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Stakeholder consultations: mainstreaming climate policy in the Energy Directorate?

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Investigation of the conditions under which formal stakeholder consultations of the Directorate General Energy of the European Commission can help integrate climate change policy in energy policy in the European Union suggests that stakeholder consultations that aim at producing soft law and binding recommendations are rather insular, have low diversity of participants, and do not integrate climate change issues. Forums that aim at providing a discussion platform have higher diversity and integrate climate change issues to a certain extent. Stakeholder consultations can facilitate climate policy integration in European Union energy policy, as they take place early in the policy process. However, integration requires political commitment, and a concrete structure and format of the consultations that would facilitate integration.

Keywords: stakeholder consultations; climate policy integration; climate mainstreaming; Energy DG; diversity

Introduction

With energy policy explicitly linked to climate change targets, the aim of the European Union (EU) is to switch to a low carbon energy system for 2050 and beyond (European Commission 2007a). However, given the current energy infrastructure, this aim may prove difficult, as the sector in Europe is considered ‘locked-in’ in carbon technological pathways. Here we address the extent to which EU energy policy, and more specifically stakeholder consultations, can help realise the switch to a low carbon energy system for 2050 and in this way help integrate climate change policy in energy policy.

Since 2007 combating climate change has become one of the three official objectives for EU energy policy (European Commission 2007a). Integrating climate change into sectorial policies, also mentioned as climate mainstreaming,
can be understood as part of Environmental Policy Integration (EPI) (Nilsson and Nilsson 2005). The United Kingdom for example integrates energy and climate policy in one policy programme, led by the Department for Energy and Climate Change (Lovell et al. 2009). A recent review of the state of the art on EPI in the EU suggests that it has failed to change everyday policy practices and align sectorial policies with environmental considerations (Jordan and Lenschow 2010). Especially for climate policy integration (CPI), there is a need for additional political steps, since it is rather limited (Mickwitz et al. 2009).

Our starting point is that integrating climate change in energy policy is indispensable, in order to proceed with both mitigation and adaptation plans. Integration can ensure that activities in the energy sector are in line with climate policy objectives, and are sustainable in the long run. Mainstreaming is seen as a more efficient and effective way of utilising financial and human resources, in order to achieve both adaptation as well as mitigation (Klein et al. 2005). Climate mainstreaming aims at increasing policy coherence, minimising possible contradictory policies and creating opportunities for win-win situations in terms of increased adaptive capacity and lower emissions (Kok and Coninck 2007). Integrating climate policy in energy policy at the EU level is possible because of the existing synergies: e.g. renewable energy and energy efficiency can both address energy security as well as reduce greenhouse gas emissions (Kok and Coninck 2007). The potential of integrating climate change in different policy areas remains under-exploited (Kok and Coninck 2007). Further, a recent review of empirical studies on EPI suggests that within the European Union, EPI requires a search for opportunities of synergies, more proactive and earlier on in the policy process than is currently the case (Jordan and Lenschow 2010).

One opportunity to enhance synergies between energy and climate change policies early in the process is making optimal use of the integrating potential of stakeholder dialogues. Stakeholder dialogues have been introduced in environmental policy formation, in an attempt to incorporate multiple viewpoints in policymaking, enhancing thus legitimacy, and problem-solving capacity (van den Hove 2000). We specifically focus here on the synergy potential of the formal stakeholder consultations organised by Directorate General Energy of the European Commission (DG Energy). There are currently six formalised stakeholder consultation forums in DG Energy: fossil fuels forum (Berlin Forum), gas regulatory forum (Madrid Forum), electricity regulatory forum (Florence Forum), nuclear energy forum, and citizens’ energy forum (London Forum). Furthermore, the forum for renewable energy and energy efficiency (Amsterdam Forum) was organised for three years (2005–8), and subsequently renamed Bucharest Energy Forum. These forums are the only participatory processes in the DG Energy involving participants from the industry, non-governmental organisations (NGOs), science etc.

Even though research on these forums is scarce, there is evidence of their importance and impact on the EU energy policy. Originally introduced to
assist the deregulation of the EU energy market, two of these forums (Florence on electricity and Madrid on gas) have provided substantial input to EU energy policy creating consensus among the key players and stakeholders, which was then translated into soft law and best practices in the sector. The same forum has been named as one of the main actors, alongside the European Regulators Group for Electricity and Gas, driving the liberalisation process of the electricity sector (Meeus et al. 2005). Thus, the forums seem quite influential. Because of this influence, they have a potential to help make the switch to a low carbon economy in 2050.

In order to assess the potential of the stakeholder forums as successful avenues towards this switch, we investigated all six forums from their establishment onwards, studying whether and how they integrate energy and climate change policies.

Therefore, we focus on the extent to which, and under which conditions, stakeholder consultations in the European energy sector help address climate change.

In what follows, we first discuss stakeholder consultations, and their importance for the EU Impact Assessment process. Then, we move to the role of the specific consultations in DG Energy. Following this, we present the analysis. In the last section, we draw some conclusions with respect to how we can re-design such consultations in a way that can help integrate climate change issues in energy policy.

The role of stakeholder forums in the EU Impact Assessment process

In EU policymaking stakeholder dialogues have been promoted and institutionalised by the introduction of ex ante impact assessment (IA) requirements, in order to improve the regulatory mechanism (European Commission 2002). However, it is not always clear how exactly they function. More precisely, it is suggested that the role of civil society in consultations is fundamental, and that there needs to be a clearer link between the impact assessment and the consultation itself, so that it is ‘clearer who is consulted and why’ (European Commission 2002). The European Commission itself acknowledges that it should focus more on ‘sharing information and good practices on stakeholder consultation between the Directorates-General’, emphasising the need for ‘providing better feedback, a more coordinated approach to consultation and the need for ensuring plurality of views and interests expressed in consultations’ (European Commission 2007b). The importance of stakeholder input and plurality of views is also reinforced in the strategic review of Better Regulation (European Commission 2008).

Stakeholder consultations have been gaining importance in the context of EU policymaking, and energy policy is not an exception. Stakeholders are actors who have a stake or interest on a particular issue. This may include organised interests (such as organisations representing a sector), or simply individuals that may be affected by the outcome of the given policy. The role of
organised industrial and private interests in EU policymaking, through lobbying and stakeholder forums, is well documented (Eising 2007). Most often, stakeholders are perceived mainly as the companies and industries that have financial interests at stake in the specific topic.

Further, the role of NGOs is very important, since their active involvement in particular issues has promoted transparency, and enabled consensus-building in implementation (Appelstrand 2002). Particularly in European environmental policy, the participation of NGOs as legitimate and interested actors has also led to policy learning (Bomberg 2007). On the other hand, some suggest that even though NGOs are important for the European Commission, their importance remains at the level of supporting and legitimising further policies, rather than participating in European governance as actors themselves (Smismans 2003).

Other actors in such consultation forums may be scientists with expertise on the given topic, e.g. political scientists, engineers, economists. Previous research has shown the importance of the technical knowledge which, alongside the local knowledge and political knowledge, proved important in the success of participatory processes (Feldman and Khademian 2007). Bringing together (1) the political, (2) the scientific or technical, and (3) the local or experience-based perspectives in the formulation, adoption, and implementation of polices has been linked to the ideal of informed and effective decision-making through deliberation. There is evidence that for the EU energy policy, scientific knowledge plays a rather limited role, when compared to geopolitical interests, economic developments or political pressures (Vasileiadou 2012).

Including scientific knowledge and consulting stakeholders are traditionally part of the Environmental Impact Assessment (EIA) in EU policymaking. Reviewing several European countries, a recent report shows that there is huge potential for climate policy integration in the EIA process (Mickwitz et al. 2009), since it was established partly to address EPI principles, (European Commission 2002). Another study reports that the EIA process is quite malleable: it can be rather extensive with substantial role for stakeholders when the policy topic is new; whereas it can be conducted as a typical procedure, without any actual input from stakeholders, when policy options are limited (Bäcklund 2009).

EU Energy policy and the role of stakeholder forums

Energy policy has traditionally fallen under the scope of national policies (Collier 1996). The energy sector typifies a case in which sovereignty transfer to the EU level has been hampered by ‘nationally entrenched policy problem features’ (Eberlein and Newman 2008, p. 42). It seems that the Madrid and the Florence Forums have emerged because of the need for technical expertise on gas and electricity issues (respectively), but also as ‘network governance’ mechanisms, which would bypass national authorities and to connect national (or European) stakeholders with the Commission (Eberlein and Newman
2008). Especially the Florence Forum (the first to be established) has been hailed as a new mode of governance of EU policymaking, which has the potential to increase the effectiveness and efficiency of policymaking (Hérétier 2003). Further, the Madrid Forum has been cited as an example of a technocratic Forum, with discussions over technical specificities (pipeline, congestion management), which have contributed to some degree of convergence (Genoud et al. 2004).

While keeping this in mind, the formalised stakeholder consultations under study could be a specific site to integrate climate policy at an early stage in the policy process, by integrating emissions reduction or adaptation considerations. The consultations could play a role in this respect, since they have been established to incorporate a plurality of perspectives in energy policy. One of these perspectives is to address climate change through the EU energy policy.

*The Florence Forum*

The Florence Forum is the oldest stakeholder forum (since 1998), on electricity issues, and was established to promote the de-regulation of the electricity system in Europe. From the beginning on, it focused on building a network of regulators, Transmission System Operators (TSOs) and Independent System Operators (ISOs). It convenes annually or semi-annually, and participation is by invitation.

*The Madrid Forum*

The Madrid Forum was established in 1999 as a platform between the Commission and the gas sector to discuss issues relating to the European internal gas market. It was linked to de-regulation efforts of the European gas market. It convenes annually or semi-annually. Participation is by invitation.

*The Berlin Forum*

The Berlin Forum was established in 2005 and is organised annually by the DG Energy and hosted by the German Ministry of Economics and Technology. It aims at providing a structured meeting place between the Commission and different stakeholders on fossil fuels (coal, oil, and gas). The annual plenary forums are open to all interested participants. In contrast, participation in the working groups, where most of the actual consultation is being done, is by invitation only. These invitations are sent to organisations which participated in the plenary forum. After the 2006 annual forum, it was decided to have ‘working group’ meetings, which were split for the three related topics (coal, oil, and gas). In 2007 the working groups changed in two relevant topics: ‘sustainable fossil fuels’ (coal), and ‘security of supply’ (oil).
The Amsterdam Forum

The Amsterdam Forum was organised by the Dutch Ministry of Economic Affairs, in collaboration with DG Energy annually in the period 2005–8 on renewable energy, and energy efficiency. It was the forum that was the least connected to the Commission. The forum was established for exchange of opinions related to the two topics, and for the Commission to receive feedback on related regulations. Participation was by invitation.

The European Nuclear Energy Forum

The forum was initiated in 2007, and the governments of the Czech Republic and Slovakia alternate as hosts of this forum. The issues discussed are the opportunities and risks arising from the use of nuclear energy. Again, like the Amsterdam Forum, it was established to host broad discussion of issues related to nuclear energy, and not, as the Florence, or Madrid Forum, to lead to ‘soft law’, or regulations. Participation is by invitation.

The Citizens’ Energy Forum

The London Forum was established in 2008, with the explicit aim to provide a discussion arena for ‘the implementation of competitive, energy efficient and fair retail markets for consumers’, as presented on the website. It has as an explicit aim to enable ‘soft regulation’ and as such resembles the Florence and Madrid Forums. Participation is by invitation.

Analysis

In order to investigate how formalised stakeholder consultations can integrate climate change in energy policy, the following sub-questions were addressed:

- Who participates in these consultations, and under which criteria? Is there diversity of participation?
- Are these consultations flexible? In other words, to what extent do they change over time?
- To what degree does the process allow for integration of new issues like climate change?
- To what degree does the process lead to policy impact?

Diversity

We focus here on the diversity of the stakeholders involved, to investigate the plurality of views promoted by the Commission (European Commission 2008). We investigate the diversity of institutional backgrounds of the participants, under the assumption that the higher the diversity, the more informed and legitimate the consultation process, with higher problem solving capacity
We hypothesised that the higher the diversity of institutional backgrounds of participants in a forum, the more climate change issues can be addressed. This can be justified as participants from different backgrounds, e.g. the private sector, independent organisations, NGOs, scientists, would have a different perspective on the topic, and would thus be more likely to bring up new topics, such as climate change, to the forums. Bringing in participants and speakers from diverse backgrounds may help open up the topic to different perspectives on e.g. gas (e.g. the energy security perspective, the environmental perspective), and the inter-linkages between gas policies and addressing climate change. As indicated by previous work ‘[r]esolving complex environmental regulatory issues requires consideration of the technical, political, and societal implications of a decision’ which can be achieved by including all interested and affected parties (Bedsworth and Kastenberg 2002).

We use here the distinction between variety and balance (Stirling 2007). If we think about diversity of participants with respect to institutional backgrounds, we need to include variety and balance of these backgrounds. Variety refers to the amount of distinct categories of institutional settings. Balance refers to how equal the distribution of the participants is among these institutional backgrounds: if most participants come from the industry, the balance (and thus the diversity) would be low; if the participants are more or less equally spread among industry, NGOs, science and policymakers, then the balance (and thus the diversity) would be high.

**Flexibility**

We also study the flexibility of these forums: the extent to which the forums change and evolve over time with respect to: their structure, e.g. frequency of meetings, number of participants, set-up of meetings, and their content, e.g. whether new topics are brought up. Sometimes, this change over time comes as a result of a formal or informal evaluation: a discussion of what went well or not, with a view on changing elements the following time. So, flexibility (the ability of the forum to change) is linked to two elements: changes in the forum (topics, participants, structure), and conscious reflection on the need for change, through evaluation and assessment.

We hypothesise that forums that are relatively flexible are more likely to integrate relatively ‘new’ topics, such as climate change.²

**Integration of climate change issues**

We investigate the extent to which topics related to climate change come about in the discussions, the minutes of the meetings, the presentations of the participants, and the agenda of the meetings. We are here interested in both considerations of emissions reduction, and other mitigation strategies, for instance carbon capture and storage (CCS), in order to reduce CO₂ emissions,
as well as adaptive strategies, for instance changing standards on nuclear power plants and their cooling capacity, or standards and placement of pipeline infrastructure. This variable operationalises the degree of climate policy integration.

**Policy impact**

We investigate the broader policy impact of these consultations, and the extent to which discussions in the forums, presentations of the participants, or conclusions of the forums influence the content of policies, or the process of policymaking.

**Diversity of participants**

Assuming that stakeholder consultations need to address an issue from different viewpoints, we would expect the organisers to include participants from different institutional backgrounds in these forums. Diversity of institutional backgrounds of the speakers was studied as a proxy for the diversity of the participation in the forums.³

Figure 1 shows the sectors of the speakers for the forums in 2008. In this figure we have used the following categories for the speakers: private sector (indicating either individual companies, or industry associations), policymakers (indicating either European or national policymakers or members of the Parliament) and other (indicating independent associations, NGOs,

![Figure 1. Sectorial diversity of speakers of forums.](image-url)
scientists). The three categories are very crude; however, we wanted to identify whether the private sector was the main stakeholder in these forums.

Figure 1 indicates that there are broadly two types of forums: one which has more or less the same number of speakers from the private sector, policymakers, and other sectors (Amsterdam; Berlin); and one with more speakers from the private sector (Florence, Madrid, Nuclear, London). In most forums, there is a preference for speakers from the private sector.

Table 1 shows the breakdown of the categories in more detail. The following categories were coded: Commission; National Government; Parliament (national or the European Parliament); Company; Industry Association (e.g. European Wind Energy Association – EWEA); Independent Association (e.g. European Regulators’ Group for Electricity and Gas – ERGEG); NGO (e.g. Greenpeace); Other (including scientists, and intermediary organisations, such as private – public partnerships). The categories were selected having in mind the perspectives on a topic: one would expect that an individual company would have a different perspective on wind energy than the EWEA. In a similar fashion, the distinction between the Commission (which co-organises these forums), and the national governments aims to indicate the European – national distinction suggested by the literature in the role of these forums. An additional distinction was made for members of national or European Parliament, when it was identified from the discussions and the presentations that they often had a different perspective on the given topic than the national governments, namely a perspective more focused towards environmental targets. The independent associations are public associations, but with an independent function, such as independent electricity regulatory authorities. We expect them to have a different perspective on an issue to that of a national government.

Table 1. Percentages of speakers’ sectors in the six forums.

<table>
<thead>
<tr>
<th></th>
<th>Florence</th>
<th>Madrid</th>
<th>Berlin</th>
<th>Amsterdam</th>
<th>Nuclear</th>
<th>London</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission</td>
<td>17%</td>
<td>18%</td>
<td>25%</td>
<td>13%</td>
<td>6%</td>
<td>21%</td>
</tr>
<tr>
<td>National</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government</td>
<td>0%</td>
<td>0%</td>
<td>17%</td>
<td>13%</td>
<td>6%</td>
<td>0%</td>
</tr>
<tr>
<td>Parliament</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>13%</td>
<td>6%</td>
<td>0%</td>
</tr>
<tr>
<td>Company</td>
<td>17%</td>
<td>0%</td>
<td>25%</td>
<td>13%</td>
<td>44%</td>
<td>0%</td>
</tr>
<tr>
<td>Industry</td>
<td>33%</td>
<td>55%</td>
<td>8%</td>
<td>13%</td>
<td>9%</td>
<td>43%</td>
</tr>
<tr>
<td>Association</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independent</td>
<td>33%</td>
<td>27%</td>
<td>0%</td>
<td>13%</td>
<td>13%</td>
<td>29%</td>
</tr>
<tr>
<td>NGO</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>9%</td>
<td>7%</td>
</tr>
<tr>
<td>Other</td>
<td>0%</td>
<td>0%</td>
<td>25%</td>
<td>13%</td>
<td>6%</td>
<td>0%</td>
</tr>
</tbody>
</table>

*a* One speaker was from a regional agency on coal, one speaker from an intermediary organization (Technology Platform) and one from research. *b* The speakers were from an intergovernmental research agency. *c* The speaker was from an intergovernmental research agency.
The Nuclear Forum has speakers from a wide variety of different sectors. However, the sectors are not balanced, with more than half the speakers coming from companies, or industry associations. The variety of the speakers’ sectors in the London Forum is lower than that of the Nuclear Forum, with speakers only from Independent Associations (ERGEG), NGOs (one speaker), Industry Associations and the Commission. The variety of the speakers’ sectors in the Berlin Forum is higher than that of the London Forum. Further, there seems to be a more balanced participation between the sectors, than was the case in the Nuclear or London Forums. The variety of speakers’ sectors in the Madrid Forum is the lowest, while balance is also low. A similar image can be observed in the Florence Forum, with low variety (four different sectors involved), but seemingly higher balance among these sectors than the Madrid Forum. Finally, the Amsterdam Forum exhibits the highest balance between the different sectors, as well as high variety with eight different sectors.

In short, the Berlin, Amsterdam and Nuclear Forums have the highest variety of sectors of speakers, whereas, the Amsterdam Forum (and to a lesser extent the Florence Forum) has the highest balance between the different sectors. The Amsterdam Forum has the highest variety of sectors of speakers and balance between the speakers. It is not surprising that the three forums established to operate as general discussion platforms have the highest variety of sectors (Berlin, Amsterdam and Nuclear Forums).

The documents from the Madrid and the Florence Forums indicate that the same organisations, and often the same individuals, are invited every year. This may also be linked to their long history, as well as their initial purpose to create a network of players (regulatory authorities, and transmission system operators) that would assist with de-regulation of the internal market.

The Citizens’ Forum (London Forum) has been established with the purpose to function like the Florence and Madrid Forums, by producing soft law. The three forums were (until 2008) under one organisational department (unit) within the DG Energy, which could also be related to the similarity in their purpose: specific organisational routines have been established in that department for organising consultations by following the example of Madrid and Florence.

Flexibility

Here we looked into two issues: first, whether there is a formal or informal assessment of its plenary meetings; second, whether the topics or the participants change over time.

In all forums, there has been informal evaluation and assessment of the forum internally (within the Commission), resulting in some adjustments and changes the following year. Discussing the Nuclear Forum, interviewee 6 suggested that:
we are in constant contact with the stakeholders, and we take their comments on board. And of course internally, we also review the organisation, the technical aspects, how we can improve certain things, and the results of those discussions of course will be applied with regards to the next forum meetings. In regards to who participates, we try to evolve.

Such informal evaluation also took place in the Citizens’ Forum:

Well, there was an informal assessment by ourselves internally. We deal with each one of the key stakeholders on a bilateral basis anyway, and we’ve had discussions with each one of those as to the good and bad points to take away from the forum and from that we’ve constructed a little plan of what we’re going to change. (Interviewee 7)

This suggests openness to change, which is easy to imagine in both forums, since they are relatively new and probably still defining the appropriate terms of debate and ideal composition of topics and participants.

The Berlin and Amsterdam Forums (operating since 2005) also exhibit such evolution in their format and in the content of the discussions. For instance, the Berlin Forum has included the last years a new topic, carbon capture and storage, and the working groups have changed accordingly to include detailed discussion of technical and financial aspects of CCS demonstration. In addition to changes in the topic and participants, the Amsterdam Forum also conducted a formal evaluation during its last plenary session (2008), the results of which suggested that the Forum should continue its operation (although not in Amsterdam).

In contrast, the Madrid and Florence Forums have shown little evolution in their format, topics or participants. Even though their organisers suggested that an internal feedback process does take place, this is not reflected in change of the topics or the participants over time.

Integration of climate change

The forums vary widely in terms of their openness to discuss climate change issues. The London Forum incorporates climate change issues insofar as they intersect with consumer issues. For example, the issue of energy efficiency in housing was discussed in terms of how ‘vulnerable consumers could benefit from reduced consumption’, meaning that efficient use of energy would lead to reduced consumption, which would benefit poorer consumers. The organiser suggested that there are issues that incorporate climate change concerns:

Smart metering is a good example of something which can benefit consumers directly and it can help their participation in the market by giving them clear, precise, and transparent information. The other side of smart metering is that it also helps improve energy efficiency, and energy efficiency helps deal with climate change issues. (Interviewee 7)

However, incorporating climate change as an explicit topic in the discussions is not considered. The organiser has suggested that this is related
to the focus of the forum, which is making soft law and concrete policy recommendations:

I think probably by introducing big topics on climate change and actually addressing climate change as a topic itself may not necessarily be productive because we’re, we’re more of a doing group [emphasis in the original] ... We want to actually produce concrete things and recommendations for consumers. (Interviewee 7)

The Berlin Forum has in recent years shown periodic interest in broadening what has otherwise tended to be a conversation mostly focused on commercial interests related to oil, coal and gas. For example, in 2008 the Berlin Forum’s plenary discussed the climate change-related topic of carbon capture and storage, mainly in terms of financing, developing shared strategies, and the science and feasibility behind projects. In both the October 2007 and October 2008 forums, there was a strong interest in CCS technology. The aim of the discussion around CCS remains, however, security of supply and maintenance of fossil fuels in EU’s energy mix. According to the organiser, the forum’s focus on CCS aids the inclusion of climate change considerations. However, he considers climate change ‘not really relevant’ for the other issue of the forum, which is oil, with a focus on security of supply. Even when participants of this forum wanted to discuss biofuels and sustainability of renewables in future meetings, the organisers insisted that such issues be kept out of the discussion and only discussed at the Amsterdam Forum for ‘efficiency reasons’.

Other forums see climate change as outside their purview. In both the Madrid and Florence Forums there is lack of integration of climate change issues. As the organiser of the latter forum said:

It [climate change] has obviously been an issue for the Commission policy but it hasn’t been an agenda point for the forum as such. Partly because it falls outside the regulator’s forum and the issues that DG TREN, because here we deal with conventional energies, electricity and gas, and the internal market ... so far it hasn’t been discussed, and everyone has that in mind. But I’m not sure it should be on the specific agenda. (Interviewee 2)

In the Amsterdam Forum, climate change is brought up mainly as background to policies and initiatives for renewable energy and energy efficiency:

The issue of climate change is addressed] only indirectly, so always when policy makers address the two issues [efficiency and renewables] it will be under the umbrella to combating climate change, in the sense of contributing there, but not in essence, so not the climate change policy itself. (Interviewee 6)

This is the forum with the most references to and mentions of climate change in the presentation slides and the conclusions of the meetings.

In the Nuclear Forum, climate change issues play a pivotal role, not so much in the content of the discussions, but in an implicit shift in the meaning of nuclear power as a ‘green’ energy source without any greenhouse gas emissions
that can help address climate change. Climate change forms the background to
new opportunities for nuclear power, as in the discussions of the forum on
desalination of seawater and hydrogen production for cars. As the organiser
has suggested:

the fact that nuclear is a CO2 low source of energy is widely recognised . . . there
is discussion of whether it is the way to proceed on in the future, taking into
account the challenges that nuclear also poses, but nobody would dispute today
that nuclear is emitting fewer CO2 emissions than for example coal or lignite.
(Interviewee 6)

In conclusion, climate change considerations are not explicitly addressed in
the Florence and Madrid Forums, or the Citizens’ Forum. They are addressed
as background in the Nuclear Forum, and they seem more organically
incorporated into the discussions of the Berlin and Amsterdam Forums.

Policy impact of the consultations

Research on the broader policy significance and impact of these consultations
is limited, especially with regard to the more recently established forums. In
this section we analyse the interviewees’ responses with respect to the policy
and broader impact of these consultations.

All interviewees suggested that the consultations had had significant impact
in the EU energy policy. This was either in the form of concrete input in DG
Energy Directives, or in the form of obtaining feedback for proposed measures.
The type of policy impact differs according to the aims of the forums. It is
stronger and more direct in forums which aim to produce soft law, whereas it is
more indirect in the forums operating as discussion platforms. Nevertheless, in
all forums the interviewees mentioned specific examples of pieces of legislation
that were introduced by or influenced by discussions in the forums. For
instance, in the Florence Forum, discussions had direct input in regulation on
access transmission. In the Amsterdam Forum, discussions had direct input to
the Biofuels Directive. Also they provided direct input to the decision on the
phasing out of the incandescent light bulbs and to the energy efficiency action
plan. The Nuclear Safety Directive took into account discussions in the
Nuclear Energy Forum:

Yes [I use the Forum’s results and insights in my work] we used the stakeholders
opinions in drafting legislation or drafting policy papers, basically . . . you need
the expertise of the industry, of the scientific part, because without their input the
policy papers will be general and vague and you want to avoid that. (Interviewee 1)

The discussions can also push towards a direction, if it is seen that there is
broad support for a topic:

We had put forward as part of our third package proposals an amendment, a
provision that would help to facilitate smart metering. And that provision was
amended by the Parliament and the debates had become much stronger and much more specific to smart metering, and because of the feedback of the forum in October and because of the debate, the Commission has now decided to support the Parliament’s decision . . . which is a much stronger way of helping to roll out the technology. (Interviewee 7)

Such direct impact has often resulted from the conclusions of the meetings, some of which function as clear ‘to do lists’:

Because we try in the conclusions to always get things right for next forum: these people will do this and other people will do that, like a ‘to do list’ for the next one; and the better the forum, the more concrete the conclusions are. (Interviewee 3)

Apart from direct impact on legislation, the consultations also provide a bird’s view on the different opinions of a sector on a topic for the Commission and for all involved stakeholders. This can also function as a test bed of ideas the Commission wants to pursue:

We as Commission use the forum also as one of the process we need to do as public consultation for our impact assessment before we introduce a piece of legislation, it is important to have their voices heard, also it is important for us to have the discussion about different sectors. And also it is important that the different stakeholders can make their points in front of the member states. Of course the sector can lobby one or the other member states or the European Commission, but there you have one sector, the wind or products, they can make the points to all the member states and the other sectors can also intervene. (Interviewee 5)

For both the participants, as well as the Commission, one of the effects is that of networking: of providing the relevant audience and discourse on different topics of interest, and contact points within organisations. That also means that individuals and organisations not in the forum are not part of the ‘network’, and are not the ones ‘to be consulted’ on the given topic:

Yes, for us it’s of course a way of networking by organising, by having follow-up you are engaged with people and building up a network which is always useful. (Interviewee 4)

Summary and discussion of analysis
Some forums show more openness towards climate change issues than others. The Madrid and Florence Forums have a rather insular focus, do not seem to evolve much (with respect to participants or topics), and neither integrates climate change considerations. This could be a result of the long duration of both forums. This suggests a possible ‘old boys’ network’, and could lead to lack of flexibility, or new ideas. Even with a view on their initial purpose, issues related to electricity and gas regulation affect other stakeholders as well. Opening up to new players could definitely enable the forums to acquire fresh perspectives and new ideas, as part of a learning process.
The Berlin and Amsterdam Forums seem the most open to diverse speakers. They exhibited a high degree of flexibility, their content and discussions have evolved, and they also seem more able to integrate climate change considerations. Finally, the two latest forums, the Consumers’ Forum and the Nuclear Forum, try to a limited extent to integrate climate change considerations; it is quite early to investigate whether they change over time.

Table 2 summarises the results of the preceding analysis. There are distinct similarities between the Florence, Madrid and London Forums; perhaps it is not a coincidence that they have operated under the same unit and have the same aim: to produce soft law and lead to specific actions of the participants involved. The role of Nuclear Forum, on the other hand, is defined in much broader terms as a network. The aim of the Amsterdam and Berlin Forums was similar, although the analysis of the Berlin Forum suggests a pre-categorisation of topics, which could inhibit integrating climate change issues. Thus, the purpose of the Forums seems to shape the degree to which they can integrate climate change issues in energy topics.

A further note concerns the topics of these stakeholder consultations. The analysis indicates a compartmentalisation of issues, which can hamper mainstreaming of climate change. Some issues are considered the realm of a specific forum, and are thus left for that forum exclusively, even though they have an impact on discussions in other forums as well. This confirms previous research, which indicates that when policy agendas are divided along sectorial concerns, there is lack of flexibility of the policymaking process (Healey et al. 2003). At the EU level, it has been argued that inter-Directorate relationships are one of the factors standing in the way of better coordination, and that, even though most political problems are cross-sectoral, EU networks have a strongly sectoral focus, which results in ‘policy messes’ (Schout and Jordan 2005). Especially climate policy and energy security, are considered very good examples of cross-sectoral issues that need coordination between different directorates and sectors, as well as different levels of governance (Bäckstrand 2010).

Because the issues are compartmentalised into energy type, organisers and the discussion tend to be focused on those organisations and issues that are seen to have the greatest stake in those energy types. Setting up the two forums that do not discuss a particular energy type (London and Amsterdam/Bucharest forum) may paradoxically allow organisers and participants of other forums to limit their discussions. Though one can see London and Amsterdam/Bucharest Forums as evidence of the Commission’s sincerity in focusing on issues such as consumer rights or energy efficiency, it allows all other forums to bracket off a wider, non-instrumental discussion and leave it to the dedicated forums. What may thus happen is that citizens are seen as inherently not having an overriding interest in policies around fossil fuels, gas, or electricity, while on the other hand the very industrial parties who ought to weigh in to debates around addressing climate change and consumer rights do not participate in the London or Amsterdam Forums. The one exception to this is
Table 2. Analysis of forums.

<table>
<thead>
<tr>
<th>Location/Industry</th>
<th>Purpose</th>
<th>Diversity</th>
<th>Flexibility</th>
<th>Climate change issues</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florence/Electricity</td>
<td>Soft law (support to internal market)</td>
<td>Low</td>
<td>No</td>
<td>No</td>
<td>Strong input in Directives</td>
</tr>
<tr>
<td>Madrid/Gas</td>
<td>Soft law (support to internal market)</td>
<td>Low</td>
<td>No</td>
<td>No</td>
<td>Strong input in Directives</td>
</tr>
<tr>
<td>Berlin/Fossil Fuels</td>
<td>Platform for discussions</td>
<td>Moderate</td>
<td>Yes</td>
<td>Moderately</td>
<td>Moderate input in Directives</td>
</tr>
<tr>
<td>Amsterdam/Renewables</td>
<td>Platform for discussions</td>
<td>Moderate</td>
<td>Yes</td>
<td>Moderately</td>
<td>Moderate input in Directives</td>
</tr>
<tr>
<td>Nuclear</td>
<td>Platform for discussions</td>
<td>Moderate</td>
<td>Limited</td>
<td>Limited</td>
<td>Moderate input in Directives</td>
</tr>
<tr>
<td>London/Citizens</td>
<td>Soft law</td>
<td>Low</td>
<td>Limited</td>
<td>Limited</td>
<td>Strong input in Directives</td>
</tr>
</tbody>
</table>
the Nuclear Forum, which in its three first meetings has shown a remarkable
degree of diversity and broader, non-instrumental discussion, including
contentious debates on clashing interests between industrial organisations
and environmental ones such as Greenpeace.

Conclusions

With European energy policy linked explicitly to sustainability, and as the EU
sees itself as a champion of climate change in international negotiations, one
would expect increasing integration of climate change issues in energy policy.
We have explored all formal stakeholder consultations (co-) organised by DG
Energy on different issues, and investigated whether and how they can help
integrate climate change considerations in energy policy.

The analysis indicated that the diversity of the forums varied, with some
forums more open to different institutional backgrounds (e.g. NGOs,
independent organisations, scientists) than others. In addition, the flexibility
of the Forums varied. The two older forums (Florence and Madrid) exhibited
low diversity of speakers, with speakers coming from few socio-economic
sectors, and more or less the same organisations invited every year. These two
forums did not integrate any climate change considerations in their discussions.
The Berlin and Amsterdam Forums exhibited higher diversity of invited
speakers, including scientists, NGOs, and independent organisations, as well as
a certain degree of change over time. They integrated climate change
considerations, at least to some extent, the Berlin Forum integrating climate
change considerations mainly insofar as carbon capture and storage has
become one of its topics, and the Amsterdam Forum raised climate change in
the context of promotion of renewable energies and energy efficiency. In both
forums, the moderate integration of climate change considerations has led to
some efforts to contribute to emissions reduction (e.g. the Biofuel Directive,
phasing out incandescent light bulbs, CCS demonstration projects). The
Nuclear Forum aims at providing a discussion platform, and contentious
discussions have taken place. However, the integration of climate change issues
is rather limited and superficial, and has not resulted in consideration of
climate change issues in the content of directives. Thus the Nuclear Safety
Directive 2009 has no reference to changed standards for adaptation to future
climate change that nuclear power plants may need to have. Finally, the
London Forum has until now followed the pattern of Florence and Madrid
Forums, with limited diversity of participants, and limited integration of
climate change considerations, possibly because its purpose is similar to those
of Florence and Madrid Forums.

The extent to which the Forums aim at producing consensus, as soft law, or
not is thus an important determinant of the structure of the Forum (for
instance, the diversity of the speakers) and its content. If the Commission
would like to facilitate climate change mainstreaming, rethinking the rationale
of such consultations would be an advantage. When redesigning the current
consultation forums, or creating new forums, it is important to know that when the forum aims at providing a platform for exchange of views, both the diversity, as well as the integration of sustainability topics are favoured. Compartmentalisation of topics can also be problematic. Creating, for instance, a new forum on climate change related topics would mean that anything related to this topic would not be discussed in relation to other topics (e.g. oil, gas, coal), a practice which would further hinder integration of climate change and energy.

One of the observations from the analysis suggests further room for improvement for such consultations. One of the problems inhibiting the integration of interdependent issues is the administrative boundaries within the Commission itself. Previous studies have also suggested that administrative boundaries are an obstacle for environmental policy integration, because there are distinct cultures in the bureaucratic structure of an administration, and each part has the tendency to protect its resources, and ways of doing things from the intervention of other parts (Jordan and Lenschow 2010). Flexibility at the administration level within the Commission and additional collaboration of different units and the different consultations is needed, in order to address complex transversal issues, such as climate change. Our results suggest that bracketing off a topic, because it seems more relevant to another forum is not a very helpful strategy, since there are a lot of interdependencies among energy issues. Examples that would transcend the boundaries set by such forums can be the interactions between CCS and renewables, the interdependencies between gas and oil, the role of consumers in electricity regulation, the role of citizens in accepting (renewable/ nuclear/ fossil fuel) power plants.

Our results indicate that climate policy integration in EU energy policy can be improved, and the stakeholder consultations under study can facilitate this process, as they take place early on in the policy process, and are the only stakeholder consultations taking place in EU energy policy. Other studies suggest that integration of environmental considerations in sectorial polices simply does not happen if there is no strong political intention to do so (Jordan and Lenschow 2010). Especially for stakeholder consultations it has been suggested that they are ‘not an administratively light or politically uncomplicated means of coordination’ (Jordan and Lenschow 2010, p. 154). Our study adds to this argument on the one hand by admitting that integration requires political commitment, and, on the other hand suggesting concrete structure and format of the consultations that would facilitate integration. These are also political issues.

We have shown that the impact of these consultations can be substantial. All these forums influence to a certain extent the content of policies. Some discussions and decisions in the forums enter Directives in preparation in the Energy DG. Another type of impact of these consultations is through creating and sustaining a set of interested organisations and individuals who are consulted for the given issues (networking effect). These findings add to the, limited, empirical evidence of previous work on these forums, which suggested
that their main impact was to support the liberalisation process bypassing national authorities (Eberlein 2008). The analysis here showed that their impact is both more specific (e.g. as input in Directives) and broader (e.g. through networking). For this reason they merit our attention while we try to understand how to enhance climate change mainstreaming.

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Notes
1. The analysis is based on 44 consultations, from the beginning of their establishment until the end of 2008 (Florence Forum 15 consultations; Madrid Forum 15; Amsterdam Forum 6; Nuclear Forum 3; Berlin Forum 4 and London Forum 1). There is no available data for the Bucharest Forum. The analysis draws on the publicly accessible material concerning the plenary meetings, and interviews with the organisers: the organiser of the Berlin Forum (interviewee 1; 2008), the organiser of the Florence Forum (interviewee 2; 2008), the organiser of the Madrid Forum (interviewee 3; 2008), the main responsible person for the organisation of the Amsterdam Forum in the Ministry of Economic Affairs the Netherlands (interviewee 4; 2008), the main responsible person for the organisation of the Amsterdam Forum in DG Energy (interviewee 5; 2008), the organiser of the Nuclear Forum in DG Energy (interviewee 6; 2009), and the organiser of the Citizens’ Forum in DG Energy (interviewee 7; 2009).
2. Even though climate change is certainly not new, the explicit link between energy policy and climate change policy at the EU level can be considered relatively recent: specific directives in the DG Energy integrating climate change issues came about in the 2001 and 2002 (Nilsson and Nilsson 2005).
3. We acknowledge that the diversity of sectors of the speakers may not always reflect diversity of perspectives.
4. Of course not all companies have the same perspective on an issue. All companies invited as speakers in the Nuclear Forum, were either electricity companies (e.g. E.ON), or companies related to nuclear power (e.g. Areva).
8. Soft law is a term applied to EU measures, such as guidelines, and declarations, which, in contrast to directives, and decisions, are not binding on those to whom they are addressed. However, soft law can produce some legal effects.

References


European Commission, 2007b. Follow-up to the green paper ‘European transparency’.


**Appendix**

**List of websites where data was obtained**

http://ec.europa.eu/energy/oil/berlin_forum/plenary_meeting_en.htm
http://ec.europa.eu/energy/nuclear/forum/meetings/meetings_en.htm