

# Assessing procedural climate governance in the European Union

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### **Abstract**

Procedural climate governance is a key part of the European Union's path to climate neutrality. The governance architecture has grown significantly in size and sophistication. However, given the current crucial moment for shifting to climate neutrality by 2050, it is important to assess where key parts of this architecture stand at the current moment and to give ideas about how they could be improved. In this report, we assess eight key procedural climate governance mechanisms in the EU: the European Scientific Advisory Board on Climate Change, the Multilevel Climate and Energy Dialogues, the National Energy and Climate Plans, the social dimension of EU climate planning, integrated infrastructure planning, monitoring and evaluation of climate-related investments, access to justice, and climate policy integration. Each of these mechanisms have been assessed in a detailed case study, using three categories of assessment criteria: overall effectiveness, policy resilience and implementation quality. These assessments have revealed three key shared, cross-cutting challenges that many of these mechanisms face: not enough precision in the obligations they set, insufficient financial and staff resources, and a lack of clear integration into the policy process. This calls for concerted action at both the EU and national levels to make these mechanisms, and the EU procedural governance architecture overall, fit for the transition to climate neutrality.



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# **Abbreviations**

| CPI     | Climate Policy Integration                           |  |  |
|---------|--|--|--|
| CFI     | Climate Policy Integration                           |  |  |
| ESAB-CC | European Scientific Advisory Board on Climate Change |  |  |
| GHG     | Greenhouse Gas                                       |  |  |
| MLCED   | Multilevel Climate and Energy Dialogue               |  |  |
| NECP    | National Energy and Climate Plan                     |  |  |
| RRF     | Recovery and Resilience Facility                     |  |  |
| RRP     | National Recovery and Resilience Plan                |  |  |
| SCF     | Social Climate Fund                                  |  |  |
| SCP     | Social Climate Plan                                  |  |  |
| TJTP    | Territorial Just Transition Plan                     |  |  |



# **Executive summary**

Procedural climate governance is a crucial part of the EU's transition to climate neutrality. It structures the decision-making process on climate-related topics and facilitates the implementation of substantive climate governance measures such as the Effort Sharing Regulation (Moore et al., 2023). In doing so, procedural governance forms a crucial part of the transformative action needed to reach climate neutrality.

In this report, we take a closer look at eight procedural governance mechanisms that seek to fulfil key procedural governance functions such as planning, access to justice, decision-making, participation, monitoring and evaluation, and expert advice. The examined mechanisms are: the European Scientific Advisory Board on Climate Change, the Multilevel Climate and Energy Dialogues, the National Energy and Climate Plans, the social dimension of EU climate planning, integrated infrastructure planning, monitoring and evaluation of climate-related investments, access to justice, and climate policy integration.

Using a previously developed assessment framework, we analyse the mechanisms on their overall effectiveness, policy resilience, and quality of implementation to assess their potential for transformative change (Moore et al., 2023). The assessment was conducted using a variety of methods including document analysis and interviews. While there were some differences between the case studies, we can distinguish three overarching results.

First, the results show that generally the legislation in which the governance mechanisms are embedded in provides for a base level of overall effectiveness. Additionally, the centrality of the climate neutrality objective gives the mechanisms the potential for transformative change. However, shortcomings in the governance mechanisms' design, such as their lack of integration in the policy process, could hinder the mechanisms in realising this potential.

Second, transformative action is often impeded by ineffective implementation of the mechanisms. While the mechanisms' design sets out certain obligations, these are not always implemented leading to a discrepancy between the functioning of the mechanisms on paper and in reality. This could point to inadequate follow-up and enforcement procedures. Moreover, insufficient resources, lack of transparency and of independence could further impose limitations on the extent to which the mechanisms are able to carry out their governance functions.

Third, due to the review structure present in most governance mechanisms under investigation, they possess a relative high degree of policy resilience. Regular revisions could offer the opportunity to mitigate some of the aforementioned shortcomings and, hence, enable the governance mechanisms to fulfil their true potential. This is particularly promising for those mechanisms that have a more permanent and independent nature.

Overall, three cross-cutting lessons emerged that could help enable more transformative procedural governance in the future. To begin with, precise obligations make a difference and



having clear standards and compliance checks can enhance implementation. Similarly, welldefined roles for mechanisms in the policy process can help integrate them in existing decisionmaking structures. Lastly, adequate resources matter. Limitations on funding, personnel, time and data can hinder the implementation of governance mechanisms and their effective functioning.



### 1. Introduction

To reach the European Green Deal's long-term objective of climate neutrality by 2050, the European Union (EU) will have to adopt ambitious climate measures (Duwe, 2022; Gheuens & Oberthür, 2021; Moore et al., 2023). Due to the far-reaching scope and rapid speed of these measures, they are often characterised as being transformative. Increasingly, this concerns not only legislation that directly reduces greenhouse gas (GHG) emissions - known as substantive climate governance – but also frameworks, instruments and institutions that shape the decisionmaking process around it – procedural climate governance (Moore et al., 2023). This procedural governance serves to facilitate the transformative change needed to achieve climate neutrality. It can enable the long-term planning, the careful monitoring and reporting, and the involvement of stakeholders required to reach this long-term objective. In doing so, it can reduce the risk of unsustainable path dependencies and lock-ins, and it can improve climate policy integration across different sectors. As such, procedural governance plays a crucial role in the EU's transition to climate neutrality (Görlach et al., 2022; Moore et al., 2023). Within the EU climate architecture, the European Climate Law, the Governance Regulation, the National Energy and Climate Plans, and the European Scientific Advisory Body on Climate Change can be seen as good examples of it.

As part of its research on transformative climate governance and specifically to examine the extent to which current EU procedural governance mechanisms realise their potential for transformative change, the 4i-TRACTION project has undertaken eight case studies focusing on key functions of procedural governance (for an overview of the case studies, see Table 1). The selection of these case studies drew on an inventory of the EU climate governance architecture (Kögel et al., 2023) as well as the existing expertise of the research partners. Some of the cases focused on very specific aspects, e.g., on participation and decision-making related to both Multilevel Climate and Energy Dialogues and National Climate and Energy Plans. Others had a broader, more expansive remit. For instance, one looked at the entirety of integrated infrastructure planning while another focused on climate policy integration writ large in the EU. Nevertheless, they can be seen as falling under six functions: (1) planning; (2) participation; (3) monitoring and evaluation; (4) expert advice; (5) access to justice; and (6) decision-making. As such, together the case studies aim to give a comprehensive overview of the extent to which existing procedural governance mechanisms facilitate the EU's transition to climate neutrality.

Drawing from the framework developed by Moore et al. (2023) that serves to assess the transformative nature of climate governance, these eight procedural mechanisms were examined on their overall effectiveness, policy resilience, and implementation quality. Together they can inform us of the strengths and weakness of the governance mechanisms' design, adaptability to changing circumstances, and implementation, and hence their potential for transformative action. The criteria were designed to be relatively broad to give the case study authors enough flexibility to adapt them to the reality of their case.



The next section gives brief overviews of each of the case studies. Subsequently, the following section synthesises the result of the assessment using the aforementioned criteria. The final section draws conclusions and outlines emerging cross-cutting themes.

## 2. The case studies: An overview

This section provides introductions to each of the case. In it, we briefly discuss the procedural governance mechanism under investigation and some of the key findings of the case study. Table 1 gives an overview of each of the case studies (further information can be found in Sections 2.1 to 2.8 and the case studies).

Table 1 List of case studies by title, description, legal basis of mechanism, governance function, citation, and location.

| Case Study Title   | Description   | Legal Basis of<br>Mechanism(s)        | Governance<br>Function                | Citation and Location      |
|--|---|---------------------------------------|---------------------------------------|----------------------------|
| Multilevel Climate<br>and Energy<br>Dialogues<br>(MLCEDs)                          | Assessment of the design and implementation of the MLCEDs drawing on national reports to the EU.  | 2018 Governance<br>Regulation         | Decision-<br>making,<br>Participation | Faber et al.<br>(2024).    |
| Public participation<br>and the National<br>Energy and<br>Climate Plans<br>(NECPs) | Implementation assessment that examines draft and final versions of National Energy and Climate Plans, and how member states implemented and reported public participation related to their creation. | 2018 Governance<br>Regulation         | Participation                         | Von Homeyer et al. (2024). |
| Access to justice<br>and the National<br>Energy and<br>Climate Plans<br>(NECPs)    | Analysis of the extent of access to justice for the public, environmental NGOs, and other stakeholders in relation to the design and implementation of the NECPs.                                     | 2018 Governance<br>Regulation         | Access to justice                     | Mähönen, M.<br>(2024).     |
| Social dimension<br>of EU climate<br>policy planning<br>instruments                | Assessment of the integration of the social dimension into four EU climate-relevant planning processes.   | 2018 Governance<br>Regulation; others | Planning                              | Kögel, N. (2024).          |
| European Scientific<br>Advisory Board on<br>Climate Change                         | Assessment of the design and early operation of the advisory board.   | 2021 European<br>Climate Law          | Expert advice                         | Varis, K. (2024).          |



| Climate<br>investment<br>monitoring and<br>evaluation          | Three case studies to inform design of EU-level climate investment monitoring: 1. France's Green Budgeting Exercise, 2. European Climate Neutrality Observatory, and 3. US Clean Investment Monitor. | National law; civil society institutions | Monitoring<br>and<br>Evaluation | Humphreys, C. (2024).   |
|--|--|--|---------------------------------|-------------------------|
| Stakeholder<br>participation and<br>infrastructure<br>planning | Overview of potential energy infrastructure to be developed to achieve climate neutrality, and the role of public participation in it.   | Various                                  | Participation                   | Kampman et al. (2024).  |
| Climate policy integration                                     | An analysis of climate policy integration in the EU, specifically as it relates to the European Climate Law and its climate-neutrality consistency checks.   | European Climate<br>Law                  | Decision-<br>making             | Kulovesi et al. (2024). |

## 2.1 Multilevel Climate and Energy Dialogues

The first case study examines the progress and quality of implementation of the Multilevel Climate and Energy Dialogues (MLCEDs) – multilevel forums for representatives of civil society, business, and other actors to discuss key aspects of EU climate policy - and their contribution to a transformative governance framework (Faber et al., 2024). The Governance Regulation requires Member States to set up these MLCEDs and to report on their progress. The authors present a novel analysis of the form, content, and scope of the MLCEDs carried out in 26 EU member states, drawing on national MLCED progress reports submitted to the European Commission as well as 11 expert interviews. Their assessment finds that issues such as vagueness on what the dialogues should entail, insufficient coverage of stakeholders at multiple levels of governance, and lacking Member States reporting, impedes the contribution of the MCLEDs to transformative EU climate governance.

# 2.2 Public participation & the National Energy and Climate Plans (NECPs)

In the second case study - Von Homeyer et al. (2024) analyse how the National Energy and Climate Plans prepared by each EU member state have incorporated public participation into the drafting process, a requirement included in the Governance Regulation. To do so, they examine how participation processes were reported in the draft and final 2018/2019 NECPs of all 27



Member States, as well as sixteen drafts of the 2023 updates (draft NECPs available at the analysis cut-off date of 1 November 2023). Based on their analysis, they find that participation processes leave much room for improvement. While citizen participation increased and participation methods became more diverse, progress on other, perhaps more critical areas, was lacking. Insufficient transparency and independence reduced the legitimacy of public participation processes, and their results were not systematically integrated in the policy process.

#### 2.3 Access to Justice and the NECPs

In the third case study Mähönen (2024) carries out an analysis of the opportunities provided for access to justice and legal challenges related to the preparation and implementation of the NECPs. The research for this study was based on relevant case law of the Court of Justice of the European Union (CJEU), internal review requests, relevant literature, the practice of the Aarhus Convention Compliance Committee (ACCC) and complementary studies, reports and stakeholder communication. The author finds that there are barriers to justice on both the EU and Member State levels, even though it should theoretically be provided for under the Aarhus Convention.

## 2.4 Social dimension of EU climate policy planning instruments

In the fourth case study Kögel (2024) analyses how the EU legal framework can be improved to enhance the integration of the social dimension of climate policy – aiming to ensure that groups, regions, industries etc. are not left behind by the transition to climate neutrality. Specifically, the author focuses on (a) integration and alignment opportunities surrounding social considerations and (b) ways in which the social dimension can be better anchored in policymaking across the EU's numerous planning instruments with climate relevance. First, the author investigates the alignment of four relevant EU planning instruments: (1) the Governance Regulation; (2) the Just Transition Fund Regulation; (3) the Recovery and Resilience Facility Regulation; and (4) the Social Climate Fund Regulation. Second, she examines the implementation of EU requirements on the national level by assessing the National Energy and Climate Plans (NECPs), the Territorial Just Transition Plans (TJTPs), and the Recovery and Resilience Plans (RRPs) of four Member States (Finland, the Netherlands, Slovakia, and Spain). The research of this case study relies on document analysis and seven expert interviews. The results of the analysis show that, even though the social dimension is increasingly integrated in climate-related policy planning and EU requirements have been partially implemented at the national level, significant room for improvement remains.



## 2.5 European Scientific Advisory Board on Climate Change

In the fifth case study Varis (2024) examines the procedural governance role of the European Scientific Advisory Board on Climate Change (ESAB-CC) – an independent institution created by the European Climate Law that serves to provide scientific advice to the European Union institutions on key aspects of climate governance. Based on a document analysis, the author shows that the broad mandate of the ESAB-CC gives it independence and flexibility to take up tasks it finds important. However, the unspecified role of the ESAB-CC, including lack of clarity on the policy phase in which its advice should be considered, could reduce the effectiveness of its advice.

## 2.6 Climate investment monitoring and evaluation

In the sixth case study Humphreys (2024) assesses three possible models for EU-level monitoring of climate-related investment: France's Green Budgeting Exercise, the European Climate Neutrality Observatory, and the United States of Amercia (USA) Clean Investment Monitor. On the basis of a document analysis, the author finds that in the investigated cases, there is a tradeoff between scope and depth which might speak to having multiple monitoring systems rather than a "one stop shop". Additionally, the results show that insufficient resources and connection to the policy process can impact investment monitoring systems' effectiveness.

## 2.7 Stakeholder participation and infrastructure

In the seventh case study Kampman et al. (2024) examine participation in energy infrastructure projects. They give an overview of energy infrastructure that might need to be developed to achieve climate neutrality. Additionally, they outline the role participation can play based on the legal basis for participation and how it is conceived through a platform for dialogue such as the Renewables Grid Initiative. They find that participation can increase the legitimacy of projects and enhance their quality, and that it benefits from flexibility due to the diverse nature of energy projects and local circumstances. Nevertheless, more guidance on participation for specific infrastructure projects can further improve its effectiveness.

## 2.8 Climate policy integration

In the eighth case study Kulovesi et al. (2024) investigate climate policy integration (CPI) - the systematic incorporation of climate change considerations and objectives into policy areas and decision-making processes – as part of EU procedural climate governance. They examine the status of CPI in the context of legal requirements introduced in the European Climate Law, EU institutional arrangements, and EU climate policy development. The authors show that CPI has been strengthened via, amongst others, the inclusion of a CPI-related obligation in the European



Climate Law, but that more can be done to ensure the achievement of the climate neutrality objective.

# 3. Assessing transformative climate governance: effectiveness, policy resilience and implementation

Assessing the transformative nature of procedural governance mechanisms requires assessment criteria that go beyond emission reductions, as these mechanisms only indirectly contribute to them (Moore et al., 2023). A different approach is needed that pays attention to the way mechanisms are designed and implemented, and the extent to which they possess a transformative orientation. Additionally, due to the range of procedural governance functions included in the analysis, the criteria had to be relatively broad to leave room for case study authors to adapt them to the reality of their case.

As such, the eight case studies were assessed using three criteria drawing from Moore et al. (2023): (1) the overall effectiveness of the governance mechanisms; (2) their policy resilience; and (3) the mechanisms' quality of implementation (see Table 2). Together they aim at capturing the transformative nature of the procedural governance mechanisms under investigation, by informing us on the strengths and weaknesses of governance mechanisms related to their design, implementation, and ability to adapt to changing circumstances.



Table 2 Assessment criteria for procedural climate governance and potential assessment questions.

| Category                                     | Potential Assessment Questions                                   |
|--|--|
| Overall effectiveness                        |  |
| A governance mechanism's ability to          | Does the governance mechanism successfully carry out its         |
| successfully carry out its governance        | functions?   |
| functions and to contribute to long-term     | Are the mechanism's overall goals in line with climate           |
| planning and transformative change in the    | neutrality?  |
| sectors that it addresses.                   | Does the mechanism consider a long-term perspective?             |
| Policy resilience                            |  |
| A governance mechanism's ability to adapt    | Does the underlying legislation have a review/revision           |
| to both endogenous and exogenous             | obligation that requires regular evaluation? How effective is    |
| circumstances – either by maintaining itself | this evaluation process?   |
| and its objectives (policy durability) or    | Is there a process for responding to changing economic,          |
| allowing policy makers to adapt its design   | political, scientific conditions? How effective is this process? |
| or its objectives to consider these changes  | Does the mechanism have sufficient buy-in from key               |
| (policy flexibility)                         | stakeholders and policy makers to continue?                      |
|  | Does the policymaking process to adapt the mechanism require     |
|  | the agreement of a large number of 'veto players'?               |
| Quality of implementation                    |  |
| The effectiveness with which a governance    | To what extent is the mechanism being implemented                |
| mechanism is implemented, including the      | effectively?   |
| provision of adequate resources.             | Is the mechanism adequately resourced?                           |

Source: Moore et al, 2023.

## 3.1 Overall effectiveness

The criterion overall effectiveness of the governance mechanisms concerns the extent to which the mechanisms are able to carry out their respective procedural governance functions, and contribute to long-term transformative change towards the goal of climate neutrality (Moore et al. 2023). As such, it includes assessing the degree to which: (1) the governance mechanism can successfully carry out its function; (2) the mechanism's objective is aligned with the climate neutrality goal; and (3) the mechanism has a long-term orientation (see Table 2).

The case studies reveal that legislation can give the basis for overall effectiveness of the governance mechanisms under investigation, but that the integration of these mechanisms into the policy process often remains vague which could hinder their potential for transformative change.

The results of the case studies show that legislation generally provides governance mechanisms with the ability to perform their functions, in principle. For example, the Governance Regulation includes provisions on the design of the MLCEDs such as the groups of stakeholders to be included and which topics to cover, the Aarhus Regulation provides for access to justice, and the European Climate Law sets a legal obligation for CPI (Faber et al., 2024; Kulovesi et al., 2024; Mähönen, 2024). Furthermore, flexibilities can enhance overall effectiveness by giving room to decide which governance mechanism format is most appropriate (MCLEDs and Participation in Infrastructure), or which tasks are most important (ESAB-CC; Faber et al., 2024; Kampman et al., 2024; Varis,



2024). Additionally, the explicit mention of the climate neutrality objective gives many governance mechanisms a long-term orientation and the potential for transformative action (Faber et al., 2024; Varis, 2024).

However, the case studies also revealed several shortcomings that could impede overall effectiveness. These often relate to the integration of the governance mechanisms in the policy process. For instance, investment monitoring systems can provide adequate data to policymakers but might miss an explicit link to the decision-making process if they are designed to only 'inform' (Humphreys, 2024). Similarly, the ESAB-CC's objective is to give scientific expert advice, however, the European Climate Law does not specify its formal role in the policy process and how its advice should be taken up (Varis, 2024).

Additionally, even though flexibility can be beneficial for the overall effectiveness of governance mechanisms, too much flexibility due to a lack of **specificity** could hamper it. E.g., the European Climate Law posits that all legislative and budgetary proposals have to be compatible with Climate Law's objectives, but criteria for how to assess the consistency of new proposals were missing (Kulovesi et al., 2024). Therefore, there seems to be a need to balance flexibility on the one hand, and specificity on the other hand.

## 3.2 Policy resilience

Policy resilience concerns the adaptability of governance mechanisms to endogenous and exogenous changes to ensure their robustness (Moore et al. 2023). As climate policy can be affected by changing economic and political circumstances, it is important that it can be adapted to these changes, without, however, losing sight of the longer term objective, but in service of achieving it. The assessment criterion serves to examine the governance mechanisms' review structure and process to respond to changing circumstances, and the extent to which this process includes different stakeholders or needs the agreement of 'veto players' (see Table 2).

Due to the formal reviews included in both the Governance Regulation and the European Climate Law, most governance mechanisms included in this report can be seen as having a base level of policy resilience. The revisions of the two pieces of legislation offer opportunities to adapt the related governance mechanisms if appropriate. This includes mechanisms such as the MLCEDs, and CPI (for a full overview see Table 1; Faber et al., 2024; Kulovesi et al, 2024). Additionally, climate policy instruments have been revised outside of these formal review cycles in the past (Kögel, 2024).

However, it is difficult to say at the time of writing whether these revisions will enable more transformative change in the future or whether they will lead to backsliding due to withering support. The requirement of qualified majority voting in the Council to agree to any changes in the legal basis of most of the governance mechanisms, means that no one country can act as a veto player (Faber et al., 2024). However, as some of the mechanisms such as the MLCEDs and the ESAB-CC originated in the European Paliament rather than in the Commission and the Council



previously watered down some of the Parliament's proposals, changing political conditions in the Member States risk weakening the governance mechanisms in the future. Having a certain degree of **permanency** and **independence** could help shield governance mechanisms from at least some impact of political turbulence (Varis, 2024).

Furthermore, including **more policy options and responses** to different scenarios in tools such as the climate policy planning instruments could help policymakers respond to the complex and changing conditions climate policy operates in, and hence increase policy resilience (Kögel, 2024).

## 3.3 Quality of implementation

The third criterion, quality of implementation, aims at capturing to what extent governance mechanisms are effectively implemented (Moore et al. 2023). As some of the procedural governance mechanisms are more nationally oriented, e.g., participation in the NECPs, this concerns their implementation at the both the national and European level. Additionally, due to the importance of financial and personnel resources for implementation, the level of adequacy of these resources warrants particular attention in the assessment (see Table 2).

Whereas the governance mechanisms under investigation show relatively adequate overall effectiveness, there seem to be more issues with how they are implemented both at the national and European level.

The discrepancy between design and implementation is apparent in a number of case studies. In many of the MLCEDs examined, not all groups of stakeholders were involved, the multilevel aspect was not always applied and not all mandatory topics were considered (Faber et al., 2024). Likewise, climate policy integration checks were not conducted on all relevant proposals (Kulovesi et al., 2024). Important barriers to access to justice exist at both the national and the European level due to, for instance, differences in national procedures, and different interpretations of EU law in national courts (Mähönen, 2024). This could point to inadequate implementation checks of the different governance mechanisms by the Commission, for instance, in the form of a formal follow-up process and quality assurance and control (Faber et al., 2024).

Additionally, **resource limitations** could lower the quality of implementation of the mechanisms. Insufficient resources can create data gaps that hinder the performance of procedural governance functions as shown by the case study on investment monitoring systems, and they could put restrictions on the tasks at hand as is the case for the ESAB-CC (Humphreys, 2024; Varis, 2024).

The case studies also reveal the importance of transparency, independence and timeliness for effective implementation. The research on participation in the NECPs shows that insufficient transparency and independence of the participation process can lower the legitimacy and credibility of the process and impede effective implementation (Von Homeyer et al., 2024). Even if the design of the governance mechanism allows for transparency in the form of a reporting obligation as in the case of the MLCEDs, issues with things such as low quality of the reports and



inaccessibility pose key challenges for ensuring transparency. The case study on the integration of the social dimension into climate policy planning instruments, also revealed that inadequate connections between the relevant planning processes can impact transparency, and hinder Member States in developing a comprehensive picture of the social dimension across the different instruments (Kögel, 2024).

Moreover, the effectiveness of participation seems to increase if it takes place early in the policy process. A finding that is mirrored by the results on the French green budgeting exercise that provided information well in time for members of the French Parliament to discuss (Humphreys, 2024). The timing aspect is related to the specificity of the role of the governance mechanisms in the policy process. The case study on the ESAB-CC showed that there is a risk that the expert advice is not provided at the ideal time due to its vague formal role (Varis, 2024).

#### Discussion and conclusions 4.

This report sought to examine procedural governance's potential for transformative action. To do so, it synthesised eight case studies assessing the overall effectiveness, policy resilience, and quality of implementation of procedural governance mechanisms with key governance functions. The analysis of the case studies showed that procedural governance mechanisms have the potential to contribute to transformative action and to help the EU transition to climate neutrality.

In principle, the design of the procedural governance mechanisms has allowed them to carry out their functions. However, there seemed to be issues concerning the lack of a formal role for the mechanisms in the policy process, and the trade-off between specificity and flexibility, which could impact their functioning. Moreover, the research on the quality of implementation of the mechanisms revealed that there has been a discrepancy between the governance mechanisms' design and implementation. Obligations were not always followed, inadequate resources resulted in limitations, and there were issues regarding transparency, independence and timeliness that could have reduced the impact of the governance mechanisms. These implementation issues could point to a lack of follow-up and enforcement of the mechanisms, and at least some of them could also be related to the vague role of most governance mechanisms in the policy process. Additionally, the review structure of the mechanisms provides regular opportunities to adapt them to changing circumstances. However, changing political conditions in the European Council and the European Parliament risk watering them down in the future. Having a certain degree of permanence and independence could protect the mechanisms against this political turbulence.

Therefore, the procedural governance mechanisms under investigation have the potential to contribute to the transformative action needed to achieve climate neutrality. They provide opportunities to engage a wide variety of stakeholders in the decision-making process, to strengthen science-based policymaking, to provide judicial access, to adequately plan climate policy and to integrate climate and social considerations in climate and other measures. However, barriers stop governance mechanisms from fully carrying out these functions and hence realising



their transformative potential. The mechanisms' level of policy resilience could help avoid unsustainable path dependencies and lock-ins, and in doing so, facilitate more transformative action in the future.

Looking towards the future we can draw three cross-cutting lessons. First, precise legal **obligations** make a difference. The examined governance mechanisms show a trade-off between clear-cut obligations and ambiguity. While a case could be made for ambiguity and the flexibility it provides to adjust the governance mechanisms to different circumstances or the independence it can give certain institutions, the analysis showed that having clear standards and compliance checks could be beneficial for the implementation of the mechanisms.

Related, many of the case studies revealed the necessity of **well-defined roles** for governance mechanisms in the policy process to enable them to fulfil their functions with the intended effect. Currently, even though the governance mechanisms might operate well on their own, they are not always integrated in decision-making. For instance, a clearer obligation for policymakers to respond to the ESAB-CC's advice or to the results of public participation process, could improve the functioning of procedural governance mechanisms.

Third, providing sufficient resources is crucial for the effective implementation of procedural governance mechanisms. The case studies showed that resources in terms of funding, personnel, time, and data, can act as an enabler, and that not having these resources can be a barrier to implementation. Governance mechanisms that were adequately sourced and organised in a timely fashion were seen as having a higher impact.

Future research could build on the findings of this assessment and further investigate the role of these governance mechanisms in the EU's climate transition. In particular, the issue of follow-up and enforcement, and why implementation has been insufficient warrant more attention.



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#### About the project

4i-TRACTION – innovation, investment, infrastructure and sector integration: TRAnsformative policies for a ClimaTe-neutral European UnION

To achieve climate neutrality by 2050, EU policy will have to be reoriented – from incremental towards structural change. As expressed in the European Green Deal, the challenge is to initiate the necessary transformation to climate neutrality in the coming years, while enhancing competitiveness, productivity, employment.

To mobilise the creative, financial and political resources, the EU also needs a governance framework that facilitates cross-sectoral policy integration and that allows citizens, public and private stakeholders to participate in the process and to own the results. The 4i-TRACTION project analyses how this can be done.

#### **Project partners**



















