Bridging the Gap between Environmental Policy Integration and the EU's Energy Policy: Mapping out the 'Green Europeanisation' of Energy Governance

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Abstract

The Europeanisation of energy policy has occupied a remote place in the European integration literature to date. However, current developments such as the Energy Policy for Europe launched in 2007 and the Lisbon Treaty Title XXI on Energy have given greater prominence to this policy area within the integration process. Hence, there are several indications that the Europeanisation of energy policy is already taking place, even though the understanding of this process is still weak. And indeed, European studies are just beginning to shed light on this policy area. Against this backdrop, this article examines the EU environmental performance, supported by the Environmental Policy Integration (EPI), as a driver for energy governance during the process of Europeanisation. Its main argument is that EPI is not only a variable for explaining the governance changes at the EU level concerning energy – defined here as 'green Europeanisation'–, but also a useful instrument for pursuing coherence within the emergent EU energy policy.

Keywords

Europeanisation; Energy policy; Climate change; Renewable energy

THE EUROPEANISATION OF ENERGY POLICY HAS OCCUPIED A REMOTE PLACE IN THE European integration literature to date. Paradoxically, even though energy policy provided an early impetus for European integration, this policy has largely remained state-centered, and the integration process has not been capable of laying down the foundations for a fully fledged and coherent Common Energy Policy (CEP). In fact, energy has been considered one of the weakest areas of integration and has been neglected by EU analysts, perhaps with the exception of deregulation policy. However, current developments, such as the Energy Policy for Europe (EPE) launched in 2007 or the Lisbon Treaty Title XXI on Energy, have given more prominence to this policy within the integration process. Energy Commissioner Günter H. Oettinger recently stated that, nowadays, "there is a chance to achieve what the Founding Fathers had envisaged some 60 years ago […] with the European Coal and Steel Community and shortly afterwards the Euratom Treaty" (Oettinger 2010a). Overall, there are several indications that the Europeanisation of energy policy is already taking place (Oettinger 2010a, 2010b), even though the understanding of this process is still weak. And indeed, European studies are just beginning to shed light on this policy area (Buchan 2009; Oberthür and Pallemaerts 2010; Morata and Solorio forthcoming). Against this background, it is fundamental to acknowledge that energy

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policy has been invariably considered a particularly unusual case of policy-making at the European level, especially due to the pronounced conflicts between the development of common policies, on the one hand, and divergent national policies, on the other hand (Andersen 2000). This was the main reason behind the ban imposed on the EU in this area before the Lisbon Treaty broke down the barriers that hindered action by Brussels. Nevertheless, despite having only recently been recognised as a formal EU policy area, it has been under the influence of Brussels for several years, particularly since the 1990s, when the Commission forged links between energy issues and its formal areas of competence, such as the external relations, the environment and the internal market (Matláry 1997). This dynamic has led to a *de facto* construction of a very limited and sector-based energy policy at the European level (Zapater 2009).

In the past years, the emergence of pressing issues, such as climate change and energy security, at the top of the EU political agenda has made the development of a comprehensive EU energy policy even more indispensable (European Commission 2006, 2007). In fact, the EU has a significant record of trying to respond to these challenges by moving towards a sustainable, secure, and competitive energy future (Damro *et al.* 2008; Piebalgs 2009; Buchan, 2009; Oberthür and Pallemaerts 2010). Thus, the new EPE is based on the objective of achieving a so-called 'EU energy trinity', firstly by increasing security of supply; secondly, by ensuring the competitiveness of European economies and the availability of affordable energy; and finally, by promoting environmental sustainability and combating climate change (European Commission 2007; European Council 2007). Perhaps more significant is the fact that the energy chapter of the Lisbon Treaty emerged with the task of coordinating overall EU action in this field; that is, to give the new EPE a truly transversal character, instead of a sector-based one. Nevertheless, at the moment, there are hardly any indications of the mode of action to reach this paramount goal. Generally, there is a lack of a systematic understanding of the EPE and the wider Europeanisation of energy policy.

This article examines the EU environmental performance, supported by the Environmental Policy Integration (EPI) as a driver for energy governance during the process of Europeanisation. This article intends to answer the following questions regarding this process:

- How has the EU environmental performance, supported by EPI, influenced the EU energy policy and what is the relative importance of the *green driver* against the other elements of the energy trinity?

- What are the emergent governance patterns in this process and its perspectives for further development?

The article begins by contextualising the debate on the EPE in the Europeanisation framework. Subsequently, the article develops a categorisation of EPI of energy, arguing that there are identifiable EPI phases that have influenced the EPE as it is known nowadays. Next, it analyses the overall green contribution to the energy governance of Europeanisation against the other EPE components and reviews the nature of this process. Later, it studies the perspectives of change for energy policy. Finally, the conclusion summarises the debates about the energy governance of Europeanisation, the development of the EPE, and further challenges to be confronted in this policy field. The main argument of the article is that EPI is not only a variable capable of explaining the governance changes concerning energy – defined here as 'green Europeanisation'–, but also a useful instrument for pursuing coherence within the emergent EU energy policy.

Energy Europeanisation: state-of-the-art

The Europeanisation agenda has received considerable attention in European studies, driven mainly by the greater dynamics of the integration process triggered by the Single European Act in 1986 and reinforced by successive Treaty revisions (Bulmer 2007). Thus, the studies on the effects of European integration gained prominence in a period where the EU competences increased notably (Haverland 2007), gradually spanning a wide range of policy areas. Not surprisingly though, energy has played a very paradoxical role in this process. In fact, even if the last decade has seen a growing interest in energy issues in EU policy-making (Natorski and Herranz 2008; Braun 2009; Buchan 2009; Oberthür and Pallemaerts 2010; Morata and Solorio forthcoming), this area of public policy has been excluded from the Europeanisation research agenda.

It can be acknowledged that numerous elements of energy policy have been examined during these years of expansion of the Europeanisation research agenda. However, they have frequently been limited to a sector-based perspective, and have by no means covered the broader picture of energy policy. In other words, if this sector-based perspective is required given the nature of energy in European integration, these studies have yet to succeed in expanding the Europeanisation approach to overall energy policy due to their research foci. In this context, the research focused on the Europeanisation of the internal energy market has attracted most attention (McGowan 2008). It is possible to find earlier examples, such as the study by Andersen (1999) on natural gas liberalisation, the work of Eising and Jabko (2001) on the changing objectives of the French energy policy as a result of the market liberalisation negotiations, the well-known publication by Levi-Faur (2002) on the Europeanisation of the electric and telecommunications regime, and the research by Humphreys and Padgett (2006) on globalisation, EU and domestic governance, as well as other relevant works (Jordana *et al.* 2005; Barttle, 1999, 2002).

At the same time, the agenda that focuses on the EU's external activities has also been further developed by Escribano's study (2006), which analysed the European Neighborhood Policy and its impact on the Mediterranean. Studies such as those by Escribano (2010) and Herranz and Zapater (2010) have analysed how the EU promotes its energy interests beyond its frontiers, a perspective that is gradually growing. Similarly, Natorski and Herranz (2008) have investigated the way in which the securitisation of energy policy has failed to mobilise support for a CEP. Oddly though, despite major political attention being dedicated to climate change in the EU (Damro *et al.* 2008), it is hard to find studies linking the environmental performance of the EU to the Europeanisation of energy policy (Solorio 2009). It is therefore an emerging research agenda, which requires conceptual clarification in order to grasp this process under the Europeanisation framework. The next section aims to develop a comprehensive analytical framework in order to systematically map out the 'green Europeanisation' of energy policy.

'Green Europeanisation': the transformation of energy governance

The construction of a framework rooted in the Europeanisation literature is imperative in order to trace the impact of environmental performance on energy governance. However, this task involves considerable risks inherent to the application of the Europeanisation framework. One of the main challenges is that this concept has been "contested as to its usefulness for the study of European politics" (Vink and Graziano 2007: 3). Thus, perhaps the most useful approach to defining this concept is to draw the line with related concepts. A basic assumption for our research is the separation between the concepts of Europeanisation and political integration. Basically, the difference is that, while the latter involves "the understanding of a process in which countries pool sovereignty", the former is concerned with "what happens once EU institutions are in place and produce their

effects" (Radaelli 2000: 6). However, the boundary between both can become blurred due to the fact that Europeanisation has a dual function "as an independent variable in domestic politics" and "as the processes by which domestic structures adapt to European integration" (Caporaso 2007: 27). In this article, we are interested in the first function, and it is therefore imperative to keep in mind the aforementioned differentiation.

Once the initial difficulties related to the application of the Europeanisation framework have been overcome, the following step is to clearly identify the domain of interest. In this sense, it is crucial to recall that the Europeanisation research scope is not restricted to changing policy domains, but also includes the wider policy and politics dimensions (Börzel and Risse 2000). However, each of these domains again includes a vast universe of sub-units that can easily vary upon reference in the literature (*e.g.* Radaelli 2000). Since this research focuses on the Europeanisation of energy policy governance, we are actually approaching the policy domain in order to understand its governance changes. In fact, Europeanisation is a process that involves the gradual erosion of national sovereignty, modifying the governance practices of the Member States (Risse *et al.* 2001: 2). In this context, the article adopts the definition of Risse *et al.* (2001: 2) on Europeanisation, which describes it as the "emergence and the development at the European level of different structures of governance". In other words, our task is to analyse how the EU governance system has centralised many policy-making activities regarding energy in Brussels, whilst relying on national administrative actors for implementation (Knill and Lenschow 2005). Therefore, we identify *political institutionalisation* – as a process that involves the development of formal and informal rules, procedures, norms, and practices governing politics at the EU level (Risse *et al.* 2001: 2) – as the parameter guiding our research on the Europeanisation of energy governance.

As already mentioned, the research topic distinguishes itself from other policy fields since the Europeanisation of energy governance has been mainly driven by related areas of competences. For that reason, the empirical core of this analysis involves how much the incorporation of the environmental variable into energy has facilitated the shift of energy governance towards the European arena, particularly regarding the implemented EPE. Hence, a three-step model of 'green Europeanisation' for energy policy is proposed as a tool for explaining the Europeanisation of energy governance, the main driver of which is the EPI. The model attempts to illustrate how energy governance was Europeanised before the formal competence was granted by means of environmental performance (Solorio 2009). It is argued here that, firstly, the EU's institutional flexibility paved the way for Brussels to exert greater influence in energy governance. As a second step, the growing awareness of the environmental impact of the energy chain, particularly related to climate change, facilitated the integration of both policies. And finally, this process guided by EPI was a main catalyst for the Europeanisation of energy governance.

Before introducing the EU environmental performance impelled by EPI as the independent variable, it is crucial for the objective of this research to underpin the analytical framework in order to appreciate the emergent patterns of governance. In consequence, this research relies on Knill and Lenschow's (2003) categorisation of the modes of regulation in EU governance to supplement our understanding of the impact of 'green Europeanisation' in energy governance. It enables a two-level of analysis that adequately captures the range of EU patterns of governance. In general terms, the *type of regulation* level considers the distribution of responsibilities across regulatory centres (such as the EU, national executives or non-state actors) and the level of discretion they grant to decentralised actors in the implementation process, while the *steering mechanism* level implies the different mechanisms of policy adaptation at the national level (Knill and Lenschow 2003: 2-3).

In view of this framework, the *type of regulation* level distinguishes between four patterns

of action. First, "the *substantive and procedural regulatory standards* fit the image of the EU regulatory state"; second, "the *new instruments* are a mixed bag of regulatory tools [and] what they have in common is a more indirect approach towards achieving behavioral change"; third, "the self-regulatory model is based on private actors devising concrete regulatory standards in the shadow of the state"; and finally, the *Open Method of Coordination* (OMC) refers to cases where "certain policy benchmarks are set for the Union, national responses are formulated independently without the threat of formal sanctions and the EU merely provides a context for enabling cooperation and learning among national policy makers" (Knill and Lenschow 2003: 3). In addition, the *steering mechanisms* level distinguishes between three general mechanisms through which regulators might seek to affect the behavior of the regulated. first, "they may be coerced to comply with the regulation"; second, "they may be 'tempted' to change their behavior due to incentive effects of the regulation"; and finally "they may learn, i.e. redefine their interests on the basis of new knowledge gathered due to the regulatory context and subsequently adapt their behavior" (Knill and Lenschow 2003: 4).

The application of this double-level analysis can be helpful in order to map out the predominant mechanisms in practice within energy policy regarding 'green Europeanisation'. Thus, it is a required step in order to recognise the "potential for national institutional change and cross-national convergence" (Knill and Lenschow 2005). The task in the subsequent sections will be to test the effectiveness of this analytical toolkit against the empirical developments in this policy field.

Energy and the environment: towards a mutually supportive relationship?

It is undeniable that it is necessary to take into consideration the environmental impact of energy policy-making in order to limit its ecological impact. Together with the liberalisation of the internal energy market (MacGowan 2008), this premise has been the most prominent path for the EU to influence energy policy (Damro *et al.* 2008; Solorio 2009). But how has the relationship between energy and the environment developed? It is worth recognising that a considerable part of this process has been well-documented by Ute Collier in her publications on EPI within energy (*e.g.* Collier 1994, 1997, 2002). However, perhaps because of the obviousness of the energy-environment relationship, there is a 'black hole' in the Europeanisation literature with regard to understanding how the increasing proximity between both policies has contributed to the Europeanisation of energy policy. This article undertakes the task of bridging the gap between EPI development and the Europeanisation of energy policy governance.

Against this backdrop, we adopt the definition put forward by Collier (1994), which regards EPI as a concept aiming at "achieving sustainable development and preventing environmental damage; removing contradictions between policies as well as within policies; and realizing mutual benefits and the goal of making policies mutually supportive" (Collier 1994: 36). Certainly, this definition has been criticised by other EPI authors (Persson 2004: 13-14) because of its lack of normative character. However, a positive aspect of this definition is its flexible nature that permits its application to the long-term relationship between the environment and policies. Thus, from the perspective advocated in this article, the ideal-case scenario is to reach *policy coherence* as a manner in which both policies "go together", gradually sharing "a set of ideas or aims" (Mickwitz *et al.* 2009: 19). Therefore, the goal is to enable a process where 'win-win' situations can be determined. The hypothesis guiding the analysis of our independent variable is that there is a direct relationship between the development of the environmental policy impelled by EPI and the Europeanisation of energy governance. The following section will present an EPI categorisation showing that there are identifiable phases in the relationship with energy that have influenced the EPE as it is known nowadays. This section intends to

unveil as exhaustively as possible the EPE's environmental component, while at the same time addressing the development of the EPI.

Phase 1: Environmental awakening

From the beginning, European integration has demonstrated a propensity to react to emergent problems (Jordan *et al.* 1999). Thus, with the growing concern for environmental issues in the 1970s, the Community did not hesitate to focus on the ecological impact of the energy chain (Damro *et al.* 2008: 183). The Commission's reflections, as well as the Council's resolutions, reflected the reality of increasing environmental awareness (*e.g.* Commission of the European Communities 1972, 1974; European Council 1974, 1975). Therefore, institutional flexibility enabled environmental issues to become one of the earliest and most remarkable targets for the free movement of goods policy (Pollack 1994: 124). However, the oil crisis of the 1970s contributed to making energy security one of Europe's paramount policy goals (Natorski and Herranz 2008). Nevertheless, this scenario increased the necessity to formulate and to develop policies together in order to tackle energy problems. Specifically, regarding the environment, the Council (1975) provided the following statement:

> [i]t is the duty of the Communities and the Member States to: (a) take environmental protection requirements into account in all energy policy strategy by taking effective measures […] (Council of the European Communities 1975).

The recognition of EPI as a policy objective was translated into a considerable number of environment-related measures and recommendations. On the energy efficiency side, there were numerous acts, such as the action programme on the rational utilisation of energy, the recommendation on the energy consumption of road vehicles, as well as on the rational use for electrical household appliances. Moreover, resolutions were adopted on the setting of a short-term target for the reduction of oil consumption and for energy savings. On the other hand, the development of renewable energy was delayed given the immediate need to solve the supply problems (Twidell and Brice 1992). Thus, Community activities were limited to the granting of financial support for projects to exploit alternative energy sources.

This first phase of the EPI was characterised by an increasing awareness of environmental issues within Europe and the initial reactions in this regard. Against this backdrop, EPI began to be recognised as a policy objective in energy policy-making, and the Community adopted a considerable body of legislation consisting of EPI-related instruments years before the Single European Act (SEA). In this context, the main success for the Commission was to bring back energy issues onto the European agenda, and to trace a path that, in the following years, appeared to be a useful driver for the evolution of energy governance: the environmental policy.

Phase 2: Environmental formal competence

1986 was a meaningful year for European integration, as well as for EPI issues. The main shift with the SEA arrival came through the internal market performance (McGowan 2008), but also by means of the institutionalisation of other significant areas, such as environmental policy. Thus, the new environmental policy emerged with the task of protecting the environment "through the prudent and rational utilization of natural resources", such as oil products, natural gas and solid fuels (article 191 with the Lisbon Treaty revision). Against this background, the Community environmental policy was supported from the beginning by two particular features: first, its success in terms of expansion and second, its efforts for integration in other policies, mainly in the energy

field.

Regarding its expansion, this can be measured given the number of legislatives acts adopted as well as the successive governance modifications in the following Treaty revisions. With regard to integration, it is worth remarking that the new competence emerged almost in parallel with the fourth Action Programme (1987-92), which declared that the "integration of the environmental dimension in other major policies will be a central part of the Commission's efforts" (Owens and Hope 1989: 97). Paradoxically, the initial years of environment competence were characterised by a lack of remarkable results in energy policy, perhaps with the exception of the large combustion plant directive. However, climate change emerged as a hot topic on the international level, which proved beneficial for the relationship between energy and environment (Damro *et al.* 2008). Thus, since the first EU target for stabilising carbon dioxide emissions was adopted by the Joint Council of Energy and the Environment in October 1990 (Skjaerseth 1994), the European climate policy has become increasingly intertwined with energy policy. In short, this second phase of EPI led to the institutionalisation of environmental policy as a path to intervene in the energy field. The results of this became more evident in the following years.

Phase 3: Formal integration

EPI was legally codified the Maastricht Treaty in 1992 and incorporated into Article 6 TEC (article 11 of the Lisbon Treaty), which contains the integration principle as a core EU objective (Lenschow 2002). It recognised that the "environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development". In parallel with these governance changes, climate change placed more pressure on the integration process of both policies. While this issue has moved into the mainstream of the international political agenda, Europe has also accelerated efforts to reduce global warming, thus improving its energy consumption practices (Henningsen 2008; Solorio 2009). Hence, with the intention of presenting the European Community negotiators with strong arguments for the Rio Conference in 1992, the Commission proposed for the first time a 'Climate Package' that included a directive proposal on renewable electricity, regulatory measures in the field of efficiency and energy savings, as well as a tax on energy-using products (Skjaerseth 1994). However, this package was diluted by the Council, which ultimately adopted pilot programs such as ALTENER and SAVE and excluded the possibility of taxation on energy use and a regulatory framework for renewable electricity (Collier 1997). Nevertheless, this involved the development of the first Community strategy to fight climate change in the early 1990s, the emergence of the climate policy at the core of the EU agenda and the creation of a new stage for EPI issues (Andersen 2000).

Given the growing awareness of climate change, it is understandable that limiting carbon dioxide emissions by improving energy efficiency was a significant step forward. Consequently, the SAVE Directive – closely related to the homonymous programme – emerged with the intention of drawing up and implementing programmes related to energy efficiency. Regarding renewable sources of energy, the Commission decided to boost their development with the Green Paper of 1996 on renewable sources of energy, a document that provided the basis for the White Paper in this area.

The initiation of the so-called 'Cardiff Process' in 1998 represented a step forward for the practical application of EPI, calling to Council formations to prepare strategies and programs focused on integrating the environmental considerations in its own policies. Regarding energy, the Commission argued that "given the important impact on the

environment, environmental integration cannot be achieved without adapting energy policy" (Commission 1998: 3). In this way, energy efficiency and renewable energy sources came to form the cornerstone of a sustainable energy system (Collier 2002). Soon, new environmental measures were adopted at the EU level such as the renewable electricity directive, and the biofuels directive. Moreover, once the Kyoto Protocol was ratified in 2002, the adoption of concrete measures to combat climate change was accelerated. Soon after, the directive establishing a scheme for greenhouse gas emission allowance trading within the Community was adopted and a consensus was even reached to adopt measure restructuring the Community framework for the taxation of energy products and electricity. Overall, the EPI's third phase was characterised by a double impetus to its integration within energy. On the one hand, the consolidation of environmental governance facilitated its influence on energy. On the other hand, climate change as a remarkable issue in international and in European politics sped up this process (Damro *et al.* 2008).

Phase 4: EPE emergence

In 2005, the EU began a new stage in its climate change programme to prepare a mid- and long-term strategy to confront this challenge (European Commission 2005). In this context, the European Council perceived "the need to demonstrate that the EU's commitment to meet Kyoto […] is practical and not just a paper one" (Piebalgs 2009: 2). In response, the Commission began pushing forward the energy debate with the paramount goal of laying down the foundations of a new EPE of global character as an indispensable step towards effectively tackling climate change (European Commission 2006, 2007). The first step was the Green Paper on 'A European strategy for sustainable, competitive and secure energy', in which the Commission put forward concrete proposals for implementing a European energy policy (European Commission 2006). In 2006, the Commission launched a strategic review of the current energy challenges as a guide to Europe's energy policy, in which the threefold twenty - renewable energy, energy efficiency and greenhouse gas emissions reductions - were specified as a necessary target to limit climate change. In this document, the Commission argued that "[m]eeting the EU's commitment to act now on greenhouse gases should be at the centre of the new European Energy Policy" (European Commission 2007).

As a turning point, the 2007 spring European Council enhanced the Action Plan (2007-2009) Energy Policy for Europe "as a milestone in the creation of an Energy Policy for Europe and as a springboard for further action" (Council of the European Union 2007: 13). Overall, an imperative goal was set to achieve *integration* between climate and energy policies (Council of the European Union 2007: 11). Along the same lines, the European Council recognised the importance of EPI by stating that "a substantive development of energy efficiency and of renewable energies will enhance energy security, curb the projected rise in energy prices and reduce greenhouse gases emissions" (Council of the European Union 2007: 20).

Responding to the Council's move, the Commission launched the Communication '20 20 by 2020: Europe's climate change opportunity' in January 2008. In this context, the Commission proposed a set of measures "designed in a way so that they are mutually supportive", in order to translate "political direction into action" (European Commission 2008). The economic crisis was certainly an added obstacle during the legislative process. However, after the hard inter-governmental negotiations, the 'Climate and Energy Package' became law in early 2009. The package comprises four main measures: first, a revision of the Emissions Trading System (EU ETS); second, an 'Effort Sharing Decision' governing emissions from sectors not covered by the EU ETS, such as transport, housing, agriculture and waste; third, binding national targets for renewable energy; and finally a

legal framework to promote the development and safe use of carbon capture and storage. With all the above-mentioned measures, it represents the most concrete expression of EPE and the most convincing proof that the 'win-win' solutions between energy and environment are more than possible.

The last phase of EPI not only involved the EPE official emergence, but also was the key to understanding two basic characteristics of the evolution EPI. First, there is a clear continuity in the environmental component of the EPE as a result of sector-specific actions within energy, encouraged mainly in the framework of the European fight against climate change. Additionally, the wider concept of EPI has been, at least within energy policy, centered on the environmental sub-sector of climate policy. All in all, after this historical review it remains clearer the link between the environmental policy development impelled by EPI and the Europeanisation of energy governance.

From EPI re-evolution to energy Europeanisation

With all the above-mentioned developments in mind, the former Commissioner on Energy Andris Pielbags seems to have been correct in defining the EU's shift in energy policy as the "third industrial revolution" (Pielbags 2009: 5). However, when bridging EPI development with the Europeanisation of energy governance, several questions arise from this process. First of all, it would be enlightening to bear in mind the wider energy policy picture as a useful exercise in determining the relative contribution of each of the drivers of the political institutionalisation of EU energy policy. Moreover, even if we were able to capture the significance of the energy governance as 'green Europeanisation', it is still uncertain what the main patterns of governance of this process are. The following section will deal with these issues in order to better reflect on the 'green Europeanisation' energy governance.

Europeanisation of energy governance: how green is it really?

Following the adopted definition of Europeanisation, the main undertaking of this article is to measure the political institutionalisation of energy policy by means of the related competences. In this sense, and given the unusual nature of Europeanisation in this policy area, the EU has now a considerable legislative body to draw upon when executing the EPE. Nonetheless, analysing the EU legislative record in energy policy can be a very deceitful exercise. For example, a simple research in EUR-Lex for the current legislation in force in this policy area reveals a surprising figure of 471 acts (last accessed 18 on November 2010), which is far beyond the image of energy as a weak policy at the European level. However, looking at these acts in more detail, one might be disappointed that almost 50 percent of this figure corresponds to nuclear energy acts (214), which are under the Euratom umbrella.

Undoubtedly, in-depth research in the EUR-Lex database could reveal more energy-related legislation. However, this practice involves the risk of inflating the data of legislative acts which are actually important for the EPE in practice. Therefore, it is indispensable to define a systematised procedure for coping with the Europeanisation of energy policy governance. For that reason, since we are actually interested in the development of formal and informal rules, procedures, norms, and practices that nowadays govern the EU energy policy, this study will be based on the 'Summaries of EU legislation' as the database to be explored in order to map out the political institutionalisation, while the 'Climate and Energy Package' measures will also be added. The use of the selected database has two advantages. First of all, it presents up-to-date coverage of current EU legislation on a range of themes; secondly, it excludes legal decisions of only temporary interest, such as decisions on grants. Thus, even if it does not present the entire picture of energy policy

institutionalisation, this database is useful for gaining an overall picture of the EU instruments currently in practice in the EPE. Table 1 presents a systematised vision of our findings without taking into consideration the Euratom[1]-related legislative acts.

Table 1: Energy policy institutionalisation

Europeanisation driver	Instruments
General objectives	5
Green dimension	41
Internal Energy Market	20
Security of Supply and external dimension	13
Energy Policy institutionalisation	79

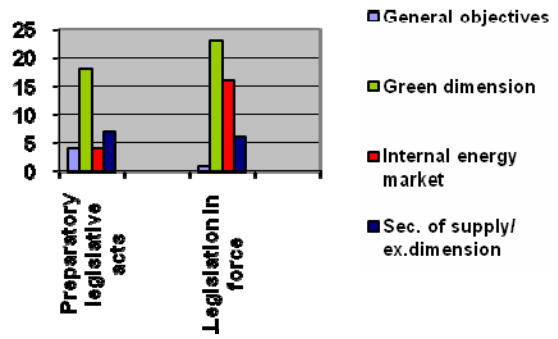
Source: Author's own elaboration, data from 'Summaries of EU legislation', last accessed on 18 November 2010.

At first glance, there is a clear predominance of the green dimension as a driver of the institutionalisation of energy policy. This is in line with the previous analysis of the EPI development and its persistent rapprochement with energy policy. Nevertheless, it is also important to observe the role of the internal energy market dimension, which has been a noticeable key driver for the Europeanisation of energy governance as well. This is even more the case when we consider the interplay between both drivers – reinforced with the EPI process – and the fact that the internal energy market is ultimately the context in which the green dimension mainly takes place.

In this scenario, another factor is the poor performance of the security of supply and external dimension driver. This finding, besides agreeing with Natorski and Herranz's (2008) analysis, also shows that there is a considerable distance between its contribution to the political institutionalisation of EPE in comparison with the formerly analysed drivers. Thus, the green dimension and the internal energy markets are certainly consolidated as the mains drivers for the Europeanisation of energy governance. However, it still blurs the significance of 'green Europeanisation' for the internal energy market. Hence, it becomes necessary to clarify this exercise with a more qualitative analysis. Figure 2 presents an analysis of the institutionalisation of energy policy, taking into consideration the distinction between preparatory legislative acts, such as Commission's Communications, and the legislation in force, for example, decisions, directives, and regulations.

[1] Hence, the existence of Euratom has led to a different process of Europeanisation in this policy area. For work on the role of the Euratom as an instrument for the EU energy policy, see Barnes (2008).

Figure 1: Analysis of the institutionalisation of energy policy



Source: Author's own elaboration, data from EUR-Lex and Summaries of Legislation, last accessed on 18 November 2010.

Accordingly, the picture is considerably different. This variation occurs because there are many preparatory legislative acts or 'soft law' instruments on the green dimension of energy policy, something that inflates the data with regard to its political institutionalisation. This responds to the fact that "the Commission is increasingly using non-legislative or 'soft law' such as Green Papers and Communications as tools of policy-making" (Braun 2008: 430). Table 2 reflects this reality within the green dimension of energy policy. Thus, when analysing the data regarding the legislation actually in force, there is only a slight variation between both (16 acts regarding the internal energy market vs. 23 acts regarding the green dimension of energy policy).

Table 2: Green dimension institutionalisation: key measures

*	Formal Legislative acts
1	Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels
2	Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances
3	European Parliament and Council Directive 2000/55/EC of the 18 September 2000, on energy efficiency requirements for ballasts for fluorescent lighting
4	Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity from renewable energy sources in the internal electricity market
5	Commission Decision 2001/546/EC, of 11 July 2001, setting up a consultative committee to be known as the "European Energy and Transport Forum"
6	Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings
7	Directive 2003/30/EC of the European Parliament and of the Council of 8 May 2003 on the promotion of the use of biofuels or other renewable fuels for transport.
8	Commission Directive 2003/66/EC of 3 July 2003 amending Directive 94/2/EC implementing Council Directive 92/75/EEC with regard to energy labelling of household electric refrigerators, freezers and their combinations

9	Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC
10	Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity
11	Directive 2004/8/EC of the European Parliament and of the Council of 11 February 2004 on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC.
12	Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006 on energy end-use efficiency and energy services and repealing Council Directive 93/76/EEC.
13	Decision 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007-2013).
14	Council Decision 2006/1005/EC of 18 December 2006 concerning the conclusion of the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment
15	Directive 2008/101/EC to include aviation into the EU Emissions Trading Scheme (ETS) published in the Official Journal on 13 January 2009.
16	Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020.
17	Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC
18	Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community
19	Directive 2009/31/EC on the geological storage of CO2 entered into force. The Directive establishes a legal framework for the environmentally safe geological storage of CO2 to contribute to the fight against climate change.
20	Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles
21	Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-using products
22	Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC
23	Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters
*	**Soft-Law or Non legislative Acts**
1	Communication from the Commission of 14 October 1998: Strengthening environmental integration within Community energy policy
2	Commission Communication of 15 May 2001 'A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development' (Commission proposal to the Gothenburg European Council)

3	Commission Green Paper, 22 June 2005, "Energy Efficiency - or Doing More With Less"
4	Communication from the Commission of 7 December 2005 – Biomass Action Plan
5	Commission Communication of 13 December 2005 on the review of the Sustainable Development Strategy – A platform for action
6	Commission Communication of 8 February 2006 entitled "An EU Strategy for Biofuels"
7	Communication from the Commission to the Council and the European Parliament of 6 October 2006: "Mobilising public and private finance towards global access to climate-friendly, affordable and secure energy services: The Global Energy Efficiency and Renewable Energy Fund"
8	Communication from the Commission of 19 October 2006 entitled: Action Plan for Energy Efficiency: Realising the Potential
9	Communication from the Commission, of 10 January 2007, entitled: "Limiting Global Climate Change to 2 degrees Celsius - The way ahead for 2020 and beyond"
10	Commission Communication of 10 January 2007 "Sustainable power generation from fossil fuels: aiming for near-zero emissions from coal after 2020"
11	Commission Communication of 10 January 2007: "Renewable Energy Road Map. Renewable energies in the 21st century: building a more sustainable future"
12	Communication from the Commission of 13 November 2008 - Energy efficiency: delivering the 20% target
13	Commission Green Paper of 28 March 2007 on market-based instruments for environment and related policy purposes
14	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 23 January 2008 entitled: "Supporting early demonstration of sustainable power generation from fossil fuels"
15	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 13 November 2008 – 'Offshore Wind Energy: Action needed to deliver on the Energy Policy Objectives for 2020 and beyond'
16	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 12 March 2009 on mobilising Information and Communication Technologies (ICTs) to facilitate the transition to an energy-efficient, low-carbon economy
17	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Investing in the Development of Low Carbon Technologies (SET-Plan)
18	Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee of 28 April 2010 - A European strategy on clean and energy efficient vehicles

Source: EUR-Lex and Summaries of Legislation, last accessed 18 November 2010.

Overall, it can be concluded that a basic characteristic of 'green Europeanisation' has been its capacity to activate the debate at the EU level on the need to have a coherent EU energy policy, and its ability to facilitate the consensus between the Member States and the EU institutions around energy issues. Hence, in a complex terrain such as energy policy and with a limited capacity to exert hierarchical authority, the Commission has reconciled itself to "the position of a strategic node in EU network governance" in order to facilitate

agreements (Braun 2009: 431). The next section will focus on the emergent patterns of governance within this process.

'Green Europeanisation': the emergent patterns of governance

Now that we have focused on the relative contribution of the 'green Europeanisation' of energy policy, the next step consists in analysing its emergent patterns of governance. Hence, its importance relies on an understanding of the deployed EU regulatory force at the moment of promoting the so-called 'third industrial revolution'. Before presenting our findings, it is worth noting that this outline corresponds to the analytical objective of clarifying the energy governance of 'green Europeanisation'. However, the empirical reality is even more complex. Table 3 merely represents an exercise of simplification of the modes of governance of 'green Europeanisation'.

Table 3: Steering mechanisms and types of regulation

	Regulatory Standards	**New Instruments**	**Self-regulation**	**OMC**
Coercion	Legally binding standards (2)	Framework and procedural rules (5)	Shadow of hierarchy (3)	Reporting and monitoring (2)
Incentive structures	x	Changes of procedural and/or material opportunities (3)	Private actors influence Regulatory standards (4)	Peer pressure (2)
Learning	x	x	Communication in private networks (1)	Best practice models (1)
	Hierarchy model: power of coercion	**Public delegation model: traditional subsidiarity**	**Private delegation model**	**Radical subsidiarity model: public learning approach**

*The number inside each box corresponds to the legislative acts that can be situated within the predominant patterns of EU governance in our analysis.

Source: Author's own classification, based on Knill and Lenschow 2003

As noted, there is a wide range of governance patterns involved in the 'green Europeanisation' of national energy policies. However, unsurprisingly, the new environmental instruments are the predominant type of regulation. Thus, as a mode to overcome the Member States' reluctance on the EU regulatory performance in energy policy, flexible instruments with a mixed bag of regulatory tools have emerged in order to promote national change. This result exposes the delicate distribution of responsibilities between the EU and its Member States in the green dimension of energy policy. In this sense, it seems the EU will continue using these new modes of governance to become more involved in emerging policy areas such as energy policy (Braun 2009). With regard to the steering mechanisms, this table also shows the variety of Europeanisation mechanisms

used for the green dimension of energy policy. Moreover, it calls the attention to the fact that in a more in-depth analysis most of the instruments are characterised by a mixture of Europeanisation mechanisms as a way to counterbalance the EU regulatory limits on energy policy. Thus, in order to promote national change, the EU has been increasingly committed to develop a wide range of instruments looking for institutional adaptation, transforming domestic opportunity structures, as well as for altering beliefs and expectations of domestic actors (Knill and Lehmkuhl 2002).

Certainly, it is possible to extract much more information from Table 3. However, with our limited goal of mapping out the 'green Europeanisation' of energy policy, it is worth mentioning the two main limitations of this process when promoting change at the domestic level. First, it requires, in most cases, a consistent national commitment. Hence, the attainment of the energy trinity, even though it is an area that is increasingly regulated at the EU level, relies fundamentally on the Member States. Secondly, the nature of this process is problematic for the convergence between the adaptation forms at the national level. Although it establishes common goals, it does not necessarily facilitate the homogenisation of national energy policies. Such a result could have direct implications for the purpose of laying down the basis for the establishment of a CEP with global character. To sum up, if this is an experimental exercise in mapping out the emerging patterns of governance in the 'green Europeanisation' of energy governance, we must bear in mind the highlighted scope and limits of this process.

Winds of change for energy

The above analysis is a simplified, but useful, picture of the 'green Europeanisation' of energy policy, which shows the backdrop from which the EPE has evolved and is currently emerging. However, there are two particular features that forecast winds of change for energy policy in the near future: the revision of the Energy Action Plan and the Lisbon Energy Chapter.

First of all, it is worth remarking that a very particular characteristic of the EPE is its flexibility. In fact, "the Energy Action Plan will be kept under regular review within the context of an annual examination by the European Council" (European Council 2007: 14). In parallel, the Council called on the Commission to implement the elements contained in the Action Plan and to put forward an updated Strategic Review to serve as basis for the new Action Plan (European Council 2007). In its Second Strategic Review the Commission remarked that the "EU's *new energy and environment policy* agreed by the European Council in March 2007 establishes a forward-looking political agenda to achieve the Community's core energy objectives of sustainability, competitiveness and security of supply" (European Commission 2008, emphasis added). Overall, the Action Plan will be revised soon against the background of the economic crisis and is expected to place a greater focus on security and competitiveness objectives (see European Commission 2010).

In addition, the Lisbon Treaty brought significant novelty for energy policy, namely its inclusion in the formal competences of the EU. Thus, energy governance was strengthened with the establishment of a catalogue of exclusive and shared competences between the EU and its Member States, whereas the TFEU recognises energy within the last category, together with other related areas such as the internal market, environment or transport policy (TFEU, Article 4). In this way, this novel chapter closes the circle in the relationship between Europeanisation and political integration, as this case exposes the manner in which Member States have pooled a certain level of sovereignty in energy policy only after the EU institutions had begun influencing this policy area by means of institutional flexibility - a phenomenon that clearly needs further investigation. In fact, the

inclusion of the energy chapter simply implied the recognition of the work that the EU has been undertaking through all these years by means of other policies (*e.g.* environment, internal market and external relations). However, the Lisbon Treaty is expected to bring some changes to this scenario because the EU ultimately has an explicit energy competence. It is worth stating, thus, that the Lisbon Treaty offers a new clear legal basis for pursuing EU ambitions regarding the energy trinity.

Regarding its decision-making process, the new energy article has been accompanied by the ordinary legislative procedure (Article 194 TFEU, Paragraph 2). Therefore, after years of having to revert to related competences or to the flexibility clause in order to develop energy legislation, the mere existence of this procedure as the ordinary decision-making system for energy is positive for the development of EPE (Zapater 2009). Nevertheless, the renewed legal framework was accompanied by a relevant counterbalance for the EU's regulatory capacity. Accordingly, an exception in Article 194 stipulates that the adopted measures "shall not affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply" (Article 194 TFEU, Paragraph 2). Certainly, the reservations of the Member States place limitations on the EU's energy activities and limit the degree of pooled sovereignty pooled. However, it is worth remarking that the current institutional set-up permits, more than ever, improvements in the coordination of national energy policies and among the different EU policies concerning energy.

Conclusion

This article has highlighted the fundamental role of the green contribution to the Europeanisation of energy governance, where the environmental path relieved for years the competence limit of the Community/EU in the energy field. In this context, our 'green Europeanisation' model has proved to be a useful tool in order to explain changes in the governance of EU policy-making regarding energy. Moreover, the EPI trajectory has demonstrated that climate change has been a major driver for setting the framework of the new EPE and for breaking down the barriers that have traditionally hindered the activities of Brussels in the energy field. Hence, there is clearly a direct relationship between the development of the environmental policy impelled by EPI and the Europeanisation of energy governance as our hypothesis suggested. Secondly, this article has exposed the way in which the formulation of the EPE was directly related to the incorporation of the environmental/climate variable. Thus, it is clear that coherence is a significant challenge to the further development of the EPE. In general, the formal energy competence certainly facilitates increased policy coherence, necessary to reduce the trade-offs between the related policies. It is therefore a path towards reaching an ideal-case scenario in which 'win-win' solutions are developed within the emergent EPE. Against this background, the policy integration approach could again be the most suitable pathway for developing energy policies in a 'mutually supportive' way. Overall, this article has demonstrated that EPI is not only a variable capable of explaining the governance changes in EU energy policy – 'green Europeanisation' –, but also a useful instrument for pursuing coherence for the realisation of the energy trinity.

As an early attempt to map out this process, there are clearly further challenges for future research on the EU energy policy, which this article has only partially examined. First of all, the green driver has clearly not been the only key to push forward the energy-related activities of Brussels. The influence of energy security and competitiveness must also be taken into consideration. Particularly, it is necessary to shed more light on the interplay between the internal market and the green driver as a facilitator of the Europeanisation of energy governance. Secondly, the above-presented simplification of the emergent patterns of governance has a lot more of 'squeezable' information regarding the emergent

EU energy policy. Therefore, it is a question that significantly requires more attention. And thirdly, this article has clearly traced a relationship between the Europeanisation of energy policy and political integration. It is therefore a phenomenon that needs further study based on neofunctionalist theory in order to better understand it.

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