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EU CLIMATE CHANGE POLICIES AND CIVIL SOCIETY LOBBYING

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Abstract: *The paper analyses EU energy and environment governance from the approach of actor-centered institutionalism. It aims to dissect the specific type of actor within the institutional frameworks of EU, namely the civil society and its increasing influence. The behaviour and various forms of impact, lobbying and negotiation are studied, within a framework of theory of social dynamics. As the dominant structural feature of the European Union are the multi-level governance networks rather than hierarchical political authority, such networks encompass member state representatives, networks linking the national and the European levels of decision-making, and networks linking public, private and civil society actors across policy sectors and political levels. Alike in other policy areas in the multilevel system of the EU, an assortment of actors drafts the environment and energy policy, and they come from the institutional and non-institutional ranks. Despite the academic discussion of the legitimacy of civil society's role as a contributor in international political arenas or the real effect it has in influencing governments, we present the rising official and unofficial influence of the third sector in the climate change arena.*

Keywords: *Lobbying, civil society, EU energy policy, climate change, influence, NGO, environment*

INTRODUCTION

Climate change, one of the utmost global challenges of the 21st century is being tackled by the European Union through a process that aims to protect the environment, reduce global warming, increase energy efficiency, promote the use of renewable energies and implement other similarly focused policies and measures.¹ Competence and jurisdiction in the field of environment is shared between the EU and its Member States. The Member States are being prompted to comply, even though not all policy decisions are easy to implement in the national jurisdiction. This paper bases its analysis of EU energy and environment governance on the approach called actor-centered institutionalism. It is concerned with actors and their relationships and interaction within the institutional frameworks (Mayntz, 1998). The collective behavior, alliance building, exchange, bargaining, various forms of influence and negotiation, as well as authoritative intervention co-exist and are causally interrelated within a framework of theory of social dynamics.

The multi-level governance networks rather than hierarchical political authority is the dominant structural feature of the European Union (Öbergi, 2016). The networks encompass member state representatives, networks linking the national and the European levels of decision-making, and networks linking public, private and civil society actors across policy sectors and political levels (Keller, 2017). As in other policy areas in the multilevel system of the EU, an assortment of actors drafts the environment and energy policy, and those actors come from the institutional and non-institutional ranks (Fuchs and Feldhoff, 2016). The institutional category encompasses the EU institutions and relevant institutions of Member States. The most influential EU actors in this field, as in other fields, are the European Commission, the European Parliament and the European Council.

The regulation is created via the input and influence of the Member States, their governments, appropriate ministries and agencies, which still have the decisive say with regard to the energy mix and energy foreign policy. The non-institutional actors that shape the agenda and the policymaking process are from the private sector, like individual corporations, energy

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¹ General Union environment action programme to 2020, Living well, within the limits of our planet, 2014, Directorate-General for Environment (European Commission), Luxemburg.

companies, industry and their organised interests in the form of business and professional associations. Relationship with energy companies is still paramount for EU policy makers and their role and influence is significant (Tansey, 2019).

1. CIVIL SOCIETY AS THE NON-INSTITUTIONAL ACTOR INFLUENCING POLICY

The social dynamics theory deals with the institutions and the actors that shape them. The interfaces and interactions within institutional frameworks are studied within the concept of actor-centered institutionalism. Therefore, we are using this concept to depict the role of civil society as one of the actors in the institutional framework of the EU, and its interaction with both the institutions and other actors who shape them to emphasize its growing influence in the climate change field.

The mutual interests, functional and sectorial interdependence among states in the sphere of climate change, energy and environment have contributed to a growing number of non-governmental organizations or civil society who are active in these fields that span national borders (Reimann, 2006). There is still an academic discussion on the legitimacy of civil society's role as a contributor in international political arenas or the real effect it has in influencing the public and private sectors, namely governments, the EU and companies (Timmer, 2010). Nevertheless, almost all institutional decision makers on the national and international level, like the EU in its strategies and directives, stipulates the obligation to work with the third sector and its role in international relations is widely acknowledged (Biersteker, 2012).

The non-institutional participants in this arena we are focusing on are the civil society, or the "third sector", as they follow after the first two: government and commerce (Williams and Gurtoo, 2016). Civil society as a group embodies numerous non-profit, voluntary citizens' groups that are gathered on a national, regional, EU or even global level. Civil society refers to several types of organizations: community groups, non-governmental organizations, labor unions, charitable organizations, faith-based organizations, professional associations, and foundations. They have a mission to perform and are usually task-oriented so to aggregate the ideas of a common societal good. The terms that will be used interchangeably for the purpose of this paper are the civil society organizations and the NGOs. They implement a range of service and humanitarian roles, advocate citizen interests and problems to institutions, especially in the field of environment. They are active in many policy areas and track policy changes, conduct analysis, provide expertise, operate as early warning mechanisms, campaign and incite policy influencing and participation. NGOs can offer knowledge that has value for the policymakers and they have specific links to many of the interest groups that are not adequately represented before policy bodies. This factor often brings more legitimacy to their actions, in fact research has shown that they have a bigger chance of increasing their legitimacy by rallying the backers amongst civil society (Dellmuth and Tallberg, 2020).

NGOs also work with other actors. The affiliation with other institutional and private actors, especially EU bodies, vary due to their aims and scope of influence. The reason for NGOs to work in partnership with other sectors is in applying adequate influence through combination of strategies of cooperation and conflict (Wienges, 2010). So, when organized and rallied, they possess the power to influence the activities of institutions and government as well businesses. The character and scope of civil society impact is evolving and growing, yet it is still vastly different and of lesser scale to those of large influential private actors: companies and business interest groups (Cécile, 2019).

2. PROGRESSIVELY MORE COMPLEX CLIMATE POLICY-MAKING RAISING THE BAR FOR NGO INVOLVEMENT BASED ON SCIENCE

Lobbying in the EU is mostly conducted based on three fundamental pillars, possessing the technical knowledge and data in the field, understanding the decision-making process and knowing the people. Possessing the skills and knowledge determines how effective the effort will be and whether it is amateurish or professional (Van Schendelen, 2002). NGOs are frequent challengers of the official political stance, and in order to be effective, gradually they have had to direct the endeavors on the growing powers of the EU institutions, mobilising a substantive

number of people and resources and organisational capacity to compete effectively in the emerging EU policy.

The policy-making at the EU tends to be progressively more complex and based on hard evidence and science, giving an advantage to those who are in a position to provide data, scientific information and robust facts to underscore their policy position (Mitchell, 2012). This has also raised the bar for participating NGOs, who have been staffing up with scientists and aligning work with the latest R&D achievements, as well as gaining deeper understanding of the decision making process. In turn it has allowed only the referential organizations to be included in crucial technical and comitology discussions.

The role of civil society as an actor and influencer in global and regional governance has grown dramatically in the last decades. The star of civil society lobbying is seen to be in ascendance (Krut, 1997), becoming ubiquitous at all places of decision-making and policy deliberation, furthermore, often initiating the very agenda. The analysts bestow to the pressure of the social movements the formation of more stringent norms in the environment and energy sphere, pressing the institutions to take measures and adopt policies. The European Commission has invited the NGO involvement since the early 1990s, and more recently by adopting strategic documents like ‘White Paper on European Governance’ and the ‘General Principles and Minimum Standards for the Consultation of Interested Parties’ and ‘Partnership for European Renewal.’ Even the White Paper on European Governance from the early 2000s (Cécile, 2019) emphasized the requirement to endorse European pluralist expertise which is ‘socially robust’, and includes ‘citizen’s knowledge’ and ‘layman’s knowledge’ which is mostly represented by the NGOs.

In order to be active in the policymaking in the EU the civil society organisations are required to sign up with the EU register of interest representatives, the Transparency Register. The Register is kept jointly by the Commission and the Parliament. This is so for all the non-institutional actors that attempt to shape EU policy, including companies, business and trade associations, etc.

One of the factors that point to the support EU gives to inclusion of NGOs in the policymaking concerns the funding. The continuous NGO funding by the EU started in the mid-1970s with small co-financing programs. Bottom up organizations like Friends of the Earth were formed at that time, (Rodekamp, 2013) and they still exist and carry significant political weight. Nowadays it is several Directorate-Generals as well as many other EU agencies, as well as The European Economic and Social Committee (EESC) and European Committee of the Regions (CoR) who deal with substantial financing programs. It is problematic to compile some consolidated data on the total expenditure for NGOs, but the figure could be as high as 2–3 billion Euros. The majority of this funding is for service NGOs, and a part of it goes to advocacy NGOs in the area of the environment and other areas (Timmer, 2010).

The contribution of NGO’s influence in climate change as a leading external EU policy

The factors that prompted decisive action in energy and environment at the EU level are energy security of supply, considerable dependence on gas and oil from outside, rising levels of energy consumption, inadequate production and distribution infrastructure, unsteady energy prices, and stringent liabilities due to environmental protection, encompassing climate safety regulations.

The objective of the Europe 2020 Strategy was preventing climate change so to remain below a global increase in the temperature of 2°C. The Commission also developed a goal of achieving the internal energy market as the current situation of the time would bring higher costs for energy and less energy security, since and not having enough of it became a concern of the utmost national security (Bovan et al., 2020). Special attention is given to the infrastructure projects of the common European interest like the grids for transporting renewable energy within Europe from locations where it is generated to the places of consumption, or creating smart grids which incorporate the decentralized production of green energy and provide energy savings.

European Union has set its long and somewhat shorter-term goals concerning climate change. The long-term goal to be reached by 2050 is to cut its emissions by 80-95% in comparison 1990 levels. The vision is to turn Europe into a greatly energy efficient and low-carbon region. The long-term strategy sets out measures in seven strategic areas so to keep EU’s principal position in reaching climate neutrality. It is an extension of the 2016 energy policy framework established under the “Clean energy for all Europeans” package (Bovan et al., 2020). The concept for a climate-neutral EU encompasses almost all EU policies and is in accordance with the Paris Agreement (2015) aim to keep the global temperature increase under 2°C.

The most significant three EU climate targets for 2020 were 20% reduction in greenhouse gas emissions in comparison to 1990, achieving 20% of total energy consumption from green and renewable energy and 20% growth of use of energy efficiency measures. EU has also set the goals for 2030 and those are at least 40% reduction in greenhouse gas emissions in comparison to 1990, at least 32% of total energy consumption to be from renewable energy and at least 32.5% increase in energy efficiency. The Energy Efficiency Directive was revised in 2018, amending Directive EU 2018/2002 and renewing some sections, notably setting a headline EU energy efficiency target for 2030 of at least 32.5% (compared to projections), with a clause for a possible upwards revision by 2023. The 32.5% target for 2030 translates into final energy consumption of 956 Mtoe and/or primary energy consumption of 1,273 Mtoe in the EU-28.

3. ENERGY AND ENVIRONMENT POLICIES IN THE EUROPEAN UNION

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The energy regulation

The earlier European Treaties have been mostly concerned with economic not environmental and climate change effects. Thus, consumed in competition and trade, Member States have in the 1990's created separate policies on energy security of supply, not bestowing to the EU the powers in energy policy making (Finon and Surrey, 1996). Meanwhile, pan-EU governance in the environmental field has obtained considerable common authority early on.

The EU Commission has attempted since the 1970s to create a common energy policy. The process has been gradually opening up to include third sector organisations, yet the full impact of joint activity grew in the 1990s. The 1992 Maastricht Treaty went a step ahead provisioning that the sphere of environment becomes the explicit policy responsibility of the European Community. This allowed the Commission increased powers to stand for Member States in international organisations and with third parties. The Treaty of Lisbon and the Third Energy Package in 2009 has become a landmark in attempts to create a common energy policy and energy market. Under the Treaty of Lisbon amendments, energy has been considered as one of eleven economy sectors

where the Union and the Member States share competencies. A separate chapter concerning energy policy has been added to the Treaty, and it stipulates the obligation to act in compliance with energy solidarity. The latest big step for further liberalization in the energy market was the Third Energy Package.

The Third Energy Package, the Roadmap 2050 and civil society

The transposition of the EU electricity and gas regulation in all Member States has not been completed, so the Third Internal Energy Market Package followed. The environmental organisations confirmed the advancements of the Third Energy Package but criticized the outcome. They saw the missed opportunity to unbundle ownership, separate supply and production activities and break the oligopoly of the influential energy companies. Their stance was that ownership of the transmission network and production by big companies inhibits access to the grid by small energy suppliers, mostly of renewable energy. They asked for such policies that allowed the grid to be operated by an independent system operator or the two sectors be separated within the company, the so called “independent transmission operator” model. They asserted that the market does not reflect the full cost of the various energy sources, as scarcity of resources and environmental harm are not counted for, save for the European Emission Trading System, which covers only a segment of the energy market. The underlying conclusion is that these market failures are not solved by the liberalization process, so the bulk of the environmental costs caused by fossil fuels and nuclear energy are and will be borne by society, while the benefits are privatized by large energy companies.

The avenues of influence are intensely used for lobbying by civil society, as well as competing interest groups, making the field of energy and climate change policy drafting one of the most debated, contested and challenged process throughout the EU. Current EU policy relies on elements such as a significant share of renewable energy, high energy efficiency, energy savings, carbon capture and storage and nuclear energy with the long-term goal of transforming the EU energy market. Some of these elements are highly debated, especially by environmental NGOs and green parties (Langsdorf, 2011). The Roadmap 2050 has been judged by some NGO actors as a step backwards from the “Energy 2020” strategy, because of retaining the focus on fossil fuels and nuclear energy. It is expected that in the upcoming years the environmentally focused energy policy makers, alike the NGOs and green parties will lobby further for legislation that will be able to achieve a fully sustainable energy system with 100% renewable sources and a gradual departure from fossil fuels and nuclear energy.

The environmental regulation and Environment Action Programs

Environment concern and policy monitoring has become so prevailing and mainstream that it is expected all third sector organisations will have a stance on it and be environmentally responsible. Thus, the climate change has become a polestar that has attracted disproportionately more observance than other pressing social issues which civil society generally deals with (Edwards et al., 2010).

The environment regulation in the EU started to take shape in the early 70s, in a form of the seven EU Environment Action Programs (EAPs), medium – term strategic political documents which implementation is not mandatory and depends on the Member States. The European Union imitated an avant-garde European environmental policy after the first United Nations Conference on the Human Environment in 1972. The First EAP laid the foundation for the concept of sustainable development, while the Second EAP (1977–1981) centered on the quality measures to air and drinking water. The Third (1982–1986) and Fourth (1987–1992) EAPs reflected a growing change in the environmental positions of the EU directly related to the setting up of the Common Market.

The Fifth EAP (1992-2000) resulted from the growth of ecology movements and green political actors in the Member States during the 80s. It was then and there that the debate on global warming started, prompting the EU to assume the position of global leadership in the fight against the environmental risks for the whole planet. It included a new approach to social dialogue: it gave a greater role for NGOs and regional and local authorities, opening up the space for more public awareness-raising and the execution of EU directives. The greatest friction of organized interests took place when the Commission proposed to apply economic measures like excise duties on greenhouse gases and specified the reduction of some contaminants. These ambitious initiatives were met with resistance by some Member States and organized business interests. The vast resources that private actors held and put to the use in influencing policy is not to be undermined (Bovan and Slijepcevic, 2017). The position was that the common

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² Directorate-General for Research and Innovation, European Commission: Accelerating clean energy innovation - Clean energy for all Europeans, (2017).
³ Regulation (EU) 2018/1999 of the European Parliament and of the Council, EUR LEX.

environmental policy thwarted national economic growth, hindering the competitiveness of industry.

The Sixth EAP (2002-2012) brought again the principle of sustainable development, and the 7th EAP (2012) covering the decade beyond 2012, directs the Commission's focus on: implementation and strengthening of environmental legislation, integration of environmental objectives into all EU laws and policies, establishing a global standard for international negotiations at the Rio+20 conference and other venues and setting out a "clear, ambitious vision for 2050".

Continuous growth of influence of the NGOs since the 5th EAP has resulted in them becoming ubiquitous participants in the consultations and policy creation. The EU now intends to cut down greenhouse gas emissions to 80-95% below 1990 levels by 2050, achieve the decarbonization goals and ensure the core targets of energy security and competitiveness. Several NGOs like the European Climate Foundation, Greenpeace, EREC worked on the decarbonization scenarios up to 2050. The Commission considered these scenarios alongside its own, and on the basis of that concluded that a secure, competitive and decarbonized energy system in 2050 is possible, even if the scenarios have different focal points. Therefore, it has become impossible to steer away from the influence and contribution of this stakeholder group. Instances when institutional environmental policy makers have employed the support of NGOs is evidenced in many cases, including Germany in the early seventies when it actively worked with the NGOs in order to achieve a broader acceptance of its policies, stimulate environmental awareness and strengthen its ecological movement (Lenschow, 2002)

The Extractive Industries Transparency Initiative

The novel initiatives of the NGOs have taken centerstage in performing measurements and ranking of decision-making processes and regulation in the environment sector on the international level. One example is EITI, The Extractive Industries Transparency Initiative (EITI), which is a global coalition that started as an NGO but grew to encompass governments, companies and civil society. The academic findings on the "resource curse" by authors like Sachs and Stiglitz argued that enormous potential benefits of oil, gas and mining in many developing countries were not completely utilized, and were directly linked with increasing poverty, conflict and corruption. EITI was formed to enhance the accountable management of oil, gas and minerals for the benefit of the citizens in countries with large resources and it created an international standard, overseen by a national multi-stakeholder group from government, companies and civil society. The EITI has grown in size and impact and is now included in the regulation of both the EU and US. The EU has adopted policies which stipulates for listed and non-listed natural resource extractive companies to report on payments that have been made to governments.

4. THE LOBBYING CHANNELS AND METHODS

EU has continually been expanding the transparency and access with this growing interest group, especially during the consultation process of drafting energy and climate change policies. Within one of the previous Commissions, the Juncker Commission, it was the four portfolios that dealt with the energy and environment: Energy Union, on the level of the Vice president, Climate Action and Energy, Transport and Environment, Maritime Affairs and Fisheries.

NGOs influence policy by creating strong relations with decision makers. Influence is a technique for creating power relations. Since it means influencing those who represent a certain power or authority in the EU, establishing relationships with decision makers is one the most important targets of lobbying Mack (1997). The methodology of exerting influence and lobbying for civil society is comparable to that of the energy companies: research and analysis of legislative and regulatory proposals; collection of technical documentation in order to present the case and expressing the position, monitoring and reporting on the development of the process; attending parliamentary debates; organisation of communication channels, media work, cooperation with coalitions interested in the same issues. "Strange bedfellows" can be the term to describe coalitions between civil society and corporations on topics of joint interest (Fitch-Roy et al., 2019).

Business-environmental coalitions were imperative in emissions trading policy-making in 2013. Low emissions prices were very negative for the EU's climate policy leading program, the EU-ETS. Still, vast reforms were agreed after two years of pro-ETS business lobby, coordinated by environmentalists. Addressing further the methods that NGOs use in lobbying, the methodology of framing the issues is universally relevant for NGOs as other interest groups

(Thomas et. al, 2013), and in the EU as well. The research on lobbying of corporations and special interest groups underlines two main impact conduits: campaign contributions and informational lobbying. There is also a recent addition of a third channel: offering evidence on the legitimacy and credibility of political rivals, especially NGOs (Chiroleu-Assouliney and Lyonz, 2019). The model assumes the situation in which the decision maker depends on data and material from an NGO to decide on issues. In the same arena are corporations and special interest groups that can opt to produce suspicion and doubt about the credibility of the NGO. Such a method of influence can, in fact, serve as a useful tool in raising the bar for trustworthiness of all the lobbying actors.

The influence of large transnational conglomerates that operate in energy and environment is extremely potent in the EU so they are part of the lobbying arena. The reach of NGOs is still lesser than of the business actors and can be sometimes compared to the impact smaller companies will have within the multi-level structures of the EU (Fuchs and Feldhoff, 2016). In general, the number of targeted individuals seen as the object of lobbying can also be a factor of influence, because the larger the circle of people, the longer and more complex the preparation, the greater the risks and chances of error. In Germany, a survey was conducted on the average number of acquaintances in the political sphere that lobbyists can maintain and that they can practically cultivate on a regular basis, and the results indicated that this number is 80 contacts (Speth, 2014). But analysed per se and in the context of the other actors within institutional framework, the civil society has nevertheless contributed to a strong wave on climate awareness raising and policy discussions on the national and EU level, including the later civic movements like Extinction Rebellion.⁴

Civil society also influences and applies pressure on countries to negotiate and ratify agreements and mobilize public opinion, activists and media. Their tactics can be categorized in two major groups, the first depending on the level of alignment with the decision makers, being either insider or outsider tactics. The second is based on the initiation of the process, being either reactive or proactive. The outsider tactics like direct action or legal action can be confrontational, while others are conformist to various degrees. Insider tactics are activities like consultation, education and scientific research. The proactive tactics are agenda setting or petitions, while reactive ones are reactions to decisions made by the EU institutions, participation in the thematic consultations that the Commission initiates, in surveys and debates. Information gathering and analysis, monitoring of agreements are also a necessary part of lobbying array of activities (Schendelen, 2002).

Alliance building is a crucial NGO strategy, as it is more effective to present interests of a bigger base of interested parties. The civil society advocacy in the EU occurs not only at the central, but also at decentralized levels (Lee and Rwanda, 2006), so the horizontal coalition-building is a preferred option. A wide perimeter includes national and regional governments, industry, other interest group and Members of the European Parliament and Commission or Council members. Civil society has acquired the power to achieve what appears to be effective spontaneous action and activism. Although those activities look spontaneous, these campaigns are actually the result of years of consciousness-raising, organisation and network building (Krut, 1997).

The benefits of NGO policy involvement

Private actors are mostly organised interest groups of corporations, also large enterprises, utility companies or operators. Theoretical and empirical research has shown that such a circuit of representation of interests based on the exchange of information and influence within the closed circle of expert elites leaves little room for the contribution of new participants Vidačak (2007). Opinions have been voiced that the excessive influence of the particular interests of organized groups contribute to lack of confidence in the rule of democracy, as well as for many social injustices, economic performance, a poor investment climate and the work ethic (Etzioni, 1995).

NGOs have several roles in the EU, which are beneficial to the constituencies as well as the EU institutions. The NGOs are able early on to detect a potential issue for political debate, monitor and alert about governance deficits and bring to the table the issues that are not in the spotlight but need attention. Their involvement increases democratic legitimacy of EU decision making, filling a specific void that transnational European parties represented in the European Parliament cannot do. This is the case inasmuch as the NGOs do not serve as hidden special interest group camouflage (Lits, 2020), it also adds to the lack of resources and manpower of the EU bodies (Fuchs and Feldhoff, 2016) to carry out detailed studies and follow a topic. NGOs perform their function also by keeping a close look at policy processes at EU institutions, monitoring and analysing the outcomes and impacts.

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⁴ Climate emergency' declared by Welsh Government, BBC News, 29 April 2019, <https://www.bbc.com/news/uk-wales-politics-48093720>

NGOs have achieved a high level of expertise and are of use as a resource to the EU. Often being also service providers in their home countries, they have become incremental in developing policy. Lobbying therefore serves as a useful form of exchange of knowledge between the actors and it becomes a form of political consulting for decision makers whereby informed NGO lobbyists propose solutions and can point the way out of complicated regulatory situations (Joos, 2001).

New forms of political influence have evolved with non-governmental and not-for-profit organisations. In this arena they act as independent bargainers and as agents of social learning, connecting biophysical conditions to the political realm at both the local and EU level. The history of relations of institutions with the NGOs has gained them a reputation and criticism as highbrow interrogators (Goodin, 2008), but the civil society input and engagement has been seen as much needed and consistently positive. The benefits of NGO involvement are in upholding the political culture, democratic legitimization of the EU institutions and the political process, based on Habermas curiosity about the role of ordinary civic communication in sustaining democracy (Goodin, 2008). This is valid especially for the EU arena, as they bring the much-needed voice of the general public to the debate, information from the wider society, where democratic legitimacy lingers as a continuous critique of the democratic aspect of the EU structure. The relationship is of exchange of information and access (Tallberg et al., 2015). Individual countries as well as some international government organisations alike the UN have increasingly promoted NGOs in so far as the benefit they have received from the advocacy, initiative and services of NGOs. This is especially evident in the global issues of energy and environment, as the world has moved toward greater international regulation of global problems (Timmer, 2010).

The governance imperfection on the EU level reflects a similar situation as in some Member States, therefore civil society initiatives, networks and collaboration contributes to fill in the various governance gaps (Jordan and Huitema, 2014) The benefits of NGO lobbying in the policy arena affect not only the consultation and the decision-making phase of regulating energy and environment. It is also directly linked to the implementation phase. The challenge posed by inertia which is bred inside the day-to-day of policy making and its implementation is being bridged by accretion and activation of societal actors, via the civil society groups, non-governmental organisations and other organised groups and activists (Lenschow, 2002). The civil society actors and the EU institutions create interaction producing a negotiated consensus which facilitates the formation of a policy that meets with compliance rather than resistance in the phase of implementation. Capabilities and preparedness of the civil society as influencing actors is relevant for the level of the acceptance of their opinions and proposals. The time when environmental NGOs were seen only as recipients of policy information, rather than as potential sources of public opinion and knowledge, is long gone.

CONCLUSION

The energy and climate change policy drafting is one of the most debated and contested processes in the EU. The EU energy and environment governance is discussed from the approach of actor-centered institutionalism with the aim to portray the specific type of actor within institutional frameworks of EU, the civil society. The behavior and various forms and examples of advocacy and lobbying are presented within a framework of theory of social dynamics. A whole array of institutional and non-institutional actors is involved, while the civil society actors have been given an increasing space by the EU institutions, including obligatory inclusion in drafting legislation, as well as funding. The NGOs have become independent bargainers and agents of social learning, contributors of data and scientific support, connecting biophysical conditions to the political realm at both the local and EU level.

The civil society input and engagement has been seen as much needed and consistently positive. The varied benefits of NGO involvement are in upholding the political culture, democratic legitimization of the EU institutions and the political process. The NGOs contribution is not only in the monitoring and drafting phase but also in implementation, alongside the legitimization role, and in line with it. The implementation challenge is overcome by activation of civil society groups, whereby they jointly with the EU institutions come to a negotiated consensus which facilitates the formation of a policy that meets with compliance rather than resistance in the phase of implementation. Further research might encompass a study of the interplay of large private interests and specially created NGO vehicles to represent such interests in the EU climate change policy environment.

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