of this group were Eneco, SSE, EWE, Dong, Swim, Enovos, Acciona and Edp Renewables. The group gathered in 2012, and had meetings with, among others, Commissioner Hedegaard and EUFORES, in addition to writing letters (Coalition of Progressive European Energy Companies 2012a, b, Neslen 2012). Also some other utilities argued strongly for an ambitious renewables target (see Energia et al. 2013). The existence of these two coalitions of big utilities clearly demonstrates that there was no single political stance on the 2030 climate and energy framework in the conventional power sector. This division of political views was also very clear in the two major umbrella organisations, the Union for the Electricity Industry (Eurelectric) and the European Renew-

able Energy Council (EREC), traditionally seen as political ‘archenemies’ (Ydersbond 2014a). Eurelectric represents not only the utilities associations, but also the European distribution system operators (DSOs).

Eurelectric, and Foratom, the interest organisation for the European nuclear industry (Foratom 2014), held the same main view as the Magritte Group. Eurelectric wanted an approach where the GHG target would be the most important, and requested at least 40% reduction of GHG emissions. For Eurelectric, it was important that the target should be implemented regardless of an international climate agreement in Paris, and that it should be implemented in Europe. An EU-wide 27% target for renewable energy was also generally deemed acceptable, depending on how it was to be implemented, as it was more in line with a ‘cost-efficient approach’ and the creation of an internal EU energy market than a renewable energy target binding at the national level (interviews Eurelectric 2014a,b,c). Implementation of this EU-wide renewables target could potentially lead to policies that Eurelectric had proposed and long lobbied hard for: a common EU-wide green certificate scheme to stimulate renewables growth (Eurelectric et al. 2007, Eurelectric 2008). In this round of negotiations, however, Eurelectric favoured the EU ETS (with implicit carbon pricing) as the key strategy for driving renewables growth and thereby achieving climate and energy objectives (Eurelectric 2013, 10, 2014e, 2014f). For the same reason, Eurelectric did not want an energy efficiency target higher than what would come out of implementing the GHG emissions target, which would be 25% improved energy efficiency in the case of a 40% GHG target (interview Eurelectric 2014c).

One reason why Eurelectric was critical to ambitious national-level and binding energy efficiency and renewable energy targets was the fear that such targets could bring the price of the EU ETS quotas down. With the increase of power in the market, it would be harder to give price signals to utilities to reduce their GHG emissions.<sup>28</sup> EU energy-efficiency legislation also required that there should be 1.5% less electricity sold every year nationally (Commission 2015c), which could reduce member incomes due to lower sales. Another central issue for Eurelectric, as well as for most other business associations, was that they and their members wanted to know which legislative frameworks would guide their future investments in the decades to come (interview Eurelectric 2014b). Stable investment conditions are important, as investments are made with time horizons of three to four decades:

2020 is *yesterday* from an investor’s point of view. And we are not going to know what is happening after 2020 until 2016. This is insane (!) Plus, the whole thing keeps changing (interview Eurelectric 2014b).

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<sup>28</sup> Whether having a national renewables target was positive or negative remains an issue of considerable controversy. The main reason for the low ETS prices is the large-scale closure of energy-intensive industries in Eastern Europe after the financial and economic crisis of 2008, leading to a large surplus of unused ETS allowances in the market. The Broad Green Community argued that a slightly lower ETS price caused by increased shares of renewables would be positive for society, making it cheaper to achieve energy system transformation.



They wanted targets ambitious enough to circumvent the need for sudden upscaling of environmental legislation to achieve goals like reducing of GHG emissions by 80–95% by 2050:

Our nightmare is delay followed by acceleration. If that happens, it's very difficult for us to learn about new technologies. It's very difficult for us to build supply chains for new technologies, and we most certainly have huge stranded assets. It's a disaster (interview Eurelectric 2014b).

Similar to the negotiations leading to the first Climate and Energy Package, Eurelectric coordinated their views with national level members, like BDEW (Ydersbond 2012, interview Eurelectric 2014a), which lobbied their governments (BDEW 2014b, Eurelectric 2014g, d). According to one interviewee, 'BDEW lobbied the German government. Some of the material they presented was their view, and some was Eurelectric's' (interview Eurelectric 2014c). They also cooperated with member companies with EU representations (interview Eurelectric 2014b). This kind of division of labour is common among EU-level interest groups and their national members: they focus primarily on the political level where they are the closest and thus enjoy greatest legitimacy (Eising 2007, Mahoney 2007). Eurelectric joined with the trade union IndustriAll Europe and the European Social Dialogue Committee for the Electricity Sector (EPSU) to bolster the legitimacy of their position (Eurelectric et al. 2014). Moreover, Eurelectric had contact with the lobbying group Friends of the ETS<sup>29</sup> (interview Eurelectric 2014b). Another partner was the Institutional Investors Group on Climate Change (IIGCC) (interview Eurelectric 2014b). In addition, Eurelectric also coordinated with some member companies of BusinessEurope (interview Eurelectric 2014c). BDEW again coordinated its positions with German trade unions (interviews BEE 2014b and Eurelectric 2014c). Such cooperation seems to be a strategy widely used by interest groups to legitimise political positions by showing that they have the support of societal groups representing other interests. Eurelectric also has MEPs whom they view as close allies (interview Eurelectric 2014b). Moreover, Eurelectric, like several of the other interest groups interviewed, has excellent contacts in the Commission and elsewhere in the EU system, and is actively involved when the Commission tests various proposals on the stakeholder community (interviews BusinessEurope 2014, Energy Norway 2014 and Eurelectric 2014b).

Eurelectric and its members were generally satisfied with the outcome of the 2030 framework discussions, as it emphasised that there should be one main target, for reduction of GHG emissions (BDEW 2014a, Eurelectric 2014b, interview Eurelectric 2014c).

When the European Council came out with 27% indicative [energy efficiency target], we were supportive of that. It is a thing that is the step in the right direction. It's not undermining the general

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<sup>29</sup> Members of this group include several of Europe's largest utilities and energy equipment manufacturers, like Alstom, Energie Baden-Württemberg (EnBW), Dong, Enel and GDF Suez. According to its web page, it is funded by the Children's Investment Fund Foundation, ECF and E3G.

framework and the ambitions too much, so summing it up, we were quite happy with the 2030 targets and the 2030 framework as it came out now (interview Eurelectric 2014c).

### 6.2.2 *The nuclear industry*

Foratom supported a single-target approach of reducing GHG emissions by 40%, with no targets for renewable energy and energy efficiency. To achieve mitigation of GHGs, Foratom argued that EU ETS should be improved, e.g. by taking emissions out of the system and creating a better market stability reserve (MSR). Further, competition should be based solely on market prices of nuclear power, renewable energy and CCS. Moreover, Foratom held that expansion of renewable energy was a reason for the low price of the quotas in the EU ETS. It also pointed out that 55% of the low carbon electricity in EU comes from nuclear energy, and that many of the typical benefits of renewable energy apply to nuclear energy as well (Foratom 2014, 2). Thus, in their view, the nuclear industry should also have access to structural funds and loans from the EIB. In calculating costs of different technologies, account should be taken of systems costs like expansion of electricity grids and provision of balancing services. Over-reliance on intermittent energy sources should be avoided, and support policies for renewable energy should gradually be phased out (Foratom 2013, 2014).

### 6.2.3 *The fossil fuel industries*

Eurogas, the interest organisation for the wholesale, retail and distribution of gas, many of whose members also belong to Eurelectric, collaborated with Eurelectric on some issues, and also asked for one binding GHG reduction target of 40% (interviews Eurelectric 2014a,b, Eurogas, 2014). Eurogas tended to be (even) more critical than Eurelectric to support mechanisms for renewables, probably because renewables emerged as an increasingly fierce competitor to gas in European markets. In Germany, for example, several gas-fired power plants have been taken out of production. One reason is that renewable electricity, particularly solar electricity, has contributed to making gas-fired power unprofitable (see Dickel 2014). Thus, big utilities like E.ON and RWE have lost considerable revenues because of these and other stranded investments (see Bajczuk 2015, Robinson 2015).

If we start encumbering the policy with favouring certain technologies, then... you distort the market, you have inefficiencies, things become more expensive, prices go up, and we don't achieve, in the end, anybody's goal, because the main goal: reducing emissions, get convoluted by higher prices, which are introduced by inefficient technologies, as a worst-case scenario. But in any case, we are asking for no renewables target in this framework (interview Eurogas 2014).

In addition, Eurogas was rather sceptical to an energy efficiency target (interview Eurogas 2014). Similar to Eurelectric, it argued for reform of EU ETS to make quota prices higher, and for burden sharing among the ETS and non-ETS sectors. Eurogas also emphasised that gas and renewable energy potentially might be nicely combined: for instance,

gas-fired power can provide valuable back-up capacity for renewable electricity, particularly from intermittent sources (Eurogas 2013), and gas can be part of a smart energy system (interview Eurogas 2014). Energy from renewable energy sources is projected to expand rapidly in the years to come in the EU.

Another organisation that argued strongly for one GHG emissions target, to be achieved via the EU ETS, was Gas Infrastructure Europe (GIE). This organisation represents 67 companies working as operators of gas infrastructure across Europe. Similar to Eurogas, it argued against a renewables target and for the removal of renewable energy support mechanisms (GIE 2013). GIE lists two organisations belonging to Alliance of the Energy Intensive Industry (AEII) as GIE stakeholders, but it seems unclear to what extent these stakeholders cooperate *in* GIE or *with* it (GIE 2016). However, GIE and Eurogas appear to have very little membership overlap.

The petroleum refinery industry, represented by FuelsEurope, argued that targets should be made conditional on the commitments of other participants in a global climate agreement; moreover there should be only one target, for reduction of GHG emissions (Europa 2013, van Beurden 2013). As an industry competing in an international market, it pressed strongly for measures that would create ‘a level playing field’ with industries elsewhere in the world, e.g. by allocation of free ETS quotas to the refinery industry. Because of the linear reduction factor in EU ETS, the energy-intensive industries overall received fewer and fewer free emission quotas – this is called the *cross sectorial correction factor*.<sup>30</sup> The reduction of free quotas also applied to the best performing installations. This, in the view of FuelsEurope, was unfair and not in line with what they felt should be a guiding principle: the best performing installations in each sector should get completely free ETS quotas (interview FuelsEurope 2014). Pressures on the sector would become even greater if the EU ETS raised the linear reduction factor from 1.74 to 2.2%. FuelsEurope referred to free allocation as ‘carbon leakage protection.’

So, the very first thing is that we believe that there should be carbon leakage protection that is extended after 2020, because we have not reached... there has not been enough progress at the international level to say that we don't have concerns anymore (interview FuelsEurope 2014).

Since such compensation to the energy-intensive industries was up for the individual member states to arrange, this created unfair internal competition, FuelsEurope argued. Therefore, it also wanted greater harmonisation of support measures in the EU (interview FuelsEurope 2014). Being an energy-intensive industry, they also worried that energy prices would rise with the measures proposed for strengthening the EU ETS. The power producers were covered by the EU ETS, and they would

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<sup>30</sup> The cross-sectorial correction factor is a cap on how many allowances that can be allocated for free in the EU ETS. This factor applies when member states have granted more free allowances to their industries than what is available in the EU ETS (Commission 2013f).

pass on the higher costs caused by higher quota costs to their customers. FuelsEurope also argued that the current target for renewable energy was ‘distorting the carbon price signal within the EU ETS and has crowded out more cost-effective means of GHG reduction’ (Europa 2013, 4) .

The organisation advocated its views through various channels, including meetings with the Commission, the Parliament and national representations, particularly the large ones. FuelsEurope met with MEPs and permanent national representations that tended to hold similar views, but also with MEPs and permanent representations that were not necessarily aligned with their positions, such as the rapporteur Anne Delvaux. FuelsEurope cooperated actively with other energy-intensive industries through the AEII (presented in section 6.2.4), where they shared information about what was going on in the Commission and authored joint letters. Companies in the AEII generally agree on climate and energy related topics. In addition, similar to Eurelectric, the AEII has observer status in BusinessEurope and participates in their Climate Change Committee (interview FuelsEurope 2014).

The International Organization of Oil & Gas Producers (IOGP)<sup>31</sup> is the international interest organisation for petroleum producers, and has an EU representation. IOGP argued staunchly for a single GHG emissions target, to be implemented only if a global agreement on reduction of GHG emissions could be achieved. Renewables and energy efficiency targets ‘distort’ the ETS, so there should be no targets in these domains (IOGP 2013, 2, 2014). Avoiding carbon leakage was a main concern. Gas should be used to replace coal as a fuel, and shale gas and shale oil should be exploited (IOGP 2013). These arguments were very similar to those of FuelsEurope. According to a report by Fagan-Watson et al. (2015a, 8, 10, 2015b), IOGP, BusinessEurope and several umbrella organisations for the energy-intensive industry lobbied against EU ETS reform, as it would drive up the prices of the quotas and thus function as an increased carbon tax for them. Loss of competitiveness and potential ‘carbon leakage’ were frequently mentioned.

There seems to be a very large overlap in the political views of IOGP and BusinessEurope: both argued for a GHG target and no targets for renewable energy and energy efficiency, and neither wanted a unilateral EU overarching target. Various members of IOGP – and implicitly through their national umbrella business organisations, also members of BusinessEurope – aligned in order to lobby for a single GHG target approach: Areva, Cez, Enel, RWE, GDF Suez, Fortum, Shell and Statoil. Shell has been credited with starting lobbying for a single target early, and managing to influence the UK government, which later was considered important for influencing the Commission’s proposal (Kahya 2015, Neslen 2015c). Eurogas worked for a single GHG target among oil and gas companies, according to the media (Neslen 2015a). IOGP and Eurogas have partially overlapping memberships, as have Eurogas and Eurelectric, and IOGP and FuelsEurope (Fagan-Watson et al. 2015b). This type of membership overlap seems to be the case for interest groups

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<sup>31</sup> Formerly abbreviated as OGP.

that wanted either a single GHG emissions reduction target or a target only in the case of a global climate agreement. One example: the big petroleum company Total is a member of BusinessEurope, CEFIC, Eurogas, FuelsEurope and IOGP (Fagan-Watson et al. 2015b).

Due to competitiveness concerns, Euracoal (2014), the interest organisation for the European coal industry, did not want any EU action before a global climate agreement had been achieved. It argued for ambitious climate policies, but these should not create job losses in the coal mines or contribute to the closure of coal-fired power plants, as current EU policies are held to have done. There should be only one target, a GHG emissions target, with the ETS as the tool. Euracoal was against reform that would drive up the ETS quota prices, such as creating a market stability reserve (MSR) because higher ETS quota prices would make it harder to achieve economic recovery in the EU (Euracoal 2013a). Euracoal also pointed out that carbon emissions as regards carbon consumed per capita had increased almost 50% since 1990, and that a global agreement should be based on carbon *consumption*, not carbon *production*. Decarbonisation of the power sector should be achieved through investments in cleaner coal-fired power plants, combined with CCS. Their hearing document also attacked renewable energy support measures, holding that renewables growth ‘distorts’ the internal energy market (Euracoal 2013b). One plausible reason is that Euracoal, like IOGP and Eurogas, sees renewable energy as an increasingly stronger competitor that could cut into their market shares.

#### 6.2.4 BusinessEurope and the European energy-intensive industry

BusinessEurope (BusinessEurope 2013, 2014a, b), the European umbrella organisation for national business associations, argued that the level of ambition of the 2030 targets should be made conditional on the achievement of a global climate agreement in 2015. EU should have only one target, for reduction of GHG emissions, to be attained through the EU ETS. Further, the targets for energy efficiency and renewable energy should not apply after 2020, and thus also the legislation for achieving them. Support mechanisms for renewable energy should be phased out gradually. BusinessEurope saw the support mechanisms for renewable energy, together with carbon pricing (the effect of EU ETS) and energy taxation, as key reasons why electricity prices were higher in Europe than in the USA. In addition, the renewable policies would weaken the carbon price signal in the EU ETS and be less cost-efficient than having only one single target. However, the EU should strengthen its work on research, development, demonstration (RD&D) and innovation for various technologies. Another central issue for BusinessEurope was to promote extraction from *unconventional sources* such as shale gas in Europe, to improve energy security (BusinessEurope 2013). It also was critical to reforms such as creating a market stability reserve to increase the ETS quota prices, as that would make polluting more expensive for their members (BusinessEurope 2013, 13). Thus, more ambitious policies here would affect industrial competitiveness vis-à-vis global competitors.

With its very diverse membership, BusinessEurope found it hard to reach agreement and find common political positions on the various issues

(interview BusinessEurope 2014). This problem is typical of many euro federations due to their heterogeneous membership (Eising 2007, 211). One of BusinessEurope's strategies was to arrange large events for stakeholders and policy-makers. According to the interviewees conducted by Fagan-Watson et al. (2015a), in November 2013, BusinessEurope arranged a large one-day event with the top EU-leaders such as Barroso, Hedegaard and Oettinger, and CEOs of some of Europe's largest companies. The Association of European Chambers of Commerce and Industry (EUROCHAMBRES), shared BusinessEurope's views (EUROCHAMBRES 2014). The final targets seemed to disappoint BusinessEurope: the organisation had wanted no targets in order to 'protect European competitiveness,' and argued that more account should have been taken of competitiveness issues (BusinessEurope 2014a).

Fifteen European umbrella interest groups for the energy-intensive industries had been already joined in the Alliance of Energy Intensive Industries<sup>32</sup> for several years. The AEII functions as an informal alliance where the members share information about the processes within the Commission, which they felt were not optimally transparent (interview FuelsEurope 2014). The AEII argued against EU ETS reform, to prevent 'carbon leakage' and loss of competitiveness, as they feared higher ETS prices would induce industry to be relocated elsewhere in the world (AEII 2013a, b, 2014). They also wanted only one GHG target, to be implemented only in the case of a global climate agreement. This was also central in the argumentation AEII members such as FuelsEurope, CEFIC and the International Federation of Industrial Energy Consumers (IFIIEC) (Cefic 2013, CEPI 2013, EuroAlliances 2013, EuroChlor 2013, Euro-metaux 2013, Europia 2013, interview FuelsEurope 2014). Moreover, IFIIEC argued for cancelling support mechanisms for renewable energy. The AEII firmly held that having higher climate and energy targets would undermine Europe's industrial competitiveness. For example:

The survival of European industry is at stake, not only as a result of the continued financial and economic crisis, but also because of structural and regulatory issues specific to the EU, combined with excessively high energy prices for industrial and private consumers. Renewable energy policies, carbon costs and the structure of the electricity market play a significant role in driving up energy prices and climate costs in Europe (CEMBUREAU 2013, 1).

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<sup>32</sup> AEII members: the European Chemical Industry Council (CEFIC), the European Cement Association (CEMBUREAU), the Confederation of European Paper Industries (CEPI), European Ceramic Industry Association (Cerame-Unie), the European Lime Association (EULA), the Association of European ferro-alloy producers (EuroAlliances), the European Chlor-Alkali industry (Euro Chlor), the European Confederation of Iron and Steel Industries (EUROFER), the European Gypsum Industry (Eurogypsum), the European Association of Metals (Eurometaux), the European Petroleum Industry Association (FuelsEurope), the European Expanded Clay Association (EXCA), the European Alliance of Glass Industries (Glass Alliance Europe) and, the International Federation of Industrial Energy Consumers (IFIIEC EUROPE).

The AEII and IFIEC seem to have considerable overlaps in their memberships, as they represented several of the same industries and IFIEC also was supported by other members of AEII (IFIEC Europe 2014). Several members of the AEII, including CEPI, EUROFER, Eurometaux and FuelsEurope, had since 2004 aligned with BusinessEurope, Eurelectric, European Automobile Manufacturers Association (ACEA) and European Engineering Industries Association (Orgalime) in the Alliance for a Competitive European Industry (ACEI). This somewhat loose alliance argued that manufacturing should contribute to a 20% share of GDP; it favoured reducing the gap in energy prices between the USA and the EU and preventing carbon leakage, and was against renewable energy support mechanisms (ACEI 2013b, a). Despite these political positions, the AEII and its members remained remarkably silent after the launch of the final climate and energy framework for 2030. The exception was the AEII-member EUROFER, which called the framework ‘[...] extremely challenging in the absence of similar constraints for our competitors worldwide’ (EUROFER 2014).

#### 6.2.5 *The Broad Green Community*

In 2013, the Coalition for Energy Savings (CoE),<sup>33</sup> which is the overarching coalition for the groups working for greater energy efficiency in Europe, joined forces with Climate Action Network Europe (CAN),<sup>34</sup> which includes all the environmental NGOs in Europe, think tanks and other organisations, and the European Renewable Energy Council (EREC), the umbrella organisation for the European renewables industry. In this report, these groups are called ‘the Broad Green Community’. This new community wanted a reduction of GHG emissions of at least 55%, a nationally binding renewables target of 45% and an energy efficiency target of 40% (CoE et al. 2013a, b, c, CAN 2015). These are the highest ambitions of all groups of stakeholders involved. Some groups wanted even higher targets for reduction of GHG emissions, like the CAN-members Friends of the Earth and the European Environment Bureau, which argued for a 60% reduction (interview FoE 2014). Having three ambitious and binding targets at the national level, they argued, would be paramount for achieving a sustainable energy system transition in the most efficient and economical way. For example energy efficiency measures would reduce energy demand and thus also make it easier to attain the targets for renewable energy. Ambitious renewables and energy efficiency targets would lead to job growth and higher energy security through reduced demand, higher domestic energy production and providing security for investors, the Broad Green Community argued.

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<sup>33</sup> Members include: CAN Europe, Building Performance Institute Europe, European Federation of Building and Woodworkers (EFBWW), Glass for Europe, the European Insulation Manufacturers Association (EURIMA), ECF, The European Alliance of Companies for Energy Efficiency in Buildings (EuroACE).

<sup>34</sup> Members: 120 member organisations from countries across Europe including: Greenpeace Europe, Friends of the Earth Europe, WWF Europe, these organisations’ national members, CARE, Oxfam International, Sandbag, World Council of Churches and Wuppertal Institute for Climate, Environment and Energy (CAN 2015).

Moreover, there was no contradiction between implementing ambitious environmental policy and economic growth. On the contrary, high and nationally binding targets would be advantageous for economic growth. Only through ambitious climate and energy policies could the EU motivate other countries to be ambitious during the climate negotiations in Paris in 2015 (CAN 2013, CoE 2013, EREC 2013).

The only way to guarantee secure and affordable energy and to climate-proof its food, is for the EU to urgently increase climate action and wean itself off fossil fuels, rather than opt for a dead-end route of more coal extraction and fracking (Oxfam 2014, 1).

Another key issue for several members of the Broad Green Community has been to make the EU system more transparent by advocating the creation of lobbying registers and other mechanisms for greater transparency about the lobbying that goes on. They also worked to promote transparency by meticulously referring to sources in all their publications. The Broad Green Community took care to back up their claims with scientifically based analyses and source references (see Greenpeace 2014c).

The Broad Green Community's views were supported by members like European Environment Bureau (EEB)<sup>35</sup> as well as think tanks and stakeholders like the European Climate Foundation,<sup>36</sup> Third Generation Environmentalism, and Sandbag. The European Forum for Renewable Energy Sources (EUFORES)<sup>37</sup> also agreed with the community's political positions, and arranged dinner debates about the importance of strong and nationally binding targets for renewables and energy efficiency (EUFORES 2013, 2014, interview E3G 2014). The Spring Alliance, consisting of ETUC, Social Platform, EEB and the European NGO Confederation for Relief and Development (CONCORD), also pressed for an ambitious climate and energy framework (Spring Alliance 2014a, b, EEB 2015) and arranged joint events with EUFORES (EEB 2013).

The Broad Green Community's views were also supported by some trade unions. For example the German umbrella organisation the German Trade Union Association (*Deutsche Gewerkschaftsbund*, DGV) and the European umbrella organisation for the trade unions, European Trade

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<sup>35</sup> EEB is a federation of more than 150 environmental citizens groups coming from most EU member states and also several other European countries.

<sup>36</sup> ECF participate in funding many EU environmental organisations and think tanks like E3G and Agora Energiewende. Several of the organisations in the Broad Green Community are also members of each other, like E3G is a member of The Coalition for Energy Savings and CAN Europe.

<sup>37</sup> EUFORES is a cross-party parliamentary network consisting of members of the European Parliament, national and regional member state parliaments and support members from e.g. green business and academia, working for the promotion of renewable energy and energy efficiency. Rapporteurs and group leaders on important climate and energy legislation have often been members of EUFORES, most prominently Claude Turmes (Group of the Greens/GUEGL, Luxembourg) on the Renewables Directive and Energy Efficiency Directive, but also others, like Anni Podimata (Party group of the European Socialists, Greece) and Fiona Hall (Alliance of the Liberals and Democrats, UK).



Union Confederation (ETUC), argued for high and binding climate and energy targets of 40% GHG emissions reduction, 30% renewable energy and 40% improvement in energy efficiency (DGB 2014, ETUC 2014, interview Greenpeace 2014, Neslen 2014f). Various energy and environment research institutes and research institute groups, among them the German Fraunhofer Group (*Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V.*), the Wuppertal Institute for Climate, Environment and Energy (hereafter: Wuppertal Institute) and the Institute of Applied Ecology (*Öko-Institut e.V., Institut für angewandte Ökologie*) have published extensive research showing the benefits of a green energy system transition and how it can be achieved. Some news media also seemed give good press coverage of the Broad Green Community's views in the debate, such as *ENDS Europe, EurActiv and The Guardian*. This researcher has no documentation that the abovementioned research institutions have had meetings with members of the Broad Green Community to coordinate strategies or political positions, but they probably supported their views, and might, if advocacy coalition is loosely defined, be regarded as a part of the Broad Green Community.

Parts of the Broad Green Community, EUFORES, EREC and its members and CAN Europe have cooperated closely and coordinated their positions and strategies for several years (see Boasson and Wettstad 2010, Ydersbond 2012), and can thus be called an advocacy coalition. Such cooperation and coordination has also been documented at national levels (Szarka 2010, Ydersbond 2012). Several of the Broad Green Community's members coordinated their political positions and shared lobbying tasks. From the beginning of 2013 their EU-level coordination took place, *inter alia*, through monthly meetings since (interviews CAN 2014, EREF 2014a,b and Greenpeace 2014). A group of ten European environmental organisations, G10, has a long history of convening monthly meetings to coordinate their positions, share information and share tasks (Greenwood 2011, 151). Members of the Broad Green Community shared lobbying tasks with their national member organisations, especially prior to the Council summit in October 2014 (interviews CAN 2014, EREF 2014a, Neslen 2014e). This may have provided them with increased leverage (see Ydersbond 2014a).

All of our offices are working on this across Europe. And they are trying to build up the support, and they have a national strategy to try and make sure that their government either keeps the strong position that it has, or is weakened, or shifted, I mean, this is a classic EU campaign. You can't do it in Brussels alone, if it's a Council decision, you can talk to Permreps until you are blue in the face and it doesn't change anything, because they get their orders from back home (interview Greenpeace 2014).

However, some elements of the Broad Green Community were new – for example, the addition of interests specifically focusing on energy efficiency, like the Coalition for Energy Savings (CoE) and its members (CAN 2014), such as the European Alliance of Companies for Energy Savings in Buildings (EuroACE), and the inclusion of Green Budget Europe and municipalities (interviews CAN 2014 and EREF 2014b). Green Budget Europe argued for three nationally binding targets: a GHG emissions-reduction target of 45%, a renewable energy target of 45%, and an energy

efficiency target of 35%, all of which could be adjusted upwards in case of early target attainment (Green Budget Europe 2013).

Members of the Broad Green Community were deeply disappointed with the proposed targets from 22 January, and argued that they were antithetical to the conclusions that could be drawn from a close reading of EU's own reports (mentioned in 5.4) on the topic and devoid of ambition. For example, that the renewables target was not binding at the member-state level made goal attainment more difficult to enforce.

But this figure [the renewables target] is only a part of the problem, maybe even the smaller part of the problem. The bigger part of the problem is the fact that there is no structure, no legislation, no regulation and no penalties for member states who do not deliver (interview BEE 2014a).

Nobody knew what kind of legislation would be implemented to follow up the targets, since that would be discussed after the targets had been set, and the only plan proposed thus far was the new governance structure. The renewables industry was deeply worried about the future prospects for renewable energy growth and energy efficiency improvement:

[...] so this new governance structure really replaces action plans for heating and cooling and renewables, which we have now in the [Renewables] Directive. It replaces this by fairy tales. So, it means that there is no effective instrument (interview BEE 2014a).

In March 2014, EREC declared bankruptcy, and the European renewables industry lost its main coordinating body and voice (EREC 2014a) – to the great disappointment of the Broad Green Community and the renewables industry in particular (interview EREF 2014a). ‘The dissolution of EREC definitely weakened our voice’ (interview BEE 2014b). In addition, renewable energy policies in member states diverged to the extreme, with several countries cutting back on, removing or implementing extra taxes on renewable energy retroactively. ‘And then I would say that the role of the renewables lobbies has been weakened by the many, many national reforms on renewables’ (interview Eurelectric 2014a). Still, EREC members like the EWEA and EREF continued to cooperate closely with each other and with the environmental organisations (interviews BEE 2014a, EREF 2014a,b and EWEA 2014) through joint meetings and writing letters (see AEBIOM et al. 2014).

The final 2030 framework was also (unsurprisingly) severely criticised. Academics, green business, EUFORES and the European environmental movement have called the 2030 climate and energy framework ‘the lowest common denominator’ – in particular because the EU-wide target for renewable energy and the indicative target for energy efficiency are regarded as rather weak in what they oblige the member states to do (Buchan et al. 2014, EWEA 2014b, FoE 2014a, Greenpeace 2014a, interviews BEE 2014b and EREF 2014b). ‘The EU's negotiating position in international climate negotiations could very well be a printed paper with hot air’ (interview BEE 2014b), an argument also voiced by Carbon Market Watch (2014), among others. They hoped that during the co-decision procedure, the member states would still opt for policies that would lead to national and ambitious implementation of the legislation.

So, what EREF now hopes, that member states really will come together with three interesting, feasible policies, in a cross-regional approach, which may be, then, in effect lead to, sort of national targets, again (interview EREF 2014b).

‘The only good thing from the Council conclusions was one of the first sentences where the Council says that the binding minimum 2020 targets have to be reached,’ (interview EREF 2014b). MEP and EUFORES-member Claude Turmes (2014) launched the title ‘From 2030 to TwentyDirty’ in a note with the European Greens’ view on the topic. However, at least some in the interest group community saw the political 15% interconnection target for 2030 as positive (E3G 2014), since it clarified the level of ambition. On the other hand, EWEA found the interconnection target ‘bewildering,’ and that it ‘showed a lack of aspiration’ (Van Renssen 2014b).

### 6.2.6 ‘Green-minded’ businesses

Business, in the power sector and elsewhere, was far from being a unified group, although for example BusinessEurope tried to frame itself as ‘THE voice of Europe’s industry’ on climate and energy (see Greenpeace 2014c). Prominent examples of businesses that wanted higher and more ambitious targets were for example the Prince of Wales Corporate Leaders Group (CLG), a group of European business leaders that argued for three binding and ambitious targets together, under the University of Cambridge Institute for Sustainable Leadership. They favoured a 40% reduction of GHG emissions, and a binding target of 30% renewable energy, as well as an ambitious energy efficiency policy (CLG 2014). CLG, established in 2005, also cooperated with the informal Green Growth Group of ministers as well as various businesses and organisations in business correspondence (CLG 2015).<sup>38</sup> Throughout the process, multinational corporations and interest organisations sent letters requesting ambitious targets (see Actiam et al. 2014). Unilever made it clear that it no longer wished to be a member of BusinessEurope (*Sustainable-Business360* 2014).

### 6.2.7 Pension funds

The Institutional Investors Group on Climate Change (IIGCC) consists of some of the largest pension funds, insurance companies and assets managers in Europe. As of summer 2014, it managed more than €7.5 trillion. IIGCC sent letters to the Commission in the process (IIGCC 2013, 2014) and has been frequently quoted in the media (*Press Association* 2014, IIGCC 2015b).<sup>39</sup> This group would prefer a strengthened version of the EU ETS for driving renewables growth, rather than nationally binding targets and national support schemes. IIGCC argued for a binding target of 40% reduction in GHG emissions, to be met first and foremost through improving the EU ETS, as this was deemed to be

<sup>38</sup> Members include Acciona, Alstom, Aviva, Coca Cola Enterprises (CCE), Doosan Power, GSK, Kingfisher, Johnson & Johnson, Philips, Shell, Skanska, Tesco, Vodafone, Unilever and United Technologies.

<sup>39</sup> Members: see IIGCC (2015a).

the most cost-effective approach. A key issue was to have long-term targets to provide investors with security, including avoiding retroactive changes to policies – as had been implemented in some member states with their renewable energy support schemes, as in Spain. IIGCC also stressed the importance of constructing transmission infrastructure, which needed major investments (IIGCC 2013). According to Eurelectric, IIGCC was an important participant in the debate, and they lobbied together on some issues:

And we have lots of... there were huge lobbying exercises. In my view, one of the important groups of lobbyists was quite new, and that was the pension funds and the insurance companies. The people who hold huge financial assets [...] They wrote to the Commission President and they said: we support at least 40%, we represent 7,5 trillion euros in assets management. Now, that letter has more influence than what I can arrange (interview Eurelectric 2014b).

### **6.3 Central EU political institutions**

#### *6.3.1 The European Parliament*

The European Parliament has generally been a pusher for greener policies, and has normally had a ‘greener’ stance in the climate and energy domain than the Commission and many individual member states (see Burns et al. 2013). The ‘greenest’ of all groupings there is European Forum for Renewable Energy Sources (EUFORES) (see World Future Council 2014). However, there have been major divisions among the Parliament party groups regarding climate and energy issues (see CAN 2014), as was also the case here: the Group of the Greens/GUEGL favoured ambitious 2030 targets, while for example the European Conservative and Reformists (ECR) group tended to be very critical of high ambitions. Within some party groups, there were also divisions in the 2030 negotiations. For example, members of the European People’s Party (EPP) were mostly critical, while the Group of the Progressive Alliance of Socialists and Democrats (S&D Group) had members both critical and favourable to the Parliament’s proposed target (Flynn 2014a, interviews ALDE 2014 and EPP 2014). In the Alliance of the Liberals and Democrats for Europe (ALDE), most members favoured a ‘green line,’ although some were opposed (interview ALDE 2014). Members of Group of the Greens/GUEGL and EUFORES continuously pushed for three strong and binding targets:

It was hard work, because it was a complicated political task, it wasn’t like you could only get a couple of groups together and you had the majority. I mean, we really had to work to find people within each political group who understood and prioritized that also (interview ALDE 2014).

The division of political positions also manifested itself in the positions of the two rapporteurs: Anne Delvaux (EPP) appeared to favour the ‘green coalition’ in the Parliament, pushing for increased ambitions in EU’s climate and energy policy, while Konrad Szymański (ECR) consistently argued for as low targets as possible, in line with the political position of the Polish government (interview EPP 2014,

TheParliamentMagazine 2014). Thus, there were lengthy discussions, not least on the earlier-mentioned initiative report:

There were over thousand amendments, which is, well, not very usual for initiative reports because an initiative report is only somewhere the Parliament shows its opinion (interview EPP 2014).

The EPP representative (interview 2014) argued that the initiative report had no effect at all on the Commission's proposal. Moreover, he mentioned the 'green side' of the European Parliament as being very active and engaged, and managing to get rapporteurs who have 'green attitudes.' These rapporteurs succeed in getting the support from others in their party group even when the party groups were split. Examples of such representatives include Fiona Hall (UK) and Gerben-Jan Gerbrandi (NL). As regards influencing the European Parliament's political position, the 'green side' thus seem to have been the most influential.

### 6.3.2 *The Commission*

The Commission was split as regards attitudes, both within and between the various DGs (e.g. interview EWEA, 2014). Catherine Day, Secretary General of the European Commission, argued for an approach that included only one target and one tool (*EurActiv* 2014b). Day favoured a 25–27% target for energy efficiency, in line with 'cost effectiveness' concerns, as this would equal the energy efficiency measures that, according to some analyses, would have to be implemented to achieve a 40% reduction in GHG emissions (*EurActiv* 2014e). Others who pushed for an approach where the GHG target would be central, and the ETS should be the main tool, were Jos Delbeke, Director General for DG Clima, Willem van Ierland in the strategic assessment unit DG Clima, and Stefaan Vergote, the Head of Unit A4, Economic Analysis and Financial Instruments, in DG Energy (interview FoE 2014). By contrast, Climate Commissioner Hedegaard supported three ambitious targets, and was known to be sympathetic to the green movement. Energy Commissioner Oettinger argued staunchly for the 'one target–one tool' approach with a GHG emissions reduction target of -35% (*EurActiv* 2014k, interviews ECF 2014, Eurelectric 2014a and FoE 2014). Hedegaard and Oettinger were more or less constantly at odds as regards the levels of ambition and content of the framework (interviews EREF 2014a, EPP 2014, Eurelectric 2014b and Statnett 2014c). The strong difference in political views between the Climate Commissioner and the Energy Commissioner was reflected in the media (see *EurActiv* 2014k).

The position of Commission President Barroso was less clear. According to Meza (2014), Barroso argued for removal of the nationally binding target on renewable energy, whereas Bürgin (2014, 700) holds that Barroso favoured continuation of that target. The newly elected Commission President Jean Claude Juncker (in this role from 1 November 2014) argued that there should be an energy efficiency target of minimum 30% (*EurActiv* 2014f). According to EWEA (interview 2014), most of the commissioners favoured a far more ambitious package than what was proposed in January. Friends of the Earth (interview 2014) felt that one explanation for the absence of national binding renewables

target in the Commission's proposals was that there was growing concern about the sustainability of bioenergy – and a large share of the renewables growth is expected to be met by bioenergy (EEAg 2014b). Some interviewees also distinguished between the service levels in the Commission, which they considered to be sympathetic, and the political levels, which they often found to be much less fact-based (e.g. interview FoE 2014). Interviewees pointed out that within DG Clima, there are several officials who have been working on the EU ETS for years and thus have a deep interest in making it work. To them, factors that may be seen as threatening the functioning of the ETS, such as renewables growth, could appear negative or less relevant (interviews ALDE 2014 and Greenpeace 2014).

## **7 Explanatory potential of LI, HI and ACF in relation to stakeholder influence**

### **7.1 Analysing the process through the lenses of LI: member states as key stakeholders, and their key businesses as essential domestic players**

#### *7.1.1 Identifying member states' final negotiating positions*

Drawing an exact picture of all member state positions is a challenging task. As shown in the data presented, some member states seem to have changed or modified their positions during the negotiations. France, for instance, argued for an energy efficiency target of 30% and a binding renewable energy target of 27% in 2014 (*EurActiv* 2014j), while it also was pushing hard for an overarching target for GHG emissions (Commission 2013b). According to Ibec (2013), France in 2013 had wanted a renewable energy target to be set later if there were harmonisation of renewable energy support mechanisms, and had favoured postponing discussions of energy efficiency until 2014. In the Visegrad+ Group, the Czech Republic and Romania in 2013 had argued that targets should be made conditional on achievement of a global agreement, and Poland argued for a target to be set in 2015 at the earliest (Commission 2013b). Later, however, the Visegrad+ Group argued for a single overarching target for GHG emissions reductions. In the final negotiations, the Visegrad+ Group argued for a weaker version of the targets proposed by the Commission (*EurActiv* 2014j). A final example: Sweden shifted its position late in the negotiations, becoming the most ambitious of all member states (Miljö- och energidepartementet and Romson 2014).

What can explain these shifts? First, all member states probably understood that, as in other important EU negotiations, some 'give and take' would be necessary. A member state blocking a prestigious agreement was likely to prove unpopular. Second, from the literature on EU climate and energy negotiations (see Skjærseth et al. 2016), one might infer that key negotiators conducted issue linkage also in this round of negotiations to make the final agreement acceptable. Such negotiations may have induced member states to change positions, as they became more satisfied with the proposals after being given concessions, learning what would be politically possible. This would be in line with Moravcsik's (1993, 502) argumentation that issue linkage of commercial and welfare concerns may explain why EU negotiations on environmental issues result in agreements that are more ambitious than the lowest common denominator. Third, in the complicated issue environment, governmental change may have brought a new government that interpreted the country's interests in new ways, leading to a different political position, as seen in Sweden.

Table 1 sets out the final positions prior to the October 2014 summit, showing that member states can broadly be divided into three groups. At the end of the negotiations, those in the Ambitious Group of Member States generally argued for a binding target of at least 40% reduction of GHG emissions, for an EU-wide renewables target of at least 30% and

for a binding energy efficiency target of 30%. The Visegrad+ Group, which originally threatened to block the agreement, finally argued for a GHG target of 40%, a non-binding renewables target of 27% and a non-binding energy efficiency target of 25%. Third, there are member states that seem to have taken in-between positions, here labelled ‘Member states with middle positions.’

**Table 1: The member states positions prior to the final negotiations**

Country group	Name	GHG	At least	RES	Binding/non	At least	EE	Binding/non	At least
<b>Ambitious Group of Member States</b>	Austria	40%	No	30%	Binding	Yes	30%	Binding	
	Belgium	40%	Yes	27%	Binding	Yes	30%	Binding, EU level	
	Denmark	40%	Yes	30%	Binding	Yes	30%	Binding	
	Germany	40%	Yes	30%	Binding	Yes	30%	Binding	
	Ireland	40%	No	30%	Binding	Yes	30%	Binding	
	Luxembourg	40%	Yes	30%	Binding	Yes	30%	Binding	
	Portugal	40%	Yes	40%	Binding	No	30%	Binding	
	Sweden	50%	Yes	40%	Binding	No	30%	Binding	Yes
<b>Member states with middle positions</b>	Cyprus	40%	No	27%	Non-binding	Yes			
	Estonia	40%	No	27%	Binding	Yes	30%	Non-binding	
	Finland	40%	No	27%	Binding	Yes	30%	Non-binding	
	France	40%	Yes	27%	Binding	Yes	30%	Binding	Yes
	Greece	40%	No	27%	Binding	Yes	30%	Non-binding	
	Italy	40%	No	27%	Binding	Yes	30%	Non-binding	
	Latvia	40%	No	27%	Binding	Yes	25%	Non-binding	
	Lithuania	40%	No	27%	Non-binding	Yes	30%	Non-binding	
	Malta	40%	No	0%			30%	Non-binding	
	Netherlands	40%	No	27%	Binding	?	30%	Non-binding	



<b>Visegrad+ Group</b>	Slovenia	40%	No	27%	Binding	Yes	30%	Non-binding
	Spain	40%	No	27%	Binding	Yes	30%	Non-binding
	UK	40%	No	27%	Non binding	No		
	Bulgaria	40%	No	27%	Non-binding	No	25%	Non-binding
	Czech Republic	40%	No	27%	Non-binding	No	25%	Non-binding
	Croatia	40%	No	27%	Binding	No	25%	Non-binding
	Hungary	40%	No	27%	Non-binding	No	25%	Non-binding
	Poland	40%	No	27%	Non-binding	No	25%	Non-binding
	Romania	40%	No	27%	Non-binding	No	25%	Non-binding
	Slovakia	40%	No	27%	Non-binding	No	25%	Non-binding

GHG: the country's position on the EU target on reduction of greenhouse gases. 'At least': if the country argued a formulation that enabled upward adjustment at later stages. RES: the country's position on the renewable energy target. Binding/non: if the country wanted a binding or non-binding target. Here, binding means binding at the EU-level. EE: the country's position on the energy efficiency target.

**Sources:** Commission (2013b), Ibec (2013), Council (2014a,c,d), Darby (2014c), Diekman and Schultz (2014), *EurActiv* (2014j), Evans (2014), Flynn (2014b), Greenpeace (2014e, 4), interviews ALDE (2014), BEE (2014a), Eurelectric (2014ac), FoE (2014), Greenpeace (2014), EWEA and UFE (2015), Miljö- och energidepartementet and Romson (2014).

### 7.1.2 Member states' attained influence: discussion

Attained influence refers to the distance between a stakeholder's position and the final outcome. All the member states that argued for a 40% GHG target attained their preferences. This meant most member states during 2014. Sweden, which during the final weeks announced that it now favoured a target of at least 50% GHG reduction, did not achieve this. Hence, the majority of member states seem to show a high level of attained influence as regards the GHG target, when their final position is taken into account. One could however, argue that since the GHG emissions target was awarded higher priority than the other two in the final text, as well as being the only target where it was guaranteed that there would be measures implemented at the national levels, the member states that advocated a single target approach *de facto* succeeded in achieving their aims. Member states that argued for a single target approach initially seem to have been France, the Netherlands, Spain, the

UK, and others in the ‘middle position group’ in Table 1. Those member states with the strongest positioning and the largest weight to influence the ‘at least 40%’ GHG reduction target were probably Denmark, France, Germany, Italy, Spain and the UK. They had the most to lose if EU did not manage to forge an agreement, since they, as relatively ‘old’ EU members, would be likely to feel special responsibility for the EU’s international reputation (see Schmitz and Schultz 2014). Already in 2013, the UK, Spain, Denmark and France signalled their preference for a 40% GHG reduction target (Commission 2013b). Moreover, the governments of these countries have accorded considerable attention to climate issues.

The renewables target also appears to be a result of hard negotiations that ended in compromise between the positions of member states that favoured binding national targets of 27% to 50% and those that initially argued against a renewables target in the framework. All the member states that argued for a 27% EU-level binding target at the end of the negotiations – Belgium, Croatia, Estonia, Finland, France, Greece, Italy, Latvia, the Netherlands, Slovenia and Spain – achieved their preferences and may thus be said to have a high level of attained influence on the renewables target. The Visegrad+ Group, Cyprus, Lithuania and the UK argued for a non-binding target of 27%, and Malta against a target. The Ambitious Group of Member States wanted a binding EU-level or national-level target of 30% renewable energy. Hence, the Ambitious Group of Member States, the Visegrad+ Group and some other member states were less successful in achieving influence, which may indicate that they were willing to give and take. Another interpretation is that, since there are unclear legal implications of the renewables target, the Visegrad+ Group could accept a weak but binding EU wide target – and then use the revenues from the free credits in EU ETS and access to the NER 400 fund to modernize their energy systems and expand their production of renewable energy. In future negotiations on implementation of the renewable energy and energy efficiency targets, they could then veto or slow down any processes not agreeable to them.

Also, the energy efficiency target appears to be a compromise. It was lower than the Commission’s proposal of at least 30% and what the Ambitious Group of Member States, France and most of the member states with middle positions argued for, but considerably higher than what Cyprus, Latvia, the Visegrad+ Group and the UK had wanted. A majority of the member states, i.e. all member states apart from those in the Ambitious Group of Member States and France preferred a non-binding energy efficiency target – so in this aspect, the majority got their will. Since no member states seemed to have argued for a 27% non-binding target, none of member states can be said to show a high level of attained influence on the energy efficiency target. Free emission allowances and access to the NER 400 fund given to the Visegrad+ countries would probably also help them to improve energy efficiency in various sectors, which might explain why they agreed to the target in the end.

As for the *existence* of targets for renewable energy and energy efficiency, in the final climate and energy framework, the outcome could arguably be said to be more in line with the preferences of the Ambitious Group of Member States that pushed for three ambitious and binding

targets. The target for renewable energy was binding at the EU level. In addition, the three targets included ‘at least’-formulations. Thus, these comparatively ‘green’ member states, and in particular the largest and mightiest one, Germany, probably had a substantial impact on the final outcome, as the Ambitious Group of Member States strongly argued for higher ambitions, particularly in 2014. Operationally, however, the targets for renewable energy and energy efficiency were weakly formulated as regards the legal direct implications, such as shorter-term changes required for the member states as compared to ‘business-as-usual’ scenarios. Thus, these targets can be said to have been somewhat in line with the preferences of the least ambitious member states: the Visegrad+ Group. However, the ‘at least’ formulations enable upward adjustments of the renewable energy and energy efficiency targets at later stages. In later negotiations, the Ambitious Group of Member States may forge compromises with the other member states, to reach agreement on higher targets and more ambitious measures. Only the future will show what the strategies and means for implementing the renewables and the energy efficiency targets will be and how much impact they will have (see Ala-Kurikka 2015a). Political discussions about implementation of the renewable energy and energy efficiency targets are ongoing as of March 2016.

### *7.1.3 Member states’ attributed influence: discussion*

Attributed influence, as explained, concerns which stakeholders the various stakeholders and others think have been influential. Stakeholders interviewed for this study and actors commenting in the media varied in their views on which member states had been more influential on the framework. Particularly France, Germany, Poland and the UK were seen as being influential. Italy viewed itself as the ‘mother of the 2030 framework,’ as it held the Commission presidency when agreement was reached (interview Statnett 2015).

Regarding Member States, Germany, DK, SE and some others managed to impose a RES-target and a ‘binding’ one, at least on EU-level. UK, FR and other nuclear friends managed to make the GHG target the overarching one, and some Efficiency supporters managed to impose ‘efficiency first,’ which is good on the one hand, but often enough used against RES (‘low hanging fruits first’), particularly in Eastern Europe (follow-up communication with BEE 2015).

The UK and France are held to have been particularly influential on the outcome as regards having the GHG emissions target as the overarching target – the UK had lobbied for this for several years (interview EWEA 2014). Both the UK and France wanted to be viewed as climate leaders. France in particular had much to lose in the case of non-agreement or an agreement without an internationally comparative ambitious target, because of the importance of achieving a comparatively ambitious EU negotiating position prior the global climate negotiations to be held in Paris in December 2015. According to Bürgin (2014, 99), Germany did not have a political position on the renewables target while it was being drafted in autumn 2013 because the two largest parties after the German elections, Christian Democratic Union of Germany and Christian

Democratic Union of Bavaria (CDU/CSU) and Social Democratic Party of Germany (SPD), spent weeks on forming a new government. Interviewees support this interpretation.

By the way, this is a UK proposal. The UK has been lobbying very heavily for years. They have an outreach group at the Department of Energy and Climate change, and they have been going around all the European capitals, in the preparation of this time of the package. And as all the pro-renewable countries have waited for Germany to take a position, Germany couldn't take a position towards the elections... (interview EWEA 2014).

Reinhard Bütikofer, MEP from the European Greens, commented on the final framework: 'France got a veto over more interconnectivity, Poland vetoed the renewables, and the UK blocked more energy efficiency' (*EurActiv* 2014h). This interpretation is supported by Fischer (2014). Although not formally aligned, The Visegrad+ Group (Poland not least) and the UK were decisive in weakening the energy efficiency target according to some interviewees and media sources (*Die Zeit* 2014a, *Der Spiegel* 2014, interview independent consultant 2014), since it was lowered from the Commission's proposed 'at least 30%' to an indicative 'at least 27%.' Poland and the UK were also said to have 'torpedoed' the renewables target (Uken 2014). Moreover, media and others attributed considerable importance to the role of the Visegrad+ Group (see Darby 2014b). The free emissions allowances provided to its members, the access to the NER 400 fund and other types of funding to the Visegrad+ Group have been attributed to their veto play (Uken 2014). According to Vaagland (2015, 56), the Polish Prime Minister, Ewa Kopacz commented to Polish media that Poland had achieved almost 100% of what they asked for. She claimed, according to EU media, that Poland had 'won' the negotiations (Darby 2014b, *EurActiv* 2014m). Thus, the Polish Prime Minister's assessment of Poland's attributed influence was that it was very large. The Prime Minister's behaviour was likely influenced by her need to show to the domestic audience that Poland had been playing a tough game and that they should be satisfied with the outcome.

Some interviewees mentioned that Germany was very important for the outcome, by facilitating negotiations, putting pressure on member states and finding compromises (interview Statnett 2015), and thus achieving a framework that ended up at the level of ambition that it did. Germany, the EU 'quota king,' could contribute with concessions to the Visegrad+ Group in the form of free emissions allowances in the EU ETS, which made the framework more agreeable to Poland among others (Vaagland 2015, 76, 94). One interviewee held that the December 2013 letter from the environmental ministers, requesting a binding renewable energy target, had a strong impact on the inclusion of a renewables target in the Commission proposal in January 2014 (interview CoE 2014). Several of the ministers who had signed the letter belonged to the Green Growth Group, where, as noted, several represented member states belonging to the Ambitious Group of Member States. Portugal and Spain are credited with the mention of 'arriving at 15% interconnection' in the final framework (interviews E3G 2014, EWEA 2015 and UFE 2015).

#### *7.1.4 Relationship between political positions, national energy mixes and national industries*

The LI theory would appear to be backed up by the data on negotiating positions as explained by what the countries' key industries are, in combination with what climate and energy policies they have implemented in recent years, and what the structure of their energy systems looks like. In addition, several member states seem to have taken positions similar in direction to their positions in the last large round of negotiations leading to the Climate and Energy Package. For example, Denmark and Germany previously backed targets that were generally considered ambitious. Moreover, Germany held the EU presidency when the previous targets were agreed in the Council in 2007, and has been credited with an important role, particularly as regards the nationally binding target for renewable energy, but also for achieving agreement on the Climate and Energy Package (Boasson and Wettestad 2013, 46, Gullberg 2013, 621, Cox and Dekanozishvili 2015). The UK strongly supported a GHG emissions target also in the last round of negotiations. And finally, the Visegrad countries were very critical to the package and managed to obtain a range of concessions in the negotiations by playing the veto card (Fischer 2014).

Table 2a and Table 2b document the close connection between the member states' position on climate and energy issues at the EU level and their domestic energy policies. Member states that already had implemented comparatively ambitious renewables, energy efficiency and GHG mitigation policies, and planned to continue along this path – such as Denmark, Germany, Ireland, Portugal and Sweden in the Ambitious Group of Member States, generally argued for the highest targets for renewable energy and for energy efficiency, and also that the measures should be binding. Energy system transformation, through massive expansion of renewable energy and the implementation of energy efficiency measures, would be the consequence of successful implementation of binding ambitious renewables, energy efficiency and GHG mitigation targets at the national levels. High and binding EU level targets could potentially help governments in these countries with launching ambitious green policies. Moreover, these countries (with the exception of Denmark, where petroleum companies in the next decade will probably not have much oil and gas left to extract), either lack large indigenous resources of petroleum or have none at all. Thus (again, with the exception of Denmark), they were all big importers of oil and gas. The Ambitious Group of Member States generally plan to phase out nuclear power (as in the case of Germany), have decided not to allow generation of electricity from nuclear power (as with Austria, Denmark, Italy, Luxembourg and Portugal), or have implemented stricter regulation enabling gradual phase-out of nuclear power (as with Belgium and Sweden). Last, members of the Ambitious Group of Member States tended to be deeply sceptical to CCS. On shale gas, however, their policies differed widely. The public in several of these countries is very negative (as in Austria and Germany), whereas some governments seem to have been positive to shale gas extraction (fracking), as in Sweden and in Portugal.

In contrast, member states with large domestic petroleum production, like the Netherlands and the UK, argued for a one tool–one target approach. An approach entailing a GHG target and EU ETS only could prove advantageous; as they have considerable amounts of gas-fired power in their electricity mixes, and plan to reduce GHG emissions further by expansion of gas-fired power. Moreover, an approach with only one GHG target would stand to benefit countries that opt for expansion of nuclear production or construction of new reactors for nuclear energy, such as Bulgaria, the Czech Republic, Finland, Hungary, Poland, Romania, Slovakia and the UK (see Prime Minister's Office Finland 2013, WNA references), and prolonging the life time of existing nuclear facilities, as in France. In summer 2013, several of these countries wrote that they would work further with security standards for nuclear power (Bulgaria 2013). The Netherlands and the UK also actively promote CCS. At the EU level, the UK has been a notable proponent of shale gas, as has Poland. One interviewee views the January 2014 proposal (and thus implicitly also the final targets) as heavily influenced by countries that favour coal and nuclear power in their energy mixes:

[...] so we have these coal countries, these countries living on coal, like Poland, the Czech Republic, Eastern Europe basically... and we have these nuclear countries, who for some reason are committed to burning taxpayers' money on new nuclear projects. And all this boils down to a weak proposal for renewables and efficiency, because a weak proposal for renewables is particularly in the interest of the nuclear part, and a weak proposal for efficiency is in the interest of coal (interview BEE 2014a).

As to the national energy portfolios of the Visegrad+ members, several of these countries have high shares of coal in their energy mixes, significant shares of nuclear power and low shares of renewable energy. Other similarities: the Visegrad+ countries do not seem to have specific ambitious long-term targets for renewable energy. Hungary, Poland, Romania and the Czech Republic were also positive to domestic shale gas production (see Eurostat 2013, 40, 73, Szalai 2013). Construction of nuclear power plants is so expensive that these governments might have reasoned that they could not afford both nuclear expansion and renewable energy expansion. On the other hand, the *levelized costs of electricity* (LCOE)<sup>40</sup> from various types of renewable energy are expected to become lower than for nuclear energy if there is adequate support to create domestic markets for them (IRENA 2015). Wind and photovoltaic electricity is reaching LCOE levels in an increasing number of markets around the world. Moreover, some of the Visegrad+ countries, Poland in particular, but also Bulgaria, the Czech Republic, Hungary and Romania, have had high domestic production of coal (see Table 2a and Table 2b). Their societies seem to suffer from a lock-in in coal production: it is difficult to alter the energy system, due to several dynamics, such as

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<sup>40</sup> Levelized cost of electricity is the cost of generating one unit of power when all costs related to the production is included. This sum included initial capital investments, discount rate, operation, fuel and maintenance. When an energy source has reached the marginal production costs of the other energy sources operating in the same market over a life time, it has reached *grid parity*.

political lobbying by the big energy companies and the large sums already invested in this industry which makes it harder to change course (Unruh 2000).

**Table 2a: The member states' energy mixes and energy policies**

Country group	Country	Renewables in energy mix, share of gross final energy consumption (2014)	Renewables in electricity mix (2013 if nothing else is stated)	Renewables policies	Long-term renewables target	Long-term GHG target	Average emissions per capita in tonnes CO <sub>2</sub> , (2014)	Coal production in 2013, in thousand tonnes	Coal policies
<b>Ambitious Group of Member States</b>	<b>Austria</b>	33.10%	70%	Considerable expansion of bioenergy. Plans to expand wind and solar power	IEA holds that Austria's policies on renewable energy are driven by the EU Renewables Directive. Green Electricity Act (2012)	Climate policy seems to be driven by EU targets	8.19	0	Seemingly no official policy. Coal power plants are closing down due to low profitability
	<b>Denmark</b>	29.20%	48.50%	Global front-runner in wind energy. Combines ambitious policies on renewable energy with ambitious policies on energy efficiency	All electricity and heating to be renewable by 2035. 100% renewable energy by 2050, independence from fossil fuels	40% reduction of GHG emissions by 2020	7.1	0	Phase-out of the energy system
	<b>Germany</b>	13.80%	28.2% (2015, first half: 34%)	<i>Energiewende</i> , aims at large-scale energy system transformation in the next decades. More ambitious domestic targets than those set at EU level. Feed-in premiums from 2014	21% of gross final energy consumption by 2020, 60% of gross final energy consumption and 80% of electricity consumption by 2050	40% reduction of GHG by 2020 compared to 1990 levels	9.3	210,493	Gradual phase-out of the energy system
	<b>Portugal</b>	27%	52.10%	Aims at large-scale expansion of renewable energy	Wants 60% to be renewable by 2020	Aims at reducing primary energy consumption by 25% by 2020	4.5	0	Consumption of fossil fuels for electricity production seems to be falling due to increased renewables production





<b>Member states with middle positions</b>	<b>France</b>	14.30%	18.30%	Government policies seem rather contradictory, both outlining large growth of renewable energy but also unstable support mechanisms	Will expand renewable energy to 32% of final energy consumption by 2030	Reduce GHG emissions with 40% by 2030 compared to 1990 levels, and by 75% by 2050	5	345	Low share of coal in the electricity mix. Large decline in consumption since 1980
	<b>Greece</b>	15.30%	21.90%	Large capacity for solar thermal power. Large growth of solar PV	Government adopted the Renewable energy roadmap in 2012, where Greece is to attain 20% renewables in energy consumption by 2020 and 60–70% by 2050	Climate policy seems to be driven by EU targets	6.4	59,052	Coal consumption has increased significantly the last decades. Lignite largest domestic energy source
	<b>Estonia</b>	26.50%	14.6%	Will over fulfil the Renewables Directive target	A draft of National Development Plan for the Energy Sector outlines 45% renewable energy in energy consumption by 2030	A draft outlines reduction of GHG emissions in the energy sector by 70% compared to 1990 levels by 2030	15.14	0	The majority of the electricity is produced from coal
	<b>Lithuania</b>	23.9%	13.70%	Biomass largest source. Attained target in the Renewables Directive in 2014	Has set indicative targets for 2050 with 40–100% renewables, 0–30% nuclear and 0–30% fossil fuel with CCS	Reducing GHG emissions by 40% by 2030, 60% by 2040 and 80% by 2050 as against 1990 levels	4.11	0	More or less all energy imports are from Russia, including coal
	<b>Latvia</b>	38.70%	51.10%	Relatively progressive	Aims at a renewables share of around 50% by 2030	Climate policy seems to be driven by EU targets	3.69	0	Large increase in coal consumption since the financial crisis until 2012
	<b>Finland</b>	38.70%	31.40%	Relatively progressive	Aims at increasing the share of renewable energy to 60% by 2050	National Climate Change Act sets a GHG reduction target of at least 80% by 2050 compared to 1990 levels.	10.07	0	Seemingly declining consumption of hard coal the last decade. Consumption dependent on season

	<b>The Netherlands</b>	5.50%	10%	Did not attain the Renewables Directive's interim target. Plans to increase production of renewable energy	16% renewable energy by 2023 according to The Energy Agreement	Wants to achieve mitigation of GHG emissions of 80–95% by 2050 according to The Energy Agreement	9.4	0	Coal consumption has seemingly not declined, is about 10% of energy consumption. Government has a long time objective to reduce dependence on oil, gas and coal
	<b>Spain</b>	16.20%	37.80%	Progressive in the past, but no longer. Has implemented retroactive policies since 2007	No particular targets	Spain has under the Kyoto protocol been allowed to increase GHG emissions compared to 1990 levels. Follows EU legislation	5.1	4,816	In 2013, about 15% of the Spanish electricity demand was covered by coal. The net consumption has been reduced the last two decades
	<b>Slovenia</b>	21.90%	33.90%	Comprehensive climate and energy strategy post 2020	No specific targets	Climate policy seems to be driven by EU targets. Indicative target for 2030 in the non ETS sectors of reducing GHG emissions	8.03	4,274	Fairly stable coal consumption the last two decades. Plans to continue to produce coal the next decades. Coal will partly be replaced by renewable energy and energy efficiency
	<b>Croatia</b>	27.9%	45.30%	On track to meet the target in the Renewables Directive	No specific targets	Climate policy seems to be driven by EU targets	4.84	0	Has no domestic coal reserves. February 2016: temporary suspension of construction of new coal-fired power plants until new national energy plan is in place

	<b>Cyprus</b>	9%	7.40%	On track to meet the target in the Renewables Directive	Has a road-map for renewable energy, but this might be changed. Policies on renewable energy, energy efficiency and GHG emissions are in preparation	Climate policy seems to be driven by EU targets	6.28	0	No coal in the energy mix
	<b>Malta</b>	4.70%	3.30%	On track to meet the target in the Renewables Directive, but needs further efforts to this end	No specific targets	Climate policy seems to be driven by EU targets.	5.61	0	No coal in the energy mix
	<b>United Kingdom</b>	7%	17.80%, (23.50% third quarter 2015)	Did not attain the interim target in the Renewables Directive. Expansion of particularly offshore wind	No specific targets	Reduce GHG emissions by 80% in 2050 compared to 1990 levels	6.5	14,154	Wants phase-out of coal by 2025. The last coal mine will close in the coming years
<b>Visegrad+ Group</b>	<b>Croatia</b>	27.9%	45.30%	On track to meet the target in the Renewables Directive	No specific targets	Climate policy seems to be driven by EU targets	4.84	0	Has no domestic coal reserves. February 2016: temporary suspension of construction of new coal-fired power plants until new national energy plan is in place
	<b>Bulgaria</b>	18%	18.90%	Above target set in the Renewables Directive	No specific targets	Climate policy seems to be driven by EU targets.	7.14	31,553	Aims at constructing new and less polluting coal power plants and rehabilitating old ones
	<b>Hungary</b>	9.50%	7.30%	On track to meet the target in the Renewables Directive, but needs to make further efforts to attain it	Indicative target of 20% by 2030	Climate policy seems to be driven by EU targets. For 2025: 16–25% GHG emissions reduction compared to 1990 levels	4.4	10,522	Most coal mines have been closed the last decades. Extraction of coal is expected to decline

	<b>Slovakia</b>	9.80%	23%	Is above preliminary renewable energy target, but below target for heating and cooling. Additional efforts needed to attain target in the Renewables Directive	No specific targets	Most climate policies are motivated by EU legislation	6.36	2,596	Seemingly gradual reduction in coal demand in recent years. Production of electricity and heat from coal is expected to be stable until 2030
	<b>Poland</b>	11.40%	12.40%	Expanding wind power, biofuel in coal-fired power plants	Energy strategy document from 2009 outlines that Poland aims at increasing share of renewable energy to 20%, 10% biodiesel in transport fuel, by 2030	No specific targets, but overall aim of decarbonisation. Climate policy seems to be driven by EU targets	7.8	157,440	Very positive, wants to protect domestic coal industry
	<b>Czech Republic</b>	13.40%	13.90%	On track to meet the Renewables Directive target	State Energy Policy for 2040 formulated 17–22% of renewable energy of primary energy sources and 18–25% of secondary energy sources	Indicative target of GHG mitigation of 40% between 1990 and 2030 formulated in State Energy Policy	10.4	53,990	Plans gradually decreasing coal in electricity generation and replace it with nuclear and renewable energy
	<b>Romania</b>	23.90%	41.70%	On track to attain the Renewables Directive target	Does not seem to have specific long-term renewable energy targets	No targets, climate policy seems to be driven by EU policies	3.6	27,254	Three out of seven mines will be closed by 1018

**Table 2b: The member states' energy mixes and energy policies**

Country group	Country	Oil production, thousand barrels per day (2014)	Net oil import or export, kb/d (2012)	Net gas import or export, mcm/y (2012)	Petroleum policy	Nuclear energy share of the electricity mix	Nuclear energy policy	Government attitude towards shale gas	CCS
Ambitious Group of Member States	Austria	26.5	234.2	7132	Receives natural gas by pipeline, Russia largest exporter. Works to diversify supply	0%	National Parliament has decided that Austria is to be an anti-nuclear country	Very negative	Moratorium on CCS
	Germany	159	2309.2	74903	Diversification of supply, several gas suppliers. No LNG harbours, receives gas by pipelines	15.8% in 2014	Will be completely phased out by 2022 according to decision in 2011	Very negative in the population. Has opened for (very) limited exploration of shale gas	Population strongly critical. Restrictions from the government
	Denmark	180.7	-427	-2517	Petroleum exporter, but this is expected to change	0% of domestic production	1985 Parliament decision that nuclear power plant will not be built	Government has been positive. Controversial topic. Limited reserves found	Low interest from companies. Temporary restrictions
	Portugal	7.1	233.6	4629	Import of oil from more sources, gas from Nigeria and Algeria. Gas pipelines to Algeria and Spain	0%	Considerable popular opposition: the government rejected plans for building a new nuclear power plant in 2004	Considering exploration	Little commercial interest
	Luxembourg	0	58.8	1214	Fully import dependent in petroleum, imports oil from its neighbours and gas from various countries	0%	Staunchly opposed the construction of Cattenom nuclear power plant in France	Parliament has voted against fracking	Views the geology as unsuitable for CCS. Prohibited except for research



<b>Member states with middle positions</b>	<b>France</b>	61.4	17129	43606	Heavy import dependence on oil and gas. Imports gas and petroleum from various countries	About 75%	Ambivalent, plans to reduce nuclear power production to 50% of electricity generation by 2025	Has banned fracking. Licences have been given earlier	Private actors have launched pilot CCS projects
	<b>Greece</b>	8.7	316.3	4349	Heavy import dependency of oil and natural gas. Well diversified oil supply, Russia largest exporter of oil	0% domestically produced for commercial purposes	2009 moratorium on future investments in nuclear energy	Parliament has ratified contracts with petroleum companies that do not exclude fracking	Does not seem to have any CCS projects
	<b>Estonia</b>	11.8 (2012)	142	670	Imports about half of its oil and all its gas. Produces oil shale. Diversification of oil suppliers. Imports all gas from Russia	0%	In 2009, the Estonian government launched a plan of establishing a nuclear power plant by 2023, but has not acted to achieve this target	Government positive to shale gas extraction	Moratorium on CCS
	<b>Lithuania</b>	9.111 (2012)		3320	Has opened for import of LNG at Klaipeda, which has improved Lithuania's energy security significantly. Works on decreasing dependence on Russian imports	0%, 70% of the electricity generated by nuclear power until 2009	Rejected in referendum in 2012. Agreement between several parties in 2014 to support the construction of a new nuclear power plant, Visanginas	Government positive to shale gas exploration	Mentions CCS as alternative in the future energy mix for 2050
	<b>Latvia</b>	1.0 (2012)		1716	Highly dependent on import of oil, gas and coal from Russia. Bioenergy important domestic energy source	0%	Shareholder in the Visanginas project in Lithuania	Seems to have little potential for shale gas extraction	Moratorium on CCS

	<b>Finland</b>	10	204.8 (2011)	4101	Highly dependent on import of oil, gas and coal from Russia. Bioenergy important domestic energy source	Ca 30% of the electricity	New reactor under construction in Olkiluoto, new nuclear power plant in Fennovioima	Seems to have little potential for shale gas extraction	Views the geology as unsuitable for CCS. Prohibited except for research purposes
	<b>The Netherlands</b>	60.6	969.1	-34155	Heavy import dependency on oil, big exporter of natural gas. Oil supply diversification. Most electricity comes from natural gas	About 4%	One new nuclear power plant planned, but the project has been postponed	Government positive to shale gas extraction. Large popular protest	Promotes CCS
	<b>Spain</b>	40.1	1284.9	32435	Heavily dependent on import of oil and gas, from various sources	About 20%	Uncertain what will happen with nuclear energy in the future, but nuclear apparently supported by current government	Government positive to shale gas exploration	CCS demonstration projects
	<b>Slovenia</b>	0.3			Fully dependent on import of oil and gas. Russia is the largest supplier	About 20%	Closure of the country's single plant set to 2023, but since extended to 2043. The reactor is shared with Croatia	Apparently small shale gas reserves	Moratorium on CCS
	<b>Croatia</b>	18.3			Production covers about 60% of domestic gas demand. Heavily dependent on import of petroleum	About 15%	Has no domestic nuclear power plants	Produces gas domestically from sites onshore and offshore	Seem positive to CCS
	<b>Cyprus</b>	0.0087		0	Petroleum dominates energy mix. Fully dependent on import of petroleum. No gas consumption. Might develop own gas offshore fields	0%	Has no domestic nuclear power plants	Apparently small/no shale gas reserves	Positive to CCS, develops pilot project



	<b>Malta</b>	0		0	Petroleum dominates energy mix. Fully dependent on import of petroleum. No gas consumption	0%	Has no domestic nuclear power plants	Apparently small/no shale gas reserves	Seems positive to CCS
	<b>United Kingdom</b>	906.4	551.9	37029	Dependent on importing about 33% of its oil consumption and about half of its gas consumption. Diversified sources of petroleum, Norway a major supplier	18%	The UK government has agreed to the construction of a new reactor at the Hinkley site, but project has encountered obstacles	Government positive to shale gas. 2015: moratorium in Scotland, vote against in Wales. UK government proponent of shale gas at the EU level	Positive, European frontrunner
<b>Visegrad + Group</b>	<b>Bulgaria</b>	3.4			Russia single supplier of gas. Almost fully dependent on imported oil and gas	About 33%	Government has planned construction of a new reactor at a present plant	Government seems negative to shale gas exploration. Fracking has been banned	Government seems positive to CCS, but seemingly no projects (yet). Limited exploration areas
	<b>Hungary</b>	25.3	108.5	7998	Heavy import dependence on oil and gas. Diversified sources of petroleum, but Russia a major supplier	51%	In 2014, the government made a contract with Russian Rosatom for two reactors	Government appears positive to shale gas extraction	Limited exploration areas
	<b>Slovakia</b>	9.1	65.3	5130	Heavy import dependence on petroleum. Diverse sources of oil, fully dependent on gas import from Russia	55%	Two reactors under construction	Government positive to shale gas exploration	Government seems positive, has supported funding of CCS through NER400
	<b>Poland</b>	39.3	501.8	11919	Almost fully dependent on import of oil, 66% dependent on gas import. Oil products from diverse sources, Russia supplies 80% of gas consumed	0%	Parliament decision in 2005 to opt for nuclear power. Unclear when and if the projects will be realised	Government positive to shale gas extraction, strong proponent in the EU	Government positive to CCS

	<b>Czech Republic</b>	10.7	188.7	8123	Large import dependency of oil and gas. Russia large exporter of both products	35%	Two reactors are planned	Government reluctant to domestic shale gas exploration, but supports it in Poland	Restrictions on CCS
	<b>Romania</b>	103.2			In 2013, 47% of petroleum consumption was met by import. Low dependence on imported gas	About 20%	Two more nuclear reactors are planned	Government positive to shale gas exploration. Large public opposition	CCS is allowed

**Sources:** Ericsson et al. (2004), Tere (2009), German Government (2010), Austrian Government (2013), Danish Government (2013), Patel and Viscusi (2013), DEA (2014), Eikeland (2014), *EurActiv* (2014g), FoE (2014b), IEA (2014a,b), Mearns (2014), REEEP (2014), REN21 (2014), Shogenova et al. (2014), U.S. Energy Information Administration (2014), WNA (2014a,b, c,d), Commission (2015e), Burger (2015), ENSREG (2015), Euracoal (2015), LSE and Grantham (2015), Netherlands Government (2015), ZERO (2015a), WNA (2015a, b, c,d, e,f,g,h,i, j,k, l), Ancygier and Szulecki (2016), European Commission Joint Research Centre (2016), Eurostat (2016b), Eurostat (2016a), MoE (2016), UK Government (2016).

#### 7.1.5 Influence of major industries in key member states

Concerning the political positions of key member in relation to their major domestic industries, there seem to be various types of overlap in the large member states. The German government's EU position seemed to be somewhere between the country's utilities industry, as represented by BDEW, and the country's renewables industry, as represented by BEE, but it seemed closest to BDEW's position. However, it is difficult to say whether this reflects higher industry influence or coincidence because this position was a mid-position between the German renewables industry and the environmental movement, and the BDI. The EU-level targets set would not hinder the German government in pursuing its own ambitious policies formulated in the *Energiewende*. Moreover, the German government might have taken account of the positions of other member states in deciding its own position, realising that a nationally binding renewables target would not be feasible in the face of major resistance to a nationally binding renewable energy target from many member states, although that was what the parties in government originally opted for. Germany is not known for changing positions during such high-level political negotiations.

The UK government's position was well aligned with the British business organisation, CBI, and with the utilities organisation, Energy UK in its call for a single GHG target. Although Oil and Gas UK does not appear to have taken a public stance, it is very likely that, representing a large industry, and because a substantial share of the British electricity is generated by natural gas, it had considerable influence in both CBI and in Energy UK. Thus, in the UK, several of the largest industries and the government shared main views on the 2030 climate and energy

framework. In France, the government's position also seems to be something between what the utilities industry and what the renewables industry worked for, as the utilities industry, represented by the French Utilities Association UFE, was for a GHG target, but critical to the targets for renewable energy and energy efficiency, which the French government supported. The government also owns the main electricity supplier, EDF, as well as the transmission infrastructure. EDF is by far the largest member of UFE. The political positions of all these groups were unsurprisingly similar. Thus, it might be that France's particular role as the next host of the global climate negotiations made its positions more ambitious than what the structure of the French energy system and the state ownership would imply. Neither the German nor the French government had negotiating positions even close to their main business associations, BDI and MEDEF.

In Italy too, the political position of the government also appears to be somewhere between the positions of the Italian Utilities Association, Assoelettrica, and the Italian Renewable Energy Association, AssoRinnovabili, provided that Assoelettrica shared Eurelectric's view. Here, the fact that Italy held the EU Presidency when the 2030 agreement was made might have made the Italian government more positive to an ambitious outcome. Moreover, the fact that Italy is heavily dependent on import of fossil fuels and has abandoned use of nuclear power might have served as a further motivation for the government to opt for positions on renewable energy and energy efficiency which made Italy belong to the Ambitious Group of Member States. The Spanish government's position seems closest to that of UNESA, the Spanish Utilities Association, but distant from the positions of the Spanish renewables industry represented by APPA and also the main Spanish business association. Whether this overlap is because UNESA held a middle position or because they were influential, or that both factors played a role, is hard to assess.

In contrast, the Polish government sided with the main business association, Lewiatan, and the Polish Utilities Association, PKEE. The Polish coal industry is likely to be well represented in both, as most of the country's electricity is generated by coal, and domestic coal extraction is a major industry. Moreover, the largest utility company, PGE, is state-owned. Thus, few analysts were surprised that the Polish government once again took a position highly favourable to domestic coal interests and once again played the veto card to obtain as many concessions as possible for its domestic energy industry.

#### *7.1.6 LI's explanatory potential: final comments*

Summing up, the positions of key member states appear to have been influenced by their major energy industries, the structure of the domestic energy system, by important national political decisions in climate and energy policy, by their long-term policies as well as by how important they assessed EU's role as an international climate leader to be. These factors are of course not independent of each other. LI seems to have good explanatory value also for these features of the final agreement: the concessions given to the Visegrad+ countries, and that, after the Spanish/Portuguese veto threats, an interconnection target was included in a

climate and energy framework for the first time. Thus, the final text appears to be a genuinely negotiated compromise between the member states, where all had to ‘give and take’ to some extent and all experienced that their preferences at least to some extent were met *de jure* or *de facto*, but none attained an agreement that aligned hundred percent with their political position. One explanation here could be that the largest member states, like Germany, the UK, Italy and France, probably had more to lose by a non-agreement, and were therefore willing to accept an agreement that was less advantageous to them – as long as there was an agreement in the end. In other words, in lieu of the secrecy of international negotiations, the member states struck a genuine compromise in which all appeared as winners in one way or another. This is in line with the results of Cross’s (2012, 70) study of the Council of Ministers of the European Union: ‘The results presented suggest that there are more winners than losers when measuring bargaining success.’ This also supports the findings of Wøien Hansen (2014, 1): when national preferences are strong, the issues at stake are thoroughly debated, and the final outcome of the negotiations reflects the initial preferences of the member states. By contrast, the ACF and HI approaches appear less suited for explaining the features listed here.

## **7.2 Analysing the process through the lenses of the advocacy coalition framework: advocacy coalitions as key stakeholders**

### *7.2.1 Identifying advocacy coalitions*

As demonstrated in the data presented in Chapter 6, the Broad Green Community, Eurelectric and members and affiliates, and the Alliance of the Energy Intensive Industries (AEII) and affiliates were the only coalitions of actors identified in this study that seem to fulfil the criterion that the members have common political positions combined with a nontrivial degree of coordination and cooperation over several years. That does not mean that there have not existed other advocacy coalitions engaged in lobbying, but that these three advocacy coalitions are what could be identified from the available data. For example, there seems to have been a coalition of petroleum-industry actors that cooperated in arguing for a single GHG emissions target, but this report lacks data on their degree of coordination and cooperation over time.

The political positions of the actors in the interest group community are outlined in Table 3, which clearly shows the major discrepancy in political positions in the interest group community and among other private stakeholders operating at the EU and European levels. Members of the Broad Green Community favoured 40–60% GHG emissions reductions, 45% consumption of renewable energy with nationally binding targets, and 40–50% improvement in energy efficiency. The umbrella organisation for the utilities industry, Eurelectric, argued for a GHG reduction target of 40%, a binding EU-level target for renewable energy of 27% and a binding target for energy efficiency of 25%. The Magritte group, Foratom, GIE and FuelsEurope worked for a single GHG target of 40%. The energy-intensive industry, the European overarching business

association, the coal industry and the petroleum industry, as represented by AEII, BusinessEurope, Euracoal and IOGP, advocated a single target in the case of a global agreement. Table 3 displays and groups the positions of the EU and European-level stakeholders in the interest group community.

**Table 3: EU and European-level stakeholders**

Coalition label	Name of members	GHG	At least	RES	Binding/non	At least	EE	Binding/non	At least
<b>The Broad Green Community</b>	EREC and its former members such as SolarPower Europe, EWEA and EREF	40%	Yes	45%	Binding, national level	Yes	40%	Binding	Yes
	Coalition for Energy Savings (CoE) and their members such as European Alliance to Save Energy	55%	Yes	45%	Binding, national level	Yes	40%	Binding	Yes
	Climate Action Network Europe and most CANs members, including Greenpeace, WWF, Oxfam International, E3G	55%	Yes	45%	Binding, national level	Yes	40%	Binding	Yes
	Friends of the Earth Europe	60%	Yes	45%	Binding, national level	Yes	50%	Binding	Yes
	European Environmental Bureau	60%	Yes	45%	Binding	No	40%	Binding	No
	European Union Trade Union Confederation	40%		30%			40%		
	Green Budget Europe	45%	Yes	45%	Binding, national level	Yes	35%	Binding, national level	Yes
<b>Other actors with 'green' attitudes</b>	Coalition of Progressive European Energy Companies	Ambitious		30%	Binding	Yes	Ambitious	Binding	
	Prince of Wales CLG. Members: Acciona, Alstom, Aviva, Alstom, Unilever etc.	40%		30%	Binding		Ambitious	Binding	
<b>The energy-intensive industry</b>	Alliance of the Energy Intensive Industry. Members: CEFIC, CEMBUREAU, CEPI, Cerame-Unie, FuelsEurope, IFIEC and others.	Dependent on global agreement							
<b>Other actors with 'brakemen' attitudes</b>	Euracoal	Dependent on a global agreement							
	BusinessEurope	Single target, with an eye of the outcome of the global agreement							

<b>The oil and gas industry</b>	IOGP and member companies	Single GHG target, conditional on a global agreement		No		No			
	Eurogas	40%		No			No		
	Gas Infrastructure Europe	40%							
<b>The utilities industry</b>	Eurelectric and their affiliates, IndustriAll and EPSU	40%	Yes	27%	Binding, EU level	No	25%	Binding	
	The Magritte Group. Members: GDF Suez, RWE, Fortum, OMV, Iberdrola, E.ON, ENI, ENEL, etc.	Single binding		No			No		
<b>Other groups that shared Eurelectric's position</b>	Institutional Investors Group on Climate Change. Members: different insurance companies and pension funds	40%		Adjusted to the GHG target			Adjusted to the GHG target		
<b>The nuclear industry</b>	Foratom	40%		No		No	No		

**Sources:** Wiedmann (2009), Coalition of Progressive European Energy Companies (2012a), BusinessEurope (2013), EUFORES (2013), Euracoal (2013b), Foratom (2013), IIGCC (2013), OGP (2013), CGL (2014), European Environmental Bureau (2014), ETUC (2014), Eurelectric et al. (2014), Eurogas (2014), IFIEC Europe (2014), interviews CoE (2014), EREF (2014a), EWEA (2014), Eurelectric (2014a,b,c), Eurogas (2014), FoE (2014) and E3G (2014), Magritte Group (2014c), Neslen (2014f), Fagan-Watson et al. (2015a).

The Broad Green Community fulfilled several of the criteria for ‘nontrivial degree of coordination.’ Its members issued joint press statements, arranged common meetings and coordinated their activities and political positions. Also, the criterion of long-term cooperation seems to be met. Some of its members, like the European environmental movement and the European renewables industry, have cooperated and coordinated their positions for several years. Such cooperation between environmental organisations and renewables associations has also been identified in previous research, at the national level (Szarka 2010, 842) and at the EU level (Boasson and Wettestad 2010, Ydersbond 2012). Members of the Broad Green Community had common political norms and views about what the challenges were and how they could be solved: policy core beliefs, which is the vital ‘glue’ in an advocacy coalition (Sabatier 1988). Moreover, research interviews demonstrate that the community’s member associations worked together with their members at the national level to achieve greater leverage, as national members have better access to their own governments. This is captured in Sabatier’s (1998, 121) concept of the EU multi-level governance system: ‘subsystems are nested within each other.’

The largest umbrella organisation members of the Broad Green Community such as CAN and The Coalition for Energy Savings, with their broad memberships, might also be seen as advocacy coalitions due to their shared policy core beliefs and longer-term coordinated action. The Broad Green Community could thus be described as an advocacy coalition of advocacy coalitions with partially overlapping memberships. This joining of forces from the environmental movement and private businesses working in ‘green sectors’ like the renewables industry and the buildings industry has probably served to provide increased leverage. For one thing, they could demonstrate that European businesses did *not* have a unified political position on the 2030 targets – which was the implicit message of BusinessEurope in calling itself ‘the voice of business in Europe.’ Second, the European environmental movement benefits from the political legitimacy of representing views of the general public and working for the common good, which is not necessarily the image connected with businesses. Third, this collaborative strategy multiplied members’ resources as regards manpower, lobbying skills, knowledge and contacts in the EU system and at the national levels – and also the level of information about the political processes that they could generate. The lobbying literature has identified these as typical reasons for interest groups to join (see Mahoney 2007).

Applying the criteria of nontrivial degree of cooperation, combined with long-term cooperation, the AEII also can be regarded as an advocacy coalition, as its members published common position papers and shared information among themselves. This umbrella organisation consists of the European interest organisations of most of the industries that were least interested in an ambitious agreement. Also among its members there are overlapping memberships, like large petroleum companies with membership in several AEII member organisations. Wettestad (2009, 316) has noted that in the negotiations in 2007 and 2008, the organisations under the AEII umbrella were not very united in their views despite common position papers. In the round of negotiations examined here, however, the energy-intensive industries seemed more aligned – the political positions expressed in press releases and in the media were basically promoting the same message, for example regarding loss of competitiveness as a result of stricter regulations. Other positions – for example, that there should be only one overarching GHG target, and that conditional of a global climate treaty – were also held by organisations with membership overlaps with AEII, like BusinessEurope and IOGP.

Eurelectric, together with its national member organisations and many of its member companies, also stands as an advocacy coalition, with its nontrivial degree of long-term cooperation and common policy core beliefs. Cooperation has involved jointly issuing materials and press releases with member associations, such as with the 2014 Eurelectric manifesto, and sharing lobbying tasks with national utilities associations and Eurelectric’s indirect members, the national member associations’ member companies (Eurelectric 2014g, interview Eurelectric 2014b). Since the utilities sector in Europe was divided on the issue, however, the advocacy coalition cannot be said to have extended to all the companies Eurelectric represented through its members. For example, the Alliance of Progressive European Energy Companies expressed more ambitious

positions than Eurelectric, whereas the Magritte Group worked for a less ambitious position, as it disagreed with the inclusion of targets on renewable energy and energy efficiency. Such discrepancy in member positions is common for EU-level interest organisations, and has often been cited as a reason why these organisations may have weak political positions (Pijnenburg 1998, 303–304).

The present study does not identify as broad advocacy coalitions as what the developers of the ACF, like Sabatier (1988) and Weible, Sabatier, and McQueen (2009b), argue is normally the case in a subsystem. As noted in the Chapter 2, not only interest groups, but also journalists, politicians, researchers and others may participate in advocacy coalitions. This makes it challenging to offer an accurate and comprehensive description of a coalition's activities, since coalitions may encompass basically all stakeholders working on an issue over a longer time period. Establishing a complete picture of which groups belong to what coalition can be nigh – impossible, particularly in the case of the EU system and the 2030 negotiations, where so many interest groups and other stakeholders have been involved. This study, as explained, applies fairly strict criteria to operationalize 'nontrivial degree of cooperation and coordination over time' to identify members of advocacy coalitions. A defining feature of such cooperation was the practice of joint meetings, press statements and letters. For that reason, the advocacy coalitions identified in the data used in this study do not include stakeholders normally expected to be important in negotiations, such as high-level negotiators representing the member states and centrally placed Commission officials. Thus, it is unreasonable to view the 2030 framework as a negotiated outcome *solely* between the advocacy coalitions identified in the data. In such a case, the governments of key member states, top politicians in the Commission etc. would implicitly be seen as possessing zero influence – a highly implausible inference.

Here lies a potential contradiction in the ACF framework: if the researcher chooses to apply strict criteria to operationalize 'nontrivial degree of coordination and cooperation over time,' the study will also exclude important actors that normally do *not* sign letters or arrange meetings with interest groups and other non-governmental actors as equal partners. On the other hand, if such nontrivial degrees of coordination and cooperation are defined loosely, such as by attendance at relevant events, quite a few actors who are not allies at all might be taken for 'political buddies' lobbying together in an advocacy coalition. That does not mean that they share common policy core beliefs and thus are qualified to be called an advocacy coalition. Several stakeholders share political positions to at least some extent and meet in various contexts and also cooperate on some issues while working for opposite views in others. What might be happening is that interest groups and other stakeholders in high-level negotiations often lobby both their 'foes' and their 'friends' (see Gullberg 2008), or that the meeting came about simply because insiders in EU's climate and energy policy circles tend to meet regularly in the 'Brussels Bubble.' That members of interest groups share certain positions and meet at various events cannot be sufficient grounds for calling them members of an advocacy coalition. For example, this study has no data documenting that Eurelectric and Foratom cooperated and



coordinated their political positions, even though they held similar views on the importance of an overarching GHG emissions reduction target, and their representatives certainly met one another from time to time.

If the concept of advocacy coalition is broadened to include actors with similar attitudes but only loose coordination with each other, the agreement on the 2030 climate and energy framework could still be viewed as a compromise between advocacy coalitions, a ‘negotiated agreement between previously warring coalitions [...]’ (Jenkins-Smith et al. 2014, 203). It may well be that groups within these broad coalitions have coordinated and cooperated informally over a period and hold similar policy core beliefs, and thus would fulfil the strict criteria employed in this study. However, for this already resource-intensive study, obtaining precise data on such cooperation and coordination would have been a challenging, if not impossible, task. If we ‘merged’ the data on the political positions of the three groups of stakeholders, and placed stakeholders according to the groups with which they had the closest position, such new ‘advocacy coalitions’ might look like what is shown in Table 4:

**Table 4: Overarching coalitions based on similar political views**

Overarching Label	Coalition label	Member name if member of coalition	GHG	At least	RES	Binding/non	At least	EE	Binding/non	At least
Comparatively ‘greenest’ stakeholders	Ambitious Group of Member States	Austria, (Belgium), Denmark, Germany, Ireland, Luxembourg, Portugal, Sweden	40%	Yes	30–40%	Binding	Yes	30%	Binding	?
	The Broad Green Community	EREC, ERECs members, CoE, CAN, EEB, Oxfam, E3G, Sandbag, and others	55%	Yes	45%	Binding	Yes	40%	Binding	Yes
		Friends of the Earth Europe	60%	Yes	45%	Binding	Yes	50%	Binding	Yes
		Green Budget Europe	45%	Yes	45%	Binding	Yes	45%	Binding	Yes
		European Trade Union Confederation	40%		30%			40%		
	Coalition of Progressive European Energy Companies	Acciona, Dong, Edp renewables, Eneco, Enovos, EWE, SSE and Swim	Ambitious		30%	Binding		Ambitious	Binding	
	Prince of Wales Corporate Leaders Group	Acciona, Alstom, Aviva, Unilever and others	40%		30%	Binding		Ambitious	Binding	

	<b>European Parliament</b>	Consensus decision, ITRE and ENVI.	40%	Yes	30%	Binding, national level	Yes	40%	Binding	Yes
<b>Stakeholders with position at the middle of the spectrum</b>	<b>European Commission</b>	DG Clima, DG Energy, Commission President	40%	No	27%	Binding EU-level	Yes	30%	Non-binding	Yes
	<b>Member states with middle positions<sup>41</sup></b>	Cyprus, Estonia, Finland, (France), Greece, Italy, (Malta), Netherlands, Lithuania, Slovenia, Spain, (UK)	40%	No	27%	Binding EU-level	Yes	30%	Non-binding	?
	<b>Eurelectric</b>	Eurelectric and their affiliates	40%	Yes	27%	Binding EU-level	No	25%	Binding	No
	<b>Institutional Investors Group on Climate Change</b>	Various insurance companies and pension funds	40%		Adjusted to the GHG target			Adjusted to the GHG target		
<b>Stakeholders with the comparatively lowest ambitions</b>	<b>Visegrad+ Group</b>	Bulgaria, (Croatia), Czech Republic, Hungary, Poland, Romania, Slovakia	40%	No	27%	Non-binding	No	25%	Non-binding	
	<b>Alliance for the Energy Intensive Industry</b>	CEFIC, CEMBUREAU, CEPI, Ceramie-Unie, FuelsEurope and others	Dependent on global treaty	No	No target			No target		
	<b>Magritte group</b>	GDF Suez, RWE, Fortum, OMV, Iberdrola, E.ON, ENI, ENEL and others	Single target		No target			No target		
	<b>BusinessEurope</b>	All umbrella business associations and single companies	Single target, with an eye on outcome of the global negotiations		No target			No target		

<sup>41</sup> As shown in Table 1, not all members of the different groups held exactly the same positions. Those deviating from the figure presented here are put in parentheses.

	<b>Euracoal</b>	European coal industry	Dependent on global treaty		No target			No target		
	<b>International Organization of Oil and Gas Producers</b>	International petroleum producers	Single target, dependent on global treaty		No target			No target		
	<b>Foratom</b>	European nuclear industry	40%		No target			No target		
	<b>Eurogas</b>	European gas industry	40%		No target			No target		
	<b>Gas Infrastructure Europe</b>	European gas transport industry	40%		No target			No target		

### 7.2.2 Discussion: the attained influence achieved by advocacy coalitions and groups

The final 2030 headline targets were far lower than what the Broad Green Community had argued for, especially in regard to renewable energy and energy efficiency. Yet, it is likely that the Broad Green Community's hard lobbying efforts at the EU and national levels did make a difference. Their actions helped to pave the way for the more radical recommendations of the Parliament and enhanced the legitimacy of a triptych approach with targets that could be adjusted upwards, and for setting targets that were higher than the 'business-as-usual' scenarios. Their lobbying probably increased the Commission's legitimacy for proposing a higher target for energy efficiency than what would naturally come from implementing a GHG reductions target. Although this report does not have data documenting that there was non-trivial degree of cooperation and coordination between research institutions like the Wuppertal Institute, the Fraunhofer Group and the Broad Green Community, it seems logical to assume that their scientific analyses demonstrating the potentials for e.g. solar energy also fed into the debates and enhanced the political legitimacy of the renewable energy and energy efficiency targets. Sattich (2013) identifies these research institutions as members of various advocacy coalitions in EU climate and energy policy.

The outcome of the negotiations was very much in line with Eurelectric's preferences: one overarching target, implementation of EU ETS reform, an EU-level target for renewable energy at 27%, and the non-binding energy efficiency target. As regards influence attained, Eurelectric and their lobbying partners thus seem to have been fairly influential. Whether this was indeed the case is another question, since the high target attainment may be attributed at least partly to the fact that Eurelectric happened to hold a 'middle position.' As an interest organisation representing large economic actors in key industries that were affected by the legislation, Eurelectric probably did have some influence. There can be no doubt that the large utilities companies and their interest organisations fought extremely hard to get their views accepted. This is

probably due to the major economic downturn experienced by several major utilities in the past, resulting in deficits of billions of euros.

The AEII wanted zero headline targets, so the 2030 outcome was far removed their stated preferences. This applies also to the AEII call for little/no EU ETS reform, as the Council negotiations resulted in an enhanced linear reduction factor and also calls for a market stability reserve. However, these industries frequently get access to cheap wholesale electricity, and also have received many free allowances in the EU ETS from their home countries in order to protect them – so some major recipients of ETS quotas have probably been able to earn significant revenues by selling excess allowances (see Oxfam 2010). Analysts believe that European export industries will continue to receive free ETS quotas in the period from 2020 to 2030 (see Buchan et al. 2014).

Because there are companies faking that they have huge costs with EU ETS, but actually, until now, they have actually only gotten profits out of it (interview Statnett 2014a).

Such support in the form of free ETS allowances seems set to continue since several member state leaders have emphasised the importance of protection against loss of competitiveness. Thus, claims of the energy-intensive industry might have sounded somewhat ‘hollow’ to politicians who negotiated for an overarching agreement with long-term targets and ETS reform. Since the final targets on renewable energy and energy efficiency were legislatively weak, the effect of implementation would depend on later negotiations, and the EU ETS would have to be changed drastically to increase the quota prices up to sustainable levels, the outcome was also to some extent in line with AEII’s preferences.

### *7.2.3 Advocacy coalitions’ attributed influence: discussion*

Several interviewees noted that they thought the energy-intensive industry, and BusinessEurope not least, had been very influential in their lobbying (interviews CoE 2014, ECF 2014, Greenpeace 2014 and Statnett 2014c).

[...] there is always fierce lobbying from all the energy-intensive industries, also within the Commission, so it seems that they have a lot of impact. Definitely on this Tajani person, this Industry and Entrepreneurship Commissioner (interview Statnett 2014a).

Eurelectric was also held to be influential. One Eurelectric interviewee argued that it had been quite successful in lobbying the target on GHG emissions (interview Eurelectric 2014a), while other interviewees from the organisation were more hesitant in assessing Eurelectric’s degree of influence on the process (interviews Eurelectric 2014b,c). Some interviewees felt that the utilities industry had been influential on the formulation of the targets (interview Greenpeace 2014).

BEE, representing the German renewables industry, assessed its own influence this way:

My own/our influence, was – in close contact particularly with DG ENER to keep some ambitious language in the texts, to stabilize those who want a meaningful governance (as opposed to ‘Light touch’ ‘no governance’), keeping scepticisms against capacity markets alive, guiding market design discussions towards flexibility and more decentralized prosumers ... And I am convinced, that without EREF and BEE insisting, the other Brussels based organisations alone might not have been as insisting (from follow-up communication with BEE 2015).

Interviewees seem to agree that both the proposed targets in January 2014 and thus also the final targets in October 2014 were a result of a genuine political compromise (interviews Eurelectric 2014b, Eurogas 2014, E3G 2014 and FuelsEurope 2014).

They [BusinessEurope] are a very strong interest representation for the industry. The Alliance of the Energy Intensive Industries has also been an important player. But, you see in the end that the proposal from the Commission was a compromise, so, it means that somebody else was pushing from the other side (interview FuelsEurope 2014).

This view was also reflected in how other interviewees saw the situation in EU negotiations:

Very often, the compromises made here are taking stock of many different positions, so it is not like we are writing the law, and then they publish it, and not the others either (interview Eurelectric 2014a).

Eurogas shared this view:

I think BusinessEurope has been pretty effective in really....yes, bringing the priority of industrial competitiveness onto the table. I think at the same time, the outcome, I don’t know, the assessment is that the outcome is fairly balanced. It does seem to me that all parties were listened to, and that is something of a synthesis that would include us being listened to, but also the renewables side (interview Eurogas 2014).

#### *7.2.4 Process tracing of influence*

Here, the process tracing data on the utilities industry’s channels for exerting influence indicate that they have conducted extremely hard lobbying throughout the process at the EU level, and that they have excellent contacts with decision-makers at the EU level (interviews Eurelectric 2014a,b,c). Moreover, Eurelectric cooperated and shared tasks with its national members and their member companies, which makes it likely that Eurelectric has influenced the political positions of the EU member states and possibly also the Commission’s proposals. To what extent, however, is very hard to say. The same is probably the case for the energy-intensive industry and the petroleum industry, represented by AEII and IOGP, which seem to have worked hard to influence national governments to go for lower ambitions. The countries that acted as veto players regarding the energy efficiency and renewables targets, Poland and the UK, were likely to have been heavily influenced by their major domestic industries: coal, utilities and petroleum. The Broad Green

Community, on the other hand, probably contributed to an agreement where the GHG mitigation target was set at 40%, and there also would be a binding target for renewable energy and an energy efficiency target. These targets could be adjusted upwards in later negotiations. Gaining acceptance for the three-target approach was one likely outcome of the role that the members of the Broad Green Community have in key ‘green’ member states like Denmark and Germany and also at the EU level, where they cooperated actively with each other.

### *7.2.5 Concluding remarks on advocacy coalition influence*

The long existence of these three coalitions shows that the EU interest group system involves both long-term advocacy coalitions and *ad hoc* coalitions. Although Rozbicka (2013, 847) and Mahoney (2007, 366) argue that only *ad hoc* coalitions exist in the EU interest group system, we have seen that a policy area might consist of both long-term advocacy coalitions and short-term issue-specific coalitions. This is a finding that should be explored in further research. Summing up, our data indicate that the advocacy coalitions and the rest of the interest group community here identified have exerted influence at the national as well as at the EU level through their extensive lobbying of decision-makers and bureaucrats. If the advocacy coalitions are broadened to group stakeholders with comparatively similar attitudes, the member states and the EU’s executive institutions also become part of the story. Also with these new broad ‘advocacy coalitions’ the outcome seems to be a genuine compromise among the actors involved. Influence has been exerted through several routes, and would not be easy to track within a strict LI or HI framework.

## **7.3 Analysing the process through the lenses of historical institutionalism (HI): highlighting the role of EU’s executive institutions and existing legislation**

We have seen that neither the Commission nor the Parliament was internally united as regards political positions, but did not agree with each other on renewable energy and energy efficiency. The overarching positions that guided their actions were straightforward enough: the Commission’s position was the same as what was proposed in the final framework, while the Parliament’s position was what had been agreed on in the Parliament votes in February and March 2014. In spring 2014, elections to the European Parliament brought a considerable change of seats; and there was a new Commission from November 2014 onwards. However, on the 2030 climate and energy framework, the new Parliament retained the political position of its predecessor, as did the new Juncker Commission. Table 5 outlines the political positions of the Parliament and the Commission, showing the Parliament as the ‘greenest’ institution among the EU’s executive institutions.

**Table 5: Political positions of the EU's executive institutions**

Name	GHG	At least	RES	Binding/non	MS level	At least	EE	Binding/non	MS level	At least
Commission	40%	No	27%	Binding	No	Yes	30%	Non-binding	No	Yes
European Parliament	40%	Yes	30%	Binding	Yes	Yes	40%	Binding	No	Yes

Sources: Commission (2014a), Council (2014g), Parliament (2014b)

### 7.3.1 *The Commission and the Parliament: attained influence*

The final 2030 climate and energy framework was fairly similar to what the Commission had proposed, with the exception of the energy efficiency target, which was lowered from 30% to 27%. This supports the view that a main way for the Commission to influence policies is to serve as the agenda setter. Its agenda-setting power here comes from the right to launch proposals and consultations. Moreover, it is the only participant with a full overview of all the political positions in the negotiations (Thomson 2011, 100, Cross 2012, 86). Interest groups are highly aware of the importance of the Commission's role as an agenda setter and how legislation may develop over time in unforeseen directions:

The Commission is full of expert lawyers. They are very good at having a legal goal and then put a little piece of it here, like a legal jigsaw puzzle, and then a little over on the other side, and it's very hard to spot them. But when the legislation is made and the two pieces joined up, then suddenly, it's something quite strong. So you have to read it very carefully (interview Eurelectric 2014b).

The launch of the 2030 targets in January could well have been made so as to maximise chances of obtaining approval. The Commission was probably very well-informed as to the positions of the member states and other stakeholders, and it normally tests out proposals before launching them. This view is also supported by our interview data (interviews Energy Norway 2014, Eurelectric 2014b and FuelsEurope 2014). Another factor that strengthens this interpretation is that the January proposal was not necessarily congruent with e.g. what the Commission's own impact assessment calculated would be most advantageous for the EU. However, the level of ambition as to GHG emissions reduction, although considered weak by several analysts and interest groups, could still be said to be in line with the overarching EU target of achieving an 80–95% reduction of GHG emissions by 2050 (Commission 2011). Despite such unfavourable conditions as the economic crisis from 2008, the Commission was basically able to adhere to the long-term targets.

With the exception of full target achievement regarding GHG emissions, the Parliament has shown a low level of attained influence on the 2030 climate and energy framework. Both the renewables target and the energy efficiency target agreed were fairly far from the Parliament's preferences. That being said, it would have been problematic if the totality of the final decisions stood in direct contradiction to the direction of the Parliament's recommendations – which they arguably do not. With the ordinary legislative procedure (the co-decision procedure), where the Parliament

and the Council hold equal legislative powers regarding implementation of the 2030 framework, the Parliament's influence seem set to increase. Thus, the Parliament will be an important target for various stakeholders, particularly during the ordinary legislative procedure.

### 7.3.2 *The Commission's and the Parliament's attributed influence*

Unsurprisingly, several interviewees saw the Commission as a very important actor in the negotiations, while few mentioned the Parliament. For example:

Well, I think the only actor which really counted from the beginning to the end was the Commission itself. This 40%, it's not new. It comes from the 2050 roadmap that came out three... in March 2011. And that's where the Commission proposed 40%. In 2007, the IPCC said: if you want to be in line with 450 ppm [target, what was regarded as necessary to limit global warming to 2°C], developed countries need to cut their emissions by 25–40% by 2020, leading to 80–95% by 2050. And that is where the EU got its 80 to 95 target from (interview FoE 2014).

Other interviewees highlighted the documentation produced by the Commission:

The Commission's role is indisputably huge as it undertook major studies – such as impact assessments of different levels of GHG emission reductions, RES and EE measures. It laid the foundation for the negotiations in the Council and the EP (interview The Brussels Office 2014).

Some interviewees argued that, within the Commission, the Commissioners from the DGs in charge, Hedegaard in DG Clima, and Oettinger in DG Energy, had been influential with respect to the proposal:

Hedegaard and Oettinger have had a huge impact on what the Commission proposed. Both of them possibly not a very constructive impact, just to tell you the truth. We have had two very different Commissioners, saying two very different things (interview Eurelectric 2014b).

Bürgin (2014) attributes special weight to Commissioner Oettinger, who, he argues, used the lack of consensus among the member states to push his own agenda: a GHG mitigation target of 35%. Further, according to Bürgin (2014, 702, 703) Hedegaard was more occupied with simply achieving an agreement than with getting an agreement that was ambitious as regards renewable energy. Thus, she dropped demands of a nationally binding renewables target and agreed to Barroso's compromise of an EU-level binding target for renewable energy of 27% and a GHG target of 40%. Interviewees also hold that Secretary General Day and her cabinet were very influential (interviews EWEA 2014 and FoE 2014). Green MEP and EUFORES-member Claude Turmes commented to *EurActiv*:

[...] the manipulation from Barroso and Catherine Day around the 2030 [climate and energy] package is just gigantic. It is intended to please the British and destroy EU policy on renewables and energy efficiency (*EurActiv* 2014i).



One interpretation of that is that the Secretary General could exert greater influence because Hedegaard and Oettinger were at odds with each other. Another plausible explanation is that Barroso and his Secretary General could be influential, but that their positions were also affected by their need to forge a compromise among actors with highly differing political positions.

### 7.3.3 *Impact of existing legislation*

The importance of the EU institutions as regards existing legislation also seems supported by our data. The 2030 targets may be seen as a continuation of the 2008/2009 Climate and Energy Package, with a certain strengthening of the legislation concerning greenhouse gas mitigation from this previous framework. It is hard to imagine that the 2030 framework would have been phrased as it was if the 2020 framework had not existed already, and the 2020 climate and energy framework was built on the legislation that existed at the time. However, the target for renewable energy has been lowered as regards the level of ambition in comparison to the first Climate and Energy Package, where there was a nationally binding renewable energy target. Without binding national commitments, and with ETS quota prices too low to trigger investments in renewable energy in the foreseeable future, it will more difficult to achieve the EU-wide growth in renewable energy necessary to drive large-scale energy system transformation required for decarbonising the EU's energy systems by 2050. Launching the interconnector target for 2020 in the climate and energy policy framework also meant a certain strengthening of earlier policies, because it enhanced the political status of the target. It is hard to envisage that this target would be have had the size agreed on, 15%, had there not been decisions already stating that there should be an end to all energy islands, as well as an existing target of 10% interconnection (Council 2002, 15). This may be referred to as *legislative path dependency*. Once legislation is established, it may prove hard to reform – as the long political battle to reform the EU ETS has shown. On the other hand, this fact also may provide opportunities for strengthened legislation later in situations where some or several stakeholders are less willing than before to make changes that would be beneficial for the climate and the environment.

### 7.3.4 *HI's explanatory potential: final remarks*

One of the main ways the Commission influences decisions made at the EU level is by serving as the agenda setter. Moreover, the level of ambition of 2030 climate and energy framework appears to be a path-dependent outcome of previous legislation, the Climate and Energy Package for 2020 in particular. It was also in line with the EU's long-term strategies and targets. Individuals within the Commission – not least Secretary General Catherine Day, Energy Commissioner Günter Oettinger and Climate Commissioner Connie Hedegaard – have all been seen as influential on the process. However, it is hard to assess exactly to what extent, and on which specific details. The Parliament does not seem to have been very influential on the final 2030 framework, which emerged as fairly far removed from the Parliament's position. However, the Parliament is likely to have a much greater say during the co-decision

procedure. If we apply the principle of Occam's Razor, these features provide strong indications that HI has a place among the explanations.

#### **7.4 Complementarity among the perspectives**

Both ACF and HI emphasise the importance of external shocks as factors that may change policies. The major external shocks identified in this report are the economic crisis starting in 2008, which has made the member states more hesitant to implement green policies and affected the public discourse, and the Russia–Ukraine crises of 2006/2007, 2009, and then from January 2014. The economic crisis shaped the EU discourse towards a greater focus on competitiveness; the 2014 Russia–Ukraine crisis led to a heightened focus on energy security, and contributed to leading the Commission to propose in July 2014 an indicative energy efficiency target that was higher than would otherwise have been the case. Moreover, geopolitical events were employed actively by the advocacy coalitions in pushing for their agendas. The Russia–Ukraine crisis provided the impetus for former Polish Prime Minister Donald Tusk to call for an Energy Union – an institutional innovation that he intended as a gas-purchasing union, but that the newly elected Commission leader Jean Claude Juncker reformulated to become something completely different. The Energy Union is, as of this writing, still being negotiated, although it is gradually taking shape (Commission 2015g). Similar to other crises that have provided the impetus for creating new EU-level bodies, the third Russia–Ukraine crisis seems to have been decisive for the creation of the Energy Union.

Thus, with common views about external shocks as drivers for political change and for political agreements, ACF and HI outline some of the same dynamics. Moreover, member states, when pressured, may try to use EU as a tool for improving their own conditions geopolitically, which is typical of the LI perspective. The examples above show that the actors highlighted by the two theories/frameworks may in fact be complementary. LI does not deny the importance of EU institutions, but holds that ultimate decision-making power lies with member-state governments. HI would argue that member-state governments are important for understanding outcomes of EU political processes, but would hold that, in order to explain the dynamics driving political processes and outcomes over in the longer term, account must be taken of the EU's executive bodies, EU leaders' entrepreneurship and the impact of the often short time-horizons of national leaders. ACF also attributes importance to the national-level institutions, both regarding the content of legislation made and its implementation (Sabatier 1998, 121). It is unlikely that the framework can be understood without examining all groups of actors involved and identified as important in the three theories: the EU's key executive institutions, the member states, and the interest group community at the national and EU levels. When asked who had been influential, for example, one interviewee replied that the Commission, member states and interest groups were equally influential on the formulation of the proposal in January (interview Eurelectric 2014b).

The present study contributes to documenting why this is the case with the EU's climate and energy policy, with its steadily expanding legisla-

tion, the build-up of various bodies and the gradual expansion of long-range ambitions. As an organisational petri dish, the EU system of negotiations and policies can fruitfully be investigated with the help of multiple theoretical lenses. This study has asked: where does the power really lie in the EU? From the data provided here, the most adequate answer seems to be that power is distributed across multiple political levels and multiple stakeholders, as described by Hooghe and Marks (2001). Various stakeholders often operate across political levels, particularly in high-level prestigious situations like the 2030 negotiations.



## 8 Conclusions

This study has asked:

How can we explain the outcome of negotiations in the EU, as exemplified in the 2030 negotiations?

The three hypotheses posed by the three theories chosen were:

**LI:** The outcome of the negotiations can be understood as a negotiated compromise where the largest member states were the weightiest. Their most affected industries could be expected to influence their government's negotiating position.

**ACF:** The outcome of negotiations may be understood as a negotiated compromise among several advocacy coalitions. Likely to be active are: a) a green coalition consisting of e.g. the renewables industry and ENGOs, b) the utilities industry and c) the energy-intensive industry.

**HI:** The negotiations outcome may be understood as a result of supranational entrepreneurship of the Commission and the Parliament, and also as a path-dependent outcome of earlier climate and energy legislation.

The result of the 2030 negotiations as regards the headline targets seems to be a genuinely negotiated compromise. Basically all stakeholders – whether EU member states, the key EU executive institutions, or advocacy coalitions – emerged with their preferences fulfilled *de jure* or *de facto*, at least some extent. The 2030 package gave the EU the mandate to act with a shared and comparatively progressive stance in the international climate negotiations in Paris in 2015, providing an example of the commitments necessary to reach the United Nation's 2°C target.

Our three hypotheses based on the theories have received fairly solid support in the data, depending on how they are operationalized. The ACF hypotheses receive strong support only if the advocacy coalitions are expanded to include key member states and the EU's executive institutions. This also indicates another possibility: that ACF, HI and LI might be combined in order to explain EU decision-making processes. It is highly likely that the national members of the various advocacy coalitions influenced their national governments, as seen in the overlap between industry positions and the positions of the governments of the largest member states. Moreover, it seems important to include the actions of the EU's executive institutions to understand why the final framework was formulated as it did. Thus, all three theoretical perspectives have explanatory value, and are all useful for understanding the political processes better.

LI, HI and ACF have been found to complement each other in their explanatory value about the political processes. Applying more than one perspective here has yielded a richer and, it would seem, more precise

explanation of the processes than if they had been studied through only one theoretical lens. HI yields something that LI and ACF do not: that is assessing the explanatory value of the actions of the EU's executive institutions and existing EU legislation. ACF has here proven useful for identifying and explaining the actions of the interest-group community in particular, but might – if more loosely formulated – be expanded to include stakeholders such as member-state governments. The study has shown the interest-group system in the EU consists not only of *ad hoc* issue-specific coalitions, but has long-term advocacy coalitions as well. LI has provided tools for assessing member states in relation to their key energy policies, their energy systems, key domestic groups, the role of large member states and the contribution of issue linkage in the negotiations. Summing up, then, while the results presented here could also be explained within the ACF or LI theories, as a whole they are explained better and more simply by employing a combination of ACF, LI and HI. Also other theories, not dealt with here, might prove relevant.

In measuring influence, it would be very difficult to assess the exact influence of member states vis-à-vis all other political stakeholders – including the Commission, the interest-group community and individual figures like the newly elected Commission President Juncker as well as the former Commission President Herman von Rompuy – in a single study. The various stakeholders all influenced each other, to a greater or lesser extent. It would be very hard to substantiate empirically that, say, a given stakeholder's position is merely a result of lobbying and not that stakeholder's own independent deliberations and reflections. Moreover, such an assumption might also appear quite condescending, as it implies that stakeholders do not have views of their own, but take up positions solely as the result of lobbying and pressure from other stakeholders.

The report has employed process tracing to explain a negotiation process where there the stakes have been high and considerable secrecy has been involved. By following the political negotiations and related debates closely and while they were underway, the project has managed to get the actual sequencing of events, experiencing the political debates among stakeholders and following the media coverage on a daily basis. This approach has also enabled the researcher to relate the political discussions on various climate and energy issues to each other in a year characterized by major decision-making processes and a high activity level. On the other hand, greater time-distance to the process might have yielded more data about the most sensitive parts of the process, as actors and stakeholders normally feel more free to speak once negotiations are definitely concluded.

Pertinent questions for future research include the following:

- How exactly did the interstate bargaining in the 2030 negotiations take place? What kind of issue-linkage was applied to make the agreement acceptable to all actors in the end? On the basis of what calculations did member states take their political positions?
- Why did political discussions among member-state governments and other stakeholder converge at the target of 40% for GHG

emissions reductions, 27% for renewable energy and 27% for energy efficiency?

- How large were really the concessions given to get the Visegrad+ Group and the Iberian countries on board?
- What kinds of lobby budgets were available to the various interest groups working to influence the 2030 climate and energy framework? Which groups were able to meet Commissioners and top-level Commission bureaucrats, and how frequently?
- What was the role of the petroleum industry in the 2030 negotiations? If they cooperated and coordinated their positions, how did this happen? And what effect did it have?





## Appendix 1: List of acronyms and abbreviations

ACEA	European Automobile Manufacturers Association
ACEI	Alliance for a Competitive European Industry
ACER	Agency for the Cooperation of Energy Regulators
ACF	Advocacy Coalition Framework
AEII	Alliance of Energy Intensive Industries
ALDE	Alliance of the Liberals and Democrats for Europe
APPA	Asociación de Empresas de Energías Renovables (Spanish Renewable Energy Association)
BDEW	Bundesverband der Energie und Wasserwirtschaft (German Association of Energy and Water Industries)
BDI	Bundesverband der Deutschen Industrie (Federation of German Industry)
BEE	Bundesverband Erneuerbare Energie (German Renewable Energy Federation)
CAN	Climate Action Network Europe
CBI	Confederation of British Industries
CCS	Carbon Capture and Storage
CDU/CSU	Christlich Demokratische Union Deutschlands, Christlich-Soziale Union e. V. in Bayern. (Christian Democratic Union of Germany and Christian Democratic Union of Bavaria)
CEFIC	European Chemical Industry Council
CEMBUREAU	The European Cement Association
CEOE	Confederación Española de Organizaciones Empresariales (Federation of Spanish Industry)
CEPI	Confederation of European Paper Industries
CEPS	Centre for European Policy Studies
CER	Car emissions regulations
Cerame-Unie	European Ceramic Industry Association
CICEP	Strategic Challenges in International Climate and Energy Policy
CJEU	Court of Justice of the European Union
CLG	Prince of Wales Corporate Leaders Group
CoE	Coalition for Energy Savings
CONCORD	European NGO Confederation for Relief and

	Development
DEBRIV	Deutsche Braunkohle-Industrie-Verein (German Coal Industry Federation)
DG Clima	Climate Directorates-General (Climate Department)
DGV	Deutsche Gewerkschaftsbund (German Trade Union Association)
DG Energy	Energy Directorates-General (Energy Department)
DSO	Distribution system operator
E3G	Third Generation Environmentalism
EBRD	European Bank for Reconstruction and Development
ECF	European Climate Foundation
ECJ	European Court of Justice
ECR	European Conservatives and Reformists Group
EEAG	Energy and environment state aid guidelines
EEA	European Economic Area
EEAg	European Environment Agency
EED	Energy Efficiency Directive
EEB	European Environment Bureau
EES	European Energy Security Strategy
EFBWW	European Federation of Building and Woodworkers
EIB	European Investment Bank
EnBW	Energie Baden-Württemberg
ENGO	Environmental nongovernmental association
ENTSO-E	European Network of Transmission System Operators for Electricity
ENTSO-G	European Network of Transmission System Operators for Gas
ENVI	Committee on Environment, Public Health and Food Safety
EPBD	Energy Performance of Buildings Directive
EPP	European People's Party
EPSU	European Social Dialogue Committee for the Electricity Sector
EREC	European Renewable Energy Confederation
ESD	Efforts Sharing Decision

EU ETS	EU Emissions Trading System
EUFORES	European Forum for Renewable Energy Sources
EULA	European Lime Association
Eurelectric	Union of the Electricity Industry
EURIMA	European Insulation Manufacturers Association
EuroACE	The European Alliance of Companies for Energy Efficiency in Buildings
EUROCHAMBRES	Association of European Chambers of Commerce and Industry
Euro Chlor	European Chlor-Alkali industry
EuroAlliances	Association of European Ferro-alloy Producers
EUROFER	European Confederation of Iron and Steel Industries
Eurogypsum	Voice of the European Gypsum Industry
Eurometaux	European Association of Metals
EWEA	European Wind Energy Association
EXCA	European Expanded Clay Association
FoE	Friends of the Earth
FQD	Fuel Quality Directive
FuelsEurope	European Petroleum Industry Association, formerly: Europia
GDP	Gross Domestic Product
GGG	Green Growth Group
GHG	Greenhouse gas
IES	Institute for European Studies
IFIIEC	International Federation of Industrial Energy Consumers
IIGCC	Institutional Investors Group on Climate Change
IOGP	International Organization of Oil and Gas Producers
ITRE	Committee on Industry, Research and Energy
LCOE	Levelized cost of electricity
LI	Liberal Intergovernmentalism
MEP	Member of the European Parliament
MEDEF	Mouvement des Entreprises de France (Federation of French Industry)
MLG	Multi-level Governance
MSR	Market Stability Reserve

MW	Megawatt
NC	Network code
NF	Neofunctionalism
NSD	Norwegian Social Science Data Services
Orgalime	European Engineering Industries Association
Permrep	Permanent representation of member state to the EU
PKEE	Polski Komitet Energii Elektrycznej (Polish Utilities Association)
ppm	parts per million
PWEA	Polish Wind Energy Association
RD&D	Research, development and demonstration
S&D Group	Group of the Progressive Alliance of Socialists and Democrats
SER	Syndicat des Énergies Renouvelables (French Renewable Energy Association)
SPD	Sozialdemokratische Partei Deutschlands (Social Democratic Party of Germany)
TFEU	Treaty of the Functioning of the European Union ('Lisbon Treaty')
TSO	Transmission system operator
UFE	Union Française de l'Électricité (French Utilities Association)
UNESA	Asociación Española de la Industria Eléctrica (Spanish Utilities Association)
UNFCCC	United Nation Framework Convention on Climate Change
WNA	World Nuclear Association
WWF	Worldwide Fund for Nature

## **Appendix 2: List of interviews**

- Agder Energi (Agder Energy): interview 3 December 2014
- Alliance of the Liberals and Democrats (ALDE): interview 4 June 2014
- Climate Action Network Europe (CAN): interview 26 May 2014
- Coalition for Energy Savings (CoE): interview 2 June 2014
- Bundesverband Erneuerbare Energie (BEE): interviews 6 May and 2 December 2014
- BusinessEurope: interview 2 June 2014
- DG Energy: interview with interviewee a) 23 May 2014 and with interviewee b) 8 December 2014.
- Energi Norge (Energy Norway): interview 12 March 2014
- European Renewable Energy Federation (EREF): interview a) 8 April and b) 1 December 2014
- Eurogas: interview 23 April 2014
- FuelsEurope/Europia: interview 23 May 2014
- European Climate Foundation (ECF): interview 9 May 2014
- European People's Party (EPP): interview 21 May 2014
- European Wind Energy Association (EWEA): interview 2 May 2014, and 23 October 2015
- Friends of the Earth Europe (FoE): interview 7 May 2014
- Greenpeace Europe (Greenpeace): interview 11 April 2014
- Independent consultant for the buildings sector: interview 1 December 2014.
- Mission of Norway to the European Union: interviews/conversations 11 March and 27 November 2014.
- Statnett: interview with interviewee a) 11 March, and interviewee b) 12 March and 3 December 2014. The latter interviews are labelled 'interview Statnett 2014b' and 'interview Statnett 2014c.'
- Statkraft: interview 12 March 2014.
- Third Generation Environmentalism (E3G): interview 1 December 2014.
- Brüsselkontoret (The Brussels Office): interview 2 December 2014.
- Union for the Electricity Industry (Eurelectric): interviews with interviewee a) 16 April, b) 29 May and c) 28 November 2014.
- Union Française de l'Electricité (UFE): interview 29 October 2015.

## Appendix 3: Interview guides

### Interview guide used spring 2014

- What are your organisation's political views on 1) the targets for GHG emissions, 2) the new target for renewable energy, 3) the target on energy efficiency, 4) the policies on infrastructure?
- What are the main points of contention regarding the aforementioned targets been, as you see it?
- Which actors are on which sides in the political debates? Which actors share points of view with your organisation within e.g. the different DGs in the Commission, the European Parliament, the EU agencies, the Council, the member states, trade unions, NGOs, interest organisations, professional lobbying firms, and cooperation partners at the national levels?
- Which actors have been decisive in these political processes so far regarding the Commission's targets and the Parliament's targets? Major member states? The independent role of the Commission and the European Parliament? Political entrepreneurs? Interest groups? Others?
- What is the basis for this inference? What kinds of documents, experiences etc. show this?
- Political strategies: media, campaigns, meeting relevant people, arranging debates, creating brochures, commissioning studies and reports, multi-level strategies, etc.?
- What about the resources of your organisation? For instance, how many people are employed to work on these issues? Education of the employees? Previous backgrounds? Contacts within different institutions in the EU and the member states? Annual budget? Offices?
- How do you cooperate with other organisations? Common infrastructure (including IT-platforms), meetings, sharing and pooling of resources, sharing contacts, arranging events, creating common material, and employees attending jointly arranged courses?
- Learning processes between the different partners? Please specify.
- How is your access to political processes and different policy-makers like the national delegations?
- Do you participate in committees preparing the different pieces of legislation like expert committees, working groups and COREPER? Which? What are they called?
- What is, in your opinion, the role of external factors such as the global negotiations on greenhouse gases, the financial crisis, unemployment etc.?

## Interview guide used autumn/winter 2014

### General questions:

- What is your organisation's political view of the 2030 targets, as formulated?
- What made the agreement agreeable to all member states in the end?
- What do you think about the fact that the climate and energy policy to a larger extent than earlier is linked to energy security?
- And to grid infrastructure development?
- What strategies did you use to influence decision-makers on the formulation of the targets? Political strategies: media, campaigns, meeting relevant people, arranging debates, creating brochures, paying for studies and reports, multi-level strategies, etc.?
- Which of the targets were more important for you?

### About influence:

- How influential do you think that your organisation has been? And in which way?
- Which organisations have your organisation coordinated political views with? And which companies? NGOs? Others?
- Which actors have been, as you see it, more influential on the final outcome?
- What has the role of Visegrad+ been? To what extent can they be viewed as 'winners'? To what extent did they coordinate their political positions? And what was the effect of this strategy? Visegrad+, energy-intensive industry – degree of influence?
- And the green group of countries, such as Germany and Denmark? To what extent did they coordinate their political positions? And what was the effect of this strategy?
- The role of the UK – what was really their political position? Green Growth Group...?
- Bütikofer has said: 'France got a veto over more interconnectivity, Poland vetoed the renewables, and the UK blocked more energy efficiency.' Is that correct?
- And the industry lobby, e.g. Business Europe etc.?
- The green side, what have they achieved? E.g. the renewables industry, the green group of 10, etc.
- What has the independent role of the Commission been? Path dependencies?
- And the European Parliament? Path dependencies?

**External factors?**

- What is, in your opinion, the role of external factors such as the global negotiations on greenhouse gases, the economic and financial crisis, unemployment etc.? Structural features of member states' energy systems? E.g. that many countries are very dependent on coal?

**What will happen next?**

- New governance framework? – What will happen?
- What does the next round of legislation likely look like, I mean, the directives, rules, regulations etc. that are made to follow up the 2030 targets in the target period?
- What are your thoughts about the Energy Union?
- How are the new commissioners likely to impact on the new legislation that is being made, in particular Canete for DG Energy and DG Climate and Šefčovič for the Energy Union?
- Your views on the new Commission structure?

**Interview guide used autumn 2015****General questions:**

- What's your position? How long have you worked in the organisation?
- Where did you work previously?
- What is your organisation's view on increasing electricity grid interconnection in the EU?
- Has this view changed? If so, why?
- When did the electricity grid target first appear in the 2030 discussion? Who were promoting it? And who were against it? Was there disagreement about the number 15? If so, who were on which side?
- How will you explain the outcome of the negotiations, the phrasing 'with the aim of arriving at 15% interconnection within 2030'?
- Why was an interconnection target included in EU's overarching climate and energy policy targets for the first time?
- What is the impact of the Ukraine crisis on electricity grid interconnections?
- What will the impact of the Energy Union be?

**Liberal Intergovernmentalism:**

- What was the role of the French government in the 2030 negotiations on the target for electricity grid interconnection? The Impact of nuclear energy production?
- Watering down of the proposal?
- What was the role of the Portuguese government?



- ...and the Spanish government?
- Veto play?
- Did Spain and Portugal have partners in this? Like the Baltic States? The UK? Other countries that are energy islands?
- Which other countries were involved? And which role did they have?
- How has the expansion of production of renewable energy impacted the positions on the Spanish and Portuguese governments?
- The role of learning from the implementation of the Climate and Energy Package?

### **The Advocacy Coalition Framework**

- Which positions did French energy industry interest groups hold? Which effect did this have on the negotiation outcome? Partners in the negotiations?
- Did the interest groups have 'partners' at the national and EU levels? Who were they? Partners in the Commission and the Parliament?
- And what was the role of the interest groups for the a) Spanish, and b) the Portuguese energy industry?
- 'Partners' in the Commission? And the Parliament?
- What were their political partners here?
- Eurelectric, which role did they have here?
- Which role does it have that 75% of French electricity comes from nuclear power?
- And which role does it have that France has decided to reduce its' production of nuclear energy from 75% of the electricity mix to 50%?
- Why has France seemingly built more interconnectors to the Eastern neighbours than the Western ones?

### **Historical Institutionalism**

- The previous developments, e.g. the role of the targets from 2002 in Barcelona,
- The role of meeting places for the industries, etc. ENTSO-E? CEER? Which role has this had? Meeting places for the NRAs such as ACER?
- What was the role of the internal energy market for increased grid interconnection?
- What was the impact of the Ukraine crisis on the negotiations for the interconnection target? Larger focus on other sources of energy than gas?
- What will be the consequence of the new target, do you think?

- And, what do you think the target will tell us about the prospects for further climate and energy policy integration?
- Why was the 15% interconnector target launched in the a) communication from the European Parliament, and b) European Energy Security Strategy?
- Commission and Parliament as agenda setters?
- What impact has it had that the EU has contributed with project financing of PCIs in other cases? Has it influenced stakeholder attitudes?
- What was the role of the interconnection to be opened between Spain and France? Did it affect attitudes towards closer cooperation?
- Why has there been such a slow development of interconnection in Europe the last decade? Why was the 2002 target of 10% interconnection never attained?

**Other questions:**

- Is there anything important that I have not asked about?
- Do you have recommendations for other persons that I should interview?

## **Appendix 4: Text of original interview quote**

### **Interview Statnett 2014b:**

- Ja, Hinkley er *så* spesiell, og så sær, i våre beregninger, i forhold til den prisen, så ville vi tjent 5–6 milliarder, i året. Det er jo jamførbart kapasitet i en sånn reaktor og en kabel. Britene sier selvfølgelig at den er mer stabil, da, men, det er pris. Og så lengde på kontrakten, og så vil du gi kineserne full tilgang. Det ville aldri skjedd for ti år siden, ikke sant? Og ALT er garantert av statsminister Cameron.



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