

# The Effectiveness of Public Participation in the Formulation of National Energy and Climate Plans under the EU Governance Regulation

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# Content

List of tables .....	5
1. Introduction .....	7
2. The regulatory framework.....	9
3. Analytical framework .....	11
2.1 Rationale and significance of public participation.....	11
2.2 Criteria for effective public participation in climate governance.....	12
4. Methodology and data.....	13
4.1 Content analysis .....	13
4.1.1 Robustness .....	14
4.1.2 Inclusiveness .....	15
4.1.3 Integration into policymaking.....	16
4.2 Data.....	17
5. Empirical analysis.....	20
5.1 General observations .....	21
5.2 Dimensions of public participation .....	22
5.2.1 Robustness .....	23
5.2.1.1 Information .....	23
5.2.1.2 Transparency.....	24
5.2.1.3 Independence.....	26
5.2.1.4 Methodological scope of public participation .....	26
5.2.1.5 Summary .....	27
5.2.2 Inclusiveness .....	28
5.2.2.1 Openness.....	28
5.2.2.2 Representation .....	30
5.2.2.3 Summary .....	31
5.2.3 Integration into policy making.....	32
5.2.3.1 Timeliness for decision-making.....	32

5.2.3.2 Engagement with participation output.....	33
5.2.3.3 Overall public participation in input.....	34
5.2.3.4 Scope of input participation.....	35
5.2.3.5 Summary .....	37
6. Discussion and conclusions .....	38
References.....	41
Annex A: Coding Tables .....	44

## List of tables

Table 1: Participants in public participation .....	21
Table 2: Availability of draft.....	23
Table 3: Dedicated website .....	24
Table 4: Information on number and identity of participants.....	24
Table 5: Summary of stakeholder views.....	24
Table 6: Information on follow-up.....	25
Table 7: Body charged with organising public participation .....	26
Table 8: Consultation/discussion/deliberation/deliberation & discussion .....	26
Table 9: Participation format .....	28
Table 10: Access .....	28
Table 11: Publicity.....	29
Table 12: Online citizen participation .....	30
Table 13: Diversity of participants .....	31
Table 14: Participation during drafting of (final) NECP .....	32
Table 15: Type of reaction/procedure.....	33
Table 16: Input participation intensity .....	34
Table 17: Participation in consultation .....	35
Table 18: Substantive scope of civil society participation in discussion .....	35
Table 19: Participation in deliberation.....	36

## Abbreviations

EC	European Commission
eNGO	Environmental Non-Governmental Organisation
EU	European Union
GovReg	Governance Regulation
NECP	National Energy and Climate Plan
NGO	Non-Governmental Organisation
UNECE	United Nations Commission for Europe

# 1. Introduction

Much of the literature on EU climate policy focuses on the effectiveness of substantive policies and policy tools that steer producers and consumers away from climate damaging production processes and consumption. However, substantive climate policies and instruments can only be effective if they are adopted (and implemented) by policymakers in the first place. Defining the roles and tasks of actors in the policymaking process, for example by setting out planning requirements, and shaping the networks of societal and governmental actors influencing policymaking by, among other things, requiring public participation, are prime functions of procedural policy instruments (Bali et al., 2021). Procedural policy instruments that shape the policy making process are, therefore, an important part of climate governance.

This report focusses on two procedural policy instruments stipulated by the European Union's (EU) Regulation on the Governance of the Energy Union and Climate Action (Regulation 2018/1999) (GovReg): the requirement for Member States to regularly prepare and update National Energy and Climate Plans (NECPs) and, more specifically, an obligation to incorporate public participation into the process of drafting of the NECPs and their updates. In this report we investigate the effectiveness of public participation in the drafting and updating of the NECPs across different dimensions.

Beyond the general significance of public participation as a procedural policy instrument outlined above, public participation appears to be particularly important in climate and environmental policy if compared to other policy areas, such as foreign or economic policy. On the one hand, from a legal perspective, special provisions for public participation in environmental and climate policy clearly point in this direction, for example the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, and the Convention on Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). On the other hand, from a substantive perspective, it has been argued that climate policy is a prime example of a "super-wicked problem" characterised by, among other things, conceptual, causal and normative complexity, a long-term time horizon and global scope (e.g., Levin et al., 2012; Peters & Tarpey, 2019). To address this complexity, the lack of stable solutions for climate change, and the potential for conflict, it is usually seen as most appropriate to employ a collaborative style of policymaking involving public participation by stakeholders, civil society and citizens (Sprain, 2016; Kiss, 2021) – not least to enhance "societal ownership" and popular support for climate policies beyond the fluctuation of electoral cycles.

The academic literature on public participation in climate policy is somewhat limited. Nevertheless, there are a significant number of studies focusing on public participation at sub-national, local, and regional levels of governance. Perhaps this focus on the lower levels of governance is unsurprising, as public participation in particular projects which affect local populations and stakeholders directly has a long tradition and is often firmly anchored in local and regional planning and project approval procedures (and, since 1985, is also mandated by the EU's Environmental Impact Assessment Directive). Moreover, a relatively large number of studies focus on climate adaptation, rather than mitigation (see, e.g., Burton & Mustelin, 2013; Uittenbroek, 2019; Wamsler

et al., 2019), while only the latter is the primary focus of the National Energy and Climate Plans (NECPs). Once again this seems to reflect the stronger role of specific projects and plans at local and regional levels in adaption as compared to mitigation policy. In fact, where mitigation policy does routinely involve local projects there also appear to be more studies. Analyses concerned with public participation in local planning and approval of wind turbines are a case in point (see, e.g., Fast, 2017; Langer et al., 2017).

With respect to public participation in climate mitigation (and adaptation) policies beyond the project level, deliberative forms of participation have received growing attention in the academic literature. Deliberative democracy focuses on the 'quality' of participation in respect to informed, balanced, and common good-oriented debate among citizens. Arguably even more so than public participation in general, deliberative public participation may be particularly suited to address the "wicked problem" nature of climate change, including its long-term, global, and strongly cross-sectoral character (Dryzek & Niemeyer, 2019; Willis et al., 2022). Although for different reasons, as with public participation more generally, empirical research has often focussed on local and regional levels of governance where experiments in deliberative democracy have tended to concentrate, especially in the form of deliberative mini publics. However, more recently an increasing number of national climate assemblies were held, which have been studied from various perspectives (ibid.), including multi-level ones, combining climate assemblies with broader public participation and lower-level mini-publics (Itten & Mouter, 2022).

Much of the empirical literature on public participation in climate policy suggests that the normative, instrumental, and substantive benefits attributed to public participation in theory (Stirling, 2005) strongly depend on how public participation is implemented in practice. Relevant issues and challenges concern sufficient financial and human resources, effective integration into wider planning and policymaking, and an adequate deployment of different modes of public participation, such as one-way consultation, two-way discussion, and common good-oriented deliberation. Rather than in a one-size-fits-all model, these factors need to be adapted to the varying specific substantive, political, and social contexts of public participation (Institute of Development Studies, 2002). In the absence of adequate adaptation and implementation of public participation, it may not only be "token" (Arnstein, 1969), but may also result in undesirable effects and outcomes, such as increasing conflicts and decreasing legitimacy of climate policies and measures (Devine-Wright, 2011; Wamsler et al., 2020; Willis et al., 2021).

An assessment of public participation in the formulation of the NECPs can take different forms, ranging from more formal to more substantive. A formal assessment could focus on whether EU Member States fully implemented the requirements of the GovReg, while a substantive assessment would need to consider the degree to which public participation has been adequately adapted to its specific multi-level and thematic/policy contexts and has been effective across various goals and dimensions. Assessing public participation in the formulation of the NECPs across several dimensions, this report adopts a predominantly substantive perspective. However, reflecting resource constraints, we address the specific context(s) of public participation only in a partial way. More specifically, we cover instances of public participation in national policies and strategies



that served as major inputs into the NECPs to some extent (“input participation”, as opposed to our primary focus on direct “NECP participation”), but not other contextual factors.

According to the Governance Regulation, Member States were obliged to submit these NECPs to the European Commission in 2018 (drafts), 2019 (finals) and 2023 (draft updates), including a summary of how the public had been involved in the drafting process. The empirical analysis predominantly relies on a content analysis of the draft, final and draft updated NECPs. The content analysis focusses on these summaries.

We proceed in four main steps: In the next section we present the regulatory framework for public participation in the drafting of the NECPs, in particular the relevant provisions of the Governance Regulation. This is followed by a section laying out our conceptual framework with a focus on the identification of criteria for the assessment of effective public participation. Section 4 on methodology builds on the analytical framework. It presents the indicators used for the content analysis of the NECPs and discusses the NECPs as our primary source of data. Section 5 presents the empirical analysis along the different pillars and dimensions of public participation. This is followed by a discussion of the findings, including identification of good practice examples, and conclusions.

## 2. The regulatory framework

The requirement to integrate public participation during the preparation of the NECPs is established in Article 10 of the Governance Regulation, with the reporting on these consultations being further addressed in other parts of the Regulation. Article 10 requires each Member State to “ensure that the public is given early and effective opportunities to participate in the preparation of the draft” NECP (as well as of national long-term strategies in accordance with Article 15 of the Regulation). For the first NECP covering the period 2021 to 2030, the public consultation is only required in relation to the final NECP (due one year after the draft plan). This can be considered a consequence of the tight timeline between the entry into force of the Governance Regulation on 24 December 2018 and the due date for the submission of first draft NECPs on 31 December 2018. Article 10 furthermore requires each Member State: to attach to the (draft) NECP submitted “a summary of the public's views or provisional views”; to “ensure that the public is informed”; to “set reasonable timeframes allowing sufficient time for the public to be informed, to participate and express its views”; and to “limit administrative complexity”. Consultations on the NECPs in accordance with Directive 2001/42/EC on strategic environmental impact assessments are to be considered equivalent. Article 9.4 further specifies that the draft NECP is to be made available to the public in the context of the consultations. According to Article 14.6 of the Regulation, the public consultation requirements also apply to updates of NECPs due after five years. Article 11 of the Governance Regulation furthermore suggests that the multilevel energy and climate dialogues that Member States are required to establish under this article can form part of the public consultation process on NECPs.

Recitals 28 and 29 of the Governance Regulation provide some further guidance on public participation under Article 10. Next to suggesting involvement of social partners and “early and effective opportunities to participate” (Recital 28), they specifically acknowledge that public consultations should be in line with the requirements of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters mentioned above. In this respect, Recital 29 highlights the importance of ensuring equal participation, as well as that the public should be “informed by public notices or other appropriate means such as electronic media” and be “able to access all relevant documents”, and “that practical arrangements related to the public's participation are put in place”.

The Aarhus Convention is also relevant beyond the reference in the indicated Recitals of the Governance Regulation. The EU and all Member States are parties to the Aarhus Convention that contains further relevant requirements, especially in its Article 7 (also referring to Article 6). That Article requires parties to “make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment”. It requires “a transparent and fair framework” and providing “the necessary information to the public”. The public should be informed in a timely manner and should be able to prepare and participate effectively. Especially, public participation is to occur early, “when all options are open and effective public participation can take place”. Parties are also required to “ensure that in the decision due account is taken of the outcome of the public participation”. The public which may participate is to be identified.

In issuing guidance for the preparation of draft updates of NECPs, the European Commission acknowledged that Member States are obliged to respect the Aarhus requirements that appear to go beyond those of the Governance Regulation (as also evident from compliance proceedings against the European Union under the Aarhus Convention: Robert, 2023). It also encouraged Member States to follow best practice, “such as setting up the consultation through a dedicated NECP website, which contains all the information” (European Commission 2022, 16).

Member States are required to include information on public participation in accordance with Article 10 in their draft and final NECPs. Article 3.2(a) of the Governance Regulation requires NECPs to contain “a description of the public consultation and involvement of stakeholders and their results” (see also Annex I of the Regulation). The Commission’s guidance of 2022 for the NECP updates calls on Member States to “explain how the views of the public were considered ahead of submitting the draft and final national plans”. “Member States are also expected to describe how the process allowed the public to participate transparently and fairly” (European Commission 2022, 16).

### 3. Analytical framework

As explained in the introduction, our assessment of public participation in the NECPs follows a substantive rather than formal approach. Consequently, the assessment's primary focus is not on whether Member States faithfully implemented the Governance Regulation's requirements on public participation. Instead, it is based on a concept of public participation derived from the academic literature and described in the following section. This concept nevertheless covers the Governance Regulation's requirements for public participation in the drafting of the NECPs. However, it goes beyond these requirements in some respects. This concerns especially two issues. First, unlike the Governance Regulation, we distinguish between different methods or types of public participation, i.e. consultation, discussion/debate, and deliberation.<sup>1</sup> As discussed extensively in the academic literature, the different approaches are associated with different requirements and (dis-)advantages (see, e.g., Institute of Development Studies, 2002; Kamlage & Nanz, 2017; Bobbio, 2019). Second, reflecting the strong context dependence of public participation, we also examine instances of public participation in national policies and strategies that served as major inputs into the NECPs ("input participation"), although other contextual factors are excluded due to resource constraints.

#### 2.1 Rationale and significance of public participation

For our purposes, public participation is broadly defined as "the practice of consulting and involving members of the public in the agenda-setting, decision-making, and policy-forming activities of organisations or institutions responsible for policy development" (Rowe and Frewer, 2004, p. 512). However, this general definition still leaves important questions unanswered: who constitutes "the public" and what does "participation" entail?

There is no common understanding of how to define "the public" in public participation. In certain contexts, the public is restricted to citizens participating individually, for example, in citizens' assemblies and mini-publics. Yet, in the context of environmental policy, public participation is widely seen as involving citizens and/or environmental non-governmental organisations (NGOs). For example, in Article 2 the UNECE Aarhus Convention defines "the public" as follows:

(4) "The public" means one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organisations or groups;

(5) "The public concerned" means the public affected or likely to be affected by, or having an interest in, the environmental decision-making; for the purposes of this definition, non-governmental organisations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest.

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<sup>1</sup> Although Article 10 of the Governance Regulation is entitled "Public consultation", the terms public consultation and public participation appear to be used interchangeably, including in the guidance documents on the implementation of the Governance Regulation.

In this study we essentially follow this view. For our empirical analysis we assume that public participation requires the involvement of individual citizens and/or civil society organisations, especially eNGOs, in the drafting of the NECPs (see also section 4 on methodology).

As with the concept of “the public”, there is no common understanding of what “participation” entails. Arnstein’s (1969) famous “ladder of participation” uses the degree of “citizen control” over decision-making to identify several types of ineffective or “token” participation, for example consultation, and a few instances of effective participation where citizens have significant control over decision-making, such as “partnership”. However, an exclusive focus on “citizen control” raises questions on many levels. For example, how to balance public participation in policy formulation as opposed to implementation or among different levels of governance. Moreover, public participation needs to live up to normative and qualitative standards of openness, representation, and informed decision-making. Our assessment of public participation in the NECPs therefore draws on a multi-dimensional set of criteria as outlined below.

## 2.2 Criteria for effective public participation in climate governance

Assessing the effectiveness of public participation in policymaking is a notoriously challenging exercise and lacks a set of commonly agreed criteria (Rowe & Frewer, 2004). Participatory processes can serve multiple aims and purposes that vary among policymakers, the ‘public’ (citizens, civil society) and other stakeholders (cf. Rowe & Frewer, 2004: 516; Bobbio, 2019; Perlaviciute, 2021; Bernauer et al., 2013). These aims may be partly synergetic and partly conflictual (Sprain, 2017; Bobbio, 2019; Perlaviciute, 2021).

Nonetheless, Bobbio (2019) identified three key aims that motivate public participation: empowerment, legitimacy, and learning. Empowerment enables participants to develop a meaningful contribution to the substantive issue at hand and communicate it to policymakers. Legitimacy results from a participatory process which conforms to democratic norms of inclusiveness. Finally, learning occurs when policymakers draw on the contributions obtained during public participation to improve policies accordingly.

Reflecting these motivations and aims, our criteria for assessing public participation rest on three pillars: a *robust* participatory process that empowers participants; an *inclusive* process providing legitimacy, and an *integrated* process to enable learning (for broadly similar approaches, see, e.g., Rowe & Frewer, 2013; Schroeter, 2016; Bobbio, 2019). Each of these pillars has several more specific dimensions:

**Robustness** refers to the *how* of public participation: a robust process empowers participants through the provision of information, procedural transparency, and a neutral setting which ideally also provides for different methods and types of participation processes (such as consultation and deliberation). Consequently, provision of information, and a transparent, independent, and methodologically diverse process are important dimensions of robustness.

**Inclusiveness** refers to the *who* of public participation: on the one hand, an inclusive process should ideally be open to ensure that all citizens, civil society organisations and other stakeholders with legitimate interests can participate. On the other hand, participation should reflect principles of representation in that there needs to be a balance among the participants, especially between “the public” (citizens and civil society organisations) and other stakeholders, such as business. Consequently, openness and representation are important dimensions of inclusiveness.

**Integration into policymaking** refers to the *what* of public participation in terms of its impact on substantive policies. To enable policymakers to learn from public participation and translate its results into improved policies, public participation should be timely, i.e. relatively early and well before important decisions are made. Moreover, policymakers subsequently need to react to, and engage with the substantive results of public participation. Especially (but not only) in a multi-level setting such as the EU, policymakers may also need to weigh the results of public participation against the results of any different, but closely related public participation exercises, e.g., at lower levels of governance (in the following: “input participation” as opposed to direct public participation in the NECPs) or stage of the policy process. Consequently, timeliness of public participation, reactive procedures to input from public participation, and the presence or not of other relevant public participation exercises, such as input participation, are important dimensions of the integration into policymaking.

## 4. Methodology and data

To map and assess public participation in the drafting of the NECPs, we translated the general concepts of robustness, inclusiveness, and integration into the policy process and their more specific respective main dimensions into indicators. We used these indicators to analyse the contents of the draft, final, and updated NECPs.

### 4.1 Content analysis

As explained above, each of the three pillars of public participation - robustness, inclusiveness, and integration into policymaking – can be broken down into several more specific dimensions. To assess the extent to which public participation in the NECPs conformed to these dimensions we developed one or more specific indicators for each dimension which could be directly applied in the content analysis of the NECPs. The variation in the number of indicators per dimension partly reflects the availability of information in the NECPs. While additional or better indicators would in some cases be available theoretically, using these indicators would have been unhelpful in practice in the absence of information in the NECPs to which these alternative indicators could have been applied.

### 4.1.1 Robustness

The robustness pillar of public participation includes the dimensions of information, transparency, independence, and methodological scope.

**Information** is covered by two indicators:

- a. *Draft available for consultation: Yes/partly/no*

“Draft” refers to any draft version of the NECP that was made available ahead of or during public participation.

- a. *Dedicated website: yes/no info*

The presence/absence of a website that provides contextual information on the purpose and contents of the NECP beyond merely making the document available to the public participation participants.

**Transparency** is covered by three indicators:

- a. *Information on numbers and identity of participants: specific/general/no info*

Specific information requires identification of participating stakeholders by name, whereas identification of types of participating groups, such as “business”, “civil society” and “citizens” is sufficient for general information.

- b. *Summary of stakeholder views: Yes/no info*

The presence/lack of information on a summary or overview of the main comments made by the public participation participants.

- c. *Information on follow-up: specific-comprehensive/specific-selective/ general/none*

Information on whether and how the comments received during public participation were considered in the subsequent drafting of the NECP. Specific-comprehensive follow-up information covers a set of a larger number of specific comments; specific-selective information covers a small subset of specific comments; general information merely indicates how comments were dealt without referring to specific comments.

**Independence** is covered by one indicator:

- a. *Body charged with conducting public participation: independent/semi-independent/not independent*

Non-independent bodies/administrative units etc are sub-ordinate to, or very closely associated with the body that is charged with drafting the NECP; semi-independent bodies are associated

with, but not part of or subordinate to, the body responsible for the NECP, e.g., a government unit/agency responsible for public participation across government departments; independent bodies are formally independent, i.e., private bodies or independent government agencies.

### **Methodological scope is covered by one indicator:**

#### *a. Participation through consultation/discussion/deliberation/discussion and deliberation*

Public participation can take the form of predominantly one-way consultation, i.e., opportunities to submit comments; more dialogical, two-way discussion, i.e., stakeholder workshops; and common-good-oriented deliberation, i.e. citizens' assemblies and certain deliberative advisory bodies. Whereas we assume that discussion can be taken to effectively imply some form of consultation, discussion and deliberation require separate public participation exercises, hence having both is a separate outcome.

### **4.1.2 Inclusiveness**

The **inclusiveness** pillar of public participation includes the dimensions of openness and representation.

**Openness** is covered by three indicators:

#### *a. Participation format: online/in-person/both*

Online public participation can generally be considered to have lower access barriers than in-person public participation (cf. Bobbio, 2019), e.g., stakeholder workshops. Naturally, there is the possibility to have both side-by-side.

#### *b. Access: self-selected/invited/both*

In the absence of specific evidence to the contrary, we assume that if participants in public participation are not individually invited, they are self-selected. Invited and self-selected participation can also occur together, if some participants are invited, but participation remains open for participants who have not received an invitation.

#### *c. Awareness raising for public participation in NECPs: yes/no info*

Openness benefits from awareness raising for opportunities to participate. Hence the question of whether awareness raising for public participation in the drafting of the NECPs has taken place.

**Representation** is covered by two indicators:

#### *a. (Estimated) number of citizens in online consultation: 1-->20/20-->40; 20-->100/40-->130; 100-->500/130-->550; 500-->5000/550-->5100; >5000/5100*



Reflecting stakeholders' and civil society organisations' specific interests and mission, their representation in public participation is generally less challenging than mobilisation of larger numbers of individual citizens. This indicator reflects this challenge. There are two ranges for each result. We applied the first if NECPs contained numerical information on the number of participating citizens. The second range has somewhat higher thresholds to approximately account for the inclusion of stakeholders alongside citizens in some numbers.

b. *Diversity of participants: citizens/civil society/both*

The indicator focusses specifically on the representation of both civil society and citizens in public participation. Citizens or civil society or both may be involved in public participation.

### 4.1.3 Integration into policymaking

The **integration into policymaking pillar** of public participation includes the dimensions of timeliness of public participation for decision-making, policymakers' engagement with participation output, public participation in major input into the NECPs ("input participation"), and methodological scope of input participation.

**Timeliness for decision-making** includes one indicator:

a. *Participation during drafting of (final) NECP: citizens/civil society/both/none*

The chances for public participation to influence decision-making increase if citizens, civil society organisations or both are given the opportunity to participate before an advanced draft (final) NECP is produced (or based on a more advanced draft that is clearly considered not to be final).

**Engagement with participation output** includes one indicator:

a. *Reaction/procedure: statement of reasons/acknowledgement/none*

Official reaction to comments can be in the form of a statement explaining why certain public comments were or were not accepted, a much more general acknowledgement that comments will be duly considered, or no reaction at all.

**Public participation in major input** includes one indicator:

a. *Input participation intensity: strong/medium/weak/no info*

The intensity of public participation in major Member State policies and strategies on which NECPs are based, e.g., recent pre-existing national climate or energy strategies, can vary from strong, to medium, weak, and the absence of information about public participation. The assessment here is based predominantly on an aggregation of the findings on the methodological scope of such input participation (see below).

**Methodological scope of input participation** includes three indicators:

a. *Participation in consultation: citizens/civil society/both/no info*



Participation in consultation on input can include citizens or civil society as well as both or none of these (or no information).

*b. Substantive scope of civil society participation in discussion: comprehensive/partial/no info*

The discussion format primarily relates to stakeholders and civil society organisations. Civil society organisations may participate in comprehensive discussion covering a broad range of sectors and issues, or discussion focussing on only a relatively small subset of sectors and issues. There may also be a lack of information about discussion with civil society.

*c. Participation in deliberation: citizens/civil society/both/no info*

Although both citizens and stakeholders can participate in deliberation on major input into the NECPs, they tend to do so in different institutional settings, such as citizens' assemblies for citizens and permanent advisory bodies for stakeholders and civil society. If both institutional settings are present, then both citizens and civil society can participate in deliberation.

## 4.2 Data

To assess public participation in the drafting of the NECPs and gather relevant information about pre-existing public participation practices in the Member States, we have used the above indicators to perform an extensive content analysis of the relevant sections in the 2018/19 draft NECPs, the 2019/20 final NECPs, and the available 2023 draft updated NECPs (cut-off date: 1 November, 2023).

Most Member States reported on the implementation of Article 10 of the Governance Regulation in section 1.3.3 of the NECPs entitled "Consultations of stakeholders, including the social partners, and engagement of civil society and the general public". This is part of section 1.3 on "Consultations and involvement of national and Union entities and their outcome". Nevertheless, some Member States did not follow this format and provided relevant information in other sections of their NECP. Moreover, some information could more commonly be found in parts of the NECPs beyond section 1.3.3, especially the broader sections 1.3 and 1 and the annexes. This applies especially to information regarding pre-existing national plans and strategies which often served as major input into the NECPs and had sometimes undergone extensive public participation. In addition to section 3.1.1 we consequently also scanned these sections for potentially relevant information.

In a few cases we supplemented the analysis of the NECPs (including their annexes where available on the European Commission's website) with additional documents that were referenced in the NECPs, for example detailed summaries of stakeholder comments. However, in most cases resource constraints (including language, as references mostly referred to original language documents) and/or outdated/faulty online links prevented us from analysis of additional documents.

In accordance with our concept of public participation set out above, we assumed that involvement of citizens and/or civil society organisations in the drafting of the NECPs is a necessary condition

for public participation to take place. Furthermore, the *effectiveness* of public participation is defined by its robustness, inclusiveness, and integration into the policymaking process. The indicators presented above allow us to (1) establish whether the necessary condition of citizen and/or civil society involvement has been met (see “general observations” in the empirical section) and, if so, (2) assess the effectiveness of public participation.

In total, we analysed twenty-seven 2018/19 draft NECP and an equal number of final NECPs as well as sixteen 2023 draft updated NECPs. The remaining NECPs, which had been due by the end of June 2023, were not yet available at the time of our analysis cut-off date (1 November 2023).

The amount of information on public participation in the NECPs, its specificity and focus, as well as the terminology used vary widely among Member States and, to a lesser extent, the different stages of the process. For example, even in 2023, some draft updated NECPs contained no information on public participation, instead referring to the 2024 final NECP stage. Similarly, some NECPs contain information on certain aspects of public participation, for example the number of citizens participating in consultations, while others only provide more general or no information on these aspects. Among other things, this means that for most indicators only a limited and variable subset of the 27 (for 2023: 16) NECPs contain similarly specific information on the relevant aspects of public participation.

To minimise these data constraints and extract a sufficient amount of information from the NECPs, we followed three interpretive guidelines:

1. We gave the NECPs the benefit of the doubt (“good will” approach). For example, if the NECP stated that a summary of stakeholder comments could be found in an annex on a specified website, but we were unable to retrieve the summary, we nevertheless assumed that the summary existed and had been accessible in the way described.
2. As stated, e.g., in the Aarhus Convention, public participation in environmental matters by stakeholders requires participation by environmental NGOs. If NECPs mentioned that civil society was involved in the drafting process, we assumed that this comprised environmental NGOs (absent evidence to the contrary).
3. In some cases, NECPs contained relevant implicit information. We included this information in the assessment if we deemed it to be highly likely to reflect reality.

While these rules allowed us to somewhat reduce the data constraints resulting from the very high variability of the NECPs by increasing the amount of usable data at a relatively low risk of misinterpretation, they come at the cost of creating a small bias in favour of a more positive view of Member States’ participation practices. Put differently, while most information resulting from these rules is likely to be correct, the small amount of information that may have been misinterpreted seems likely to disproportionately support an impression of effective public participation. This is most obvious in the case of giving Member States the benefit of the doubt, as we can assume that Member States attempt to portray their participation practices in a positive light in the NECPs.

## Comparability

Our analysis comprises *inter alia* an assessment of the temporal evolution of public participation in the NECPs based on a comparison of the 2018/19 draft NECPs, the 2019/20 final NECPs, and/or the 2023 draft updated NECPs.

From a formal/legal point of view, comparability of public participation among these three sets of documents is limited by the fact that they differ in certain respects. These differences include the distinction between draft and final NECP as well as between the initial formulation of the NECPs in 2018/19 and the (arguably less fundamental) update in 2023.

The extent to which these differences matter for a comparative assessment over time is, however, limited. It is an empirical question and partly depends on the issue at hand. On a general level, the large variation among Member States in the way in which they implemented Article 10 and subsequently reported on their measures in the NECPs suggests that legal requirements had a limited impact on how Member States implemented Article 10 (partly, but not exclusively, because Article 10 tends to be vague). For example, whether Member States consulted the public at the draft or final stage NECPs appears to have been influenced less by the – partly flexible and not entirely clear – legal requirements, than by other considerations and circumstances. In fact, some Member States consulted at both stages so that public participation at the draft stage did not preclude public participation at the final stage. Therefore, significant public participation occurred at all three stages and, in this general sense, is open to comparison. Some more specific indicators, such as questions concerning, e.g., the existence of a dedicated website, or of a summary of stakeholder and citizen comments, should also be comparable among all three NECP stages because there appear to be no reasons why they should apply at one stage but not another as long as there was public participation at a particular stage.

Yet some other indicators cannot be compared or can only be compared selectively. Public participation in major national policies and strategies on which the NECPs are based (“input participation”) usually remains the same for the draft and final NECPs, so that a comparison between these two stages would not be fruitful. It is also too early for a comparison of overall participation in the drafting of the 2019/20 NECP and the update as this would require “aggregation” of public participation in the draft and final NECPs. However, for the updated NECP public participation in the drafting of the final NECP is still pending, so overall participation remains incomplete in this case.

Even if comparisons over time appear possible for most indicators, the results need to be interpreted cautiously. One reason are the data problems discussed above. Another reason concerns the differences among the three sets of reports as well as the impact of contextual factors. Although, as argued above, the impacts of formal-legal differences mostly do not seem fatal, they may still lead to some distortion of the results. Especially certain differences between the original (draft) NECPs and the subsequent update appear to be relevant. More specifically, public participation may have been more salient when the original NECPs (2018-2020) were drafted than later (2023 onwards) when they were updated, reflecting the arguably greater

significance of drafting from scratch over updating. Additionally, some contextual factors may distort the comparison. First, the 2018/2019 draft NECPs were due almost simultaneously with the entry into force of the Governance Regulation. The time pressure resulting from this one-off mismatch may have led some Member States to shift public participation from the draft to the final NECP stage, potentially distorting the relative incidence and, to a lesser degree, perhaps also the quality of public participation in any comparison of the three stages. Second, the original NECPs were drafted in 2018/19 when climate policy topped the political agenda following mass youth protests organised by Fridays for Future and others. At least some Member State governments may therefore have placed higher priority on public participation than they did in 2023, when climate policy was less prominent on the political agenda.

## 5. Empirical analysis

The empirical analysis consists of the content analysis of the sections of the NECPs that contain information on public participation in the drafting of the NECPs. It begins with a section on more general observations which is followed by a detailed analysis of the three pillars of public participation. Focusing especially on whether Member States performed public participation and, if so, civil society and and/or citizens participated, the section on general observations provides a general overview and establishes some of the numbers that are subsequently used in the analysis of the pillars (see remarks on percentage shares below). Each pillar of public participation is then analysed by means of the respective dimensions of public participation and indicators. We provide a summary of the indicator-based analysis for each pillar.

Note that the percentages in the tables below are calculated using different totals for the draft, final, and draft updated NECPs. This approach reflects the fact that, first, only a limited number of 2023 draft updates were available at the cut-off date and, second, the total of cases in which consultations were undertaken vary between the three stages. Put differently, the percentage shares used in the analysis are based on the cases in which consultations were performed, rather than the total number of submitted NECPs at each stage. The only exceptions to this approach are, first, the last row in each table which states the cases in which no or insufficient information was available both in total numbers and percentage shares (including cases in which the respective indicator was not relevant). In this case the shares refer to the total number of NECPs at each stage. The advantage of this approach is that the ratio provides accurate information about the (often large) share of cases which could not be analysed, mostly due to lack of information in the respective NECPs. At the same time this approach means that the percentage shares for each stage usually do not add up to 100% because of the different totals.

The second exception concerns the indicators which assess public participation in national strategies and policies that served as major input into the NECPs. In this case, percentage shares refer to the total number of submitted NECPs.

## 5.1 General observations

At least 25 of the 27 Member States involved the public – civil society and/or citizens - in the drafting of the original 2019 NECPs either at the draft or the final NECP stage as required by the Governance Regulation. Of these 25 Member States at least 10 exceeded this requirement as they involved the public at both the draft and final stages of the 2019/20 NECPs. A few Member States provided insufficient information or only involved societal actors other than the public (“private” stakeholders, such as business) and one (France) did not consult at all. While the public was consulted on the NECPs in nearly all Member States, public participation predominantly happened relatively late in the process at the final rather than the draft NECP stage (25 vs. 12 cases). However, the cases of double participation (at both stages) account for more than two-thirds of this large difference. Still, only 12 Member States involved the public at the earlier draft stage.

*Table 1: Participants in public participation*

		2018	2019	2023
<i>Participants in public participation</i>	Citizens	0	0	0
	Civil society	0	0	0
	Private stakeholders	2	0	0
	Private stakeholder and civ.soc.	10	9	4
	Citizens and civil society	0	0	0
	All stakeholders and citizens	2	16	7
	None	11	1	2
	No info (total/ratio)	2/7.5%	1/3.5%	3/19%
	Public participation (total/ratio)	12/44.5%	25/92.5%	11/69%

Of the 16 Member States that had submitted their 2023 draft updated NECPs before the cut-off date, 11 had consulted the public. This suggests a significant increase of early public participation at the draft NECP stage if compared to the 2018/19 drafts (from almost 45% in 2018/19 to almost 70% in 2023). However, the 2023 figures should be seen as highly preliminary as they do not include the seriously delayed NECPs. It seems possible that, not least for reasons of time pressure, many Member States with seriously delayed draft NECPs may not have consulted the public at the earlier draft stage.

At 87.5% of all cases of public participation, stakeholder consultation (including public stakeholders (civil society) but excluding citizens) was the dominant mode of public participation in the drafting of the 2018/19 draft NECP. Participation was extended to citizens in the remaining cases of public participation. This contrasts with public participation in the 2019/20 final NECPs, when participation of all stakeholders *and* citizens was more common than exclusively of stakeholders (62% vs. 35%). This shift towards participation that includes not only (public) stakeholders but also citizens remained stable in 2023 with almost identical respective shares. As argued further below, the shift

is mainly caused by a marked increase in online consultation between the 2018/19 draft and the 2019/20 final NECPs. While two Member States consulted exclusively non-public actors in 2018/19, this number dropped to zero in 2019/20 (despite the much higher number of total consultation cases (26 vs. 16)) and to a preliminary zero in 2023.

Overall, these figures suggest some positive developments, albeit starting from a low level. First, early participation understood as participation at the draft rather than exclusively at the final NECP stage may be on the rise. However, as in 2023 there may not have been public consultation on many of the seriously delayed NECPs, this finding remains preliminary with a considerable future chance of significant downward adjustment. Second, in addition to stakeholders, citizens are increasingly included in public participation. Nevertheless, there remains a considerable share of public participation cases in which this did not happen. As argued in the discussion of the results in the final section of the report, there may however be reasons not to include citizens in all instances of public participation, especially in view of our third finding, i.e. the significant number of cases of public participation at both the draft and final NECP stages which could allow for “phased” public participation.

## 5.2 Dimensions of public participation

As pointed out above, only a subset of the submitted NECPs were subject to public participation. This applies to all three NECP stages, but especially to the 2018/19 draft NECPs and, to a lesser extent, also to the 2023 draft updates. Obviously, the dimensions of public participation are only relevant for those cases which involved public participation in the first place. Because the figures and analysis below therefore often concern exclusively those cases, it is important to keep in mind that many percentage shares would be significantly lower if they were calculated based on the complete sets of NECPs (i.e. including those cases which did not involve public participation or where information was insufficient or absent).

In the following we turn to the three pillars of public participation – robustness, inclusiveness, and integration into the policymaking process – and their respective dimensions and indicators. It should be noted that cases in which stakeholder consultation was performed but where information was insufficient to establish if *public* participation happened (i.e. civil society and/or citizens were involved) were included in this part of the analysis. This also applies to two cases in which exclusively non-public societal stakeholders (e.g., business) were involved. The reason for this approach is that these cases provide additional information on the consultation modalities of the NECPs. The inclusion of such information appears valuable especially for the 2018/19 draft NECP. In that case, the total number of cases or *public* participation was low (twelve cases) (and therefore the information base on modalities is relatively small) while the number of other stakeholder consultations was relatively high (three cases where involvement of the public remains unclear and two cases where only “private” stakeholder were involved). Consequently, the inclusion of these cases significantly extends the evidence base related to the modalities of consultation practices at this initial draft stage. By contrast, for the 2019/20 final NECPs and the 2023 updates, there is only one case each, so that the impact of these cases on the overall results remains quite



limited. In both cases it remains unclear whether citizens and/or civil society participated in consultations. Consequently, the number of consultation cases for the different stages are 16 (2018/19 draft NECPs), 26 (2019/20 final NECPs) and 14 (2023 draft updates). In the following, these numbers are also used as denominators to calculate the percentage shares (except in the last row of each table and for the indicators dealing with “input participation” which use the total number of submitted NECPs as denominators).

### 5.2.1 Robustness

Robustness is covered by the dimensions of information, transparency, methodological scope, and independence. Each dimension is covered by one or more indicators.

#### 5.2.1.1 Information

Based on the indicators and available information in the NECPs, drafts of the NECPs were mostly available to participants in public participation. The availability of a dedicated website gradually improved from a low level of 19% for all consultation cases in 2018/19 to 50% in 2023. Nonetheless, despite some improvement, information remains insufficient. While drafts of the NECPs were made available, too often this seems to have happened too late (see, e.g., Romain et al., 2023). Moreover, in 2023 half of cases still lacked a dedicated website – and this number might increase once the seriously delayed NECPs are included.

*Table 2: Availability of draft*

		2018	2019	2023
Draft available for consultation: Yes/partly/no	Yes	10 (62.5%)	24 (92.5%)	9 (64%)
	Partly	0 (0%)	1 (4%)	0 (0%)
	No	3 (19%)	0 (0%)	2 (14%)
	No info (total/ratio)	14/52%	2/7,5%	5/31%

Drafts of the (draft/final) NECPs were at all stages, and in most individual cases of public participation, made available at the latest during the participation exercise. The respective figures are 62.5%, 92.5% and 64% for the draft, final and updated NECPs. However, especially for the draft stages, there is still a considerable share of cases where no draft was made available. Moreover, according to evidence collected by environmental NGOs, drafts were frequently provided too late to allow for sufficiently informed public participation (Romain et al., 2023) given the comprehensive and complex character of the NECPs.

*Table 3: Dedicated website*

		2018	2019	2023
<i>Dedicated website: yes/no</i>	Yes	3 (19%)	16 (61.5%)	7 (50%)
	No info (total/ratio)	24/89%	11/41%	9/56%

Dedicated websites which, beyond offering access to the relevant draft NECP, contain a minimum of additional information on the NECP and its context, were only available in somewhat more than 60% of the cases in 2019/20. Although the number of dedicated websites rose from 3 at the draft NECP stage to 16 at the final NECP stage, a significant part of this rise reflects the rise in total cases of consultation. Perhaps more alarmingly, no further rise occurred in 2023 as the share of cases with a dedicated website decreased to 50%. As with the overall incidence of public participation, it remains to be seen whether the preliminary figure for 2023 will be borne out by the seriously delayed 2023 draft NECPs.

### 5.2.1.2 Transparency

*Table 4: Information on number and identity of participants*

<i>Information on numbers and identity of participants: specific/general/none</i>		2018	2019	2023
	Specific	4 (25%)	5 (19%)	2 (14%)
	General	9 (56%)	20 (77%)	9 (64%)
	No info (total/ratio)	14/52%	2/7.5%	5/31%

While NECPs contained some information on the identity and/or number of participants, this information mostly remained on a general and often incomplete level (e.g., a list of participating stakeholder types, such as “civil society” or “environmental NGOs”, without specification of numbers per stakeholder type or specific identities). Moreover, this situation deteriorated considerably between 2018 and 2023. While 25% of draft NECPs which had been subjected to consultation in 2018/19 contained more specific information, the figure fell to 19% for the 2019/20 final NECPs and then to 14% for the yet incomplete set of 2023 draft NECPs.

*Table 5: Summary of stakeholder views*

<i>Summary of stakeholder views: Yes/no</i>		2018	2019	2023
	Yes	4 (25%)	14 (54%)	4 (29%)
	No info (total/ratio)	23/85%	13/48%	12/75%



Only 25% of the 2018/19 draft NECPs which had undergone consultation contained a summary of the views and positions shared during public participation. This number rose considerably to 54% for the 2019/20 final NECPs, only to fall again to 29% in 2023's still incomplete set of draft NECPs. The direct comparison between the two draft NECPs in 2018/19 and 2023 yields a somewhat more positive picture as the availability of a summary rose from 25% to 29%. Moreover, if the steep rise from the 2018/19 draft to the 2019/20 final NECP is any sign, then a clear majority of the forthcoming 2024 NECPs should contain summaries of stakeholder views. However, even such a comparable rise to around 70% would still leave much room for further improvement.

*Table 6: Information on follow-up*

		2018	2019	2023
<i>Information on follow-up: specific- comprehensive/specific- selective/general/none</i>	Comprehensive	2 (12.5%)	7 (27%)	2 (14%)
	Selective	1 (6.5%)	2 (8%)	0 (0%)
	General	2 (12.5%)	9 (35%)	5 (36%)
	None	8 (50%)	0(0%)	0 (0%)
	No info (total/ratio)	14/52%	9/33.5%	9/56.5%

Starting from a low level of just over 30% of the cases involving consultation, the number of cases containing at least highly general information on follow-up rose to 70% for the final NECPs, but then fell back to 50% for the draft updates. More importantly, the rise in information on follow-up from the draft NECPs to the final NECPs concerned both a rise of highly general information (7 additional cases) and of more comprehensive information (7 additional cases), with most of the latter cases falling under the highest score of comprehensive information (5 additional cases). While the fall of cases providing at least general information on follow-up for the 2023 updates is significant (20 percentage points) it is further aggravated by the fact that it predominantly concerns the cases of (more) comprehensive information ((more) comprehensive information: -7 cases; highly general information: -4 cases). On a positive note, if the steep rise of cases of more comprehensive information from the 2018/19 draft to the 2019/20 final NECP is any sign, then the forthcoming 2024 final updates might once again contain significantly more comprehensive information on follow-up. However, even for the final NECPs, the share of cases of more comprehensive information remained at a meagre 35%.

### 5.2.1.3 Independence

Public participation in NECPs is overwhelmingly organised by bodies which are closely associated with the drafting of the NECPs, such as climate or energy policy related government units. Moreover, if anything, the number of cases in which independent or semi-independent bodies were charged with the organisation of public participation tended to decline from 13% for the draft NECPs, to 12% for the final NECPs, and 7% for the updates. Independence therefore appears to be a particularly weak characteristic of public participation in the NECPs.

*Table 7: Body charged with organising public participation*

Body charged with conducting public participation: independent/semi-independent/not independent		2018	2019	2023
	Independent		1 (6.5%)	1 (4%)
Semi-independent		1 (6.5%)	2 (8%)	1 (7%)
Not independent		9 (56.5%)	14 (54%)	9 (64.5%)
No info (total/ratio)		14/52%	10/37%	6/37.5%

In this context it should be noted that the by far highest number of reactions by the public were mobilised in a rare instance in which an independent external body was charged with the organisation (Although this could partly also be explained by other contextual factors) (see Final NECP Belgium).

### 5.2.1.4 Methodological scope of public participation

*Table 8: Consultation/discussion/deliberation/deliberation & discussion*

Participation through: consultation/discussion/deliberation/discussion and deliberation		2018	2019	2023
	Consultation		14 (87.5%)	16 (61.5%)
Discussion		2 (12.5%)	9 (34.5%)	4 (29%)
Deliberation		1 (6.5%)	0 (0%)	0 (0%)
Dis.+ Del.		0 (0%)	1 (4%)	1 (7%)
No info (total/ratio)		10/37%	1/4%	4/25%

Consultation is clearly the prevailing mode of public participation on the NECPs. However, its predominance appears to be decreasing. While 87.5% of cases exclusively involved consultation at the draft NECP stage, the consultation share was more than 20 percentage points lower at the final NECP stage. For the updated NECPs there was a further decrease to 50%. Conversely, the significance of discussion as a mode of public participation increased from just over 10% initially

to close to 35% in the following two stages. By contrast, deliberation or a combination of deliberation and discussion remained extremely rare with only one case at each stage. This is despite the fact that, according to the information contained in some of the NECPs, deliberation or a combination of deliberation and discussion is increasingly used for public participation in other, purely national-level climate and energy policies and strategies that often served as major input for the NECPs (see below on deliberation in input). On the one hand, the stagnation of deliberation at a very low level indicates a limited diversification of NECP participation methodologies. On the other hand, the shift towards discussion does indicate some diversification. As argued above, it seems reasonable to assume that discussion implies a certain level of consultation. Consequently, a shift towards more discussion goes along with a certain degree of diversification.

### 5.2.1.5 Summary

Overall, the robustness of public participation in the NECPs remained low, despite some improvement. Considerable improvements mostly concerned information and the methodological scope of public participation. However, even where significant improvements over the initially very low scores of the 2018/19 draft NECPs could be observed, there remains a large potential for further improvement which, however, cannot be fully determined based on the information available in the NECPs. This especially concerns information. While drafts for the 2019/20 final NECPs and the 2023 updates were mostly available at the time of the public participation procedure, there are strong indications that the time available was not sufficient for allowing an adequate evaluation and reaction by stakeholders and citizens. Similarly, based on the information in the NECPs it is difficult to assess whether the additional information provided by dedicated websites was sufficient to enhance the effectiveness of public participation, especially by citizens. In this case, this comes on top of the fact that, following an initial steep rise from the 2018 stage to the 2019 final, the availability of a dedicated website declined to 50% in 2023. Starting from an almost exclusive reliance on consultation, participation methodologies diversified to some extent through increased use of discussion. However, this still leaves ample space for improvement, as reliance on discussion only reached close to 35% and deliberation was hardly used.

Decidedly weak performance on transparency and independence complements the mixed results concerning information and methodologies. On transparency, there was some improvement over time as regards general information on participants in public participation and information on follow-up of the comments received during public participation. However, this information often remained at a highly general level or was incomplete. By contrast, more specific information on participants and follow-up remained at a very low level of just under 15% in 2023. Inclusion of a summary of stakeholder views only fared somewhat better. Assuming that such a summary is more likely to be included in the final rather than the draft reports, the figures for the first NECP cycle suggest that about 70% of the forthcoming 2024 updates might contain a summary. This would only be a rise by 16 percentage points over the 2019/20 final NECPs. Finally, public participation was very rarely implemented by semi- or fully independent bodies. The respective figures hovered at a very low level of around 10 percent.

## 5.2.2 Inclusiveness

Inclusiveness is covered by the dimensions of openness and representation. These dimensions are covered by several indicators.

### 5.2.2.1 Openness

*Table 9: Participation format*

		2018	2019	2023
<i>Participation format: online/in-person/both</i>	Online	3 (19%)	8 (31%)	3 (21.5%)
	In-person	4 (25%)	1 (4%)	0 (0%)
	Both	1 (6.5%)	6 (23%)	4 (29%)
	No info (total/ratio)	19/70.5%	12/44.5%	9/56.5%

Online participation can be more open to a large number of diverse participants than in-person formats. It should be noted that the results are based on a relatively small number of cases because of lack of information in the NECPs. This applied especially to the 2018/19 draft NECPs (based on 30% of NECPs). While consultations on the draft NECPs tended to be somewhat more in-person than online, online consultation subsequently became significantly more common. However, this has not been accompanied by a strong decline of in-person consultation. Rather, in-person consultation has been increasingly accompanied by online consultation. At the same time there was a slight rise in exclusively online consultation coupled with a sharp fall of exclusively in-person consultation (1 case for the 2018/19 final NECPs and no case for the 2023 updates). Consequently, combined online and in-person consultation was most common in 2023, followed closely by exclusively online consultation.

These results indicate a clear increase of openness mainly because of the rise of online consultation but also because of the continued relevance of in-person consultation, as the latter can be interpreted as a diversification of access. However, as with other cases characterised by a pronounced lack of information in the NECPs, these results should be treated with care.

*Table 10: Access*

		2018	2019	2023
<i>Access: self- selected/invited/ both</i>	Self-selected	7 (44%)	14 (54%)	1 (7%)
	Invited	5 (31.5%)	1 (4%)	1 (7%)
	Both	1 (6.5%)	8 (31%)	5 (36%)
	No info (total/ratio)	14/52%	4/15%	9/56.5%

Self-selected access to public participation can be considered more open than invitation-based access. Moreover, access may often be influenced by the participation format as it seems reasonable to assume that in-person consultation is more likely to be invitation based than online

consultation. However, both options are not mutually exclusive if more than one consultation format is used, but also within one consultation format (as participation may be open beyond invited participants). Given these links it is perhaps not surprising that access partly mirrors the results on participation format. This concerns especially the rise of the combination of invited and self-selected access which was still rare for the 2018/19 draft NECPs (1 case) but rose sharply for the 2019/20 final NECPs (8 cases) to become clearly dominant in 2023 (36% vs. a combined 14% for the alternatives). By contrast, the results for access only initially, i.e., for the 2019/20 final NECPs, mirrored the persistence of exclusively online participation as there was only a single case of exclusively self-selected participation in 2023.

Overall, regarding access, a trend towards more openness is less clear and, in any case, appears to be smaller than for consultation format. There was a clear increase from the 2018/19 draft NECPs to the 2019/20 final NECPs. This mainly reflected the combined invited and self-selected access which rose from 6.5% to 31%. But while this rise continued, albeit at a slower pace, to reach 36% for the 2023 updates, it was countered by a sharp decrease of exclusively self-selected access from 54% in 2019/20 to 7% in 2023. As a result, on the one hand, there was a fall in openness between the final NECPs and the updates. On the other hand, there was an increase in openness from the draft NECPs to the draft updates, which reflected the fall in exclusively invited access (from over 30% to less than 10%). It should be noted that the results for the draft stages are, once again, based on a relatively small number of cases.

*Table 11: Publicity*

<i>Awareness raising for public participation in NECPs: yes/no</i>		2018	2019	2023
Yes		0 (0%)	3 (11.5%)	0 (0%)
No info (total/ratio)		27/100%	24/89%	16/100%

Based on the scarce information on publicity in the NECPs, larger efforts to publicise opportunities for public participation in the drafting of the NECPs were absent at the draft stages in 2018/19 and 2023, and rare for the 2019/20 final NECPs. However, it should be noted that the three cases in which publicity was relevant included the one that was associated with the highest number of participants (and was organised by an independent body (Belgium final NECP)).

## 5.2.2.2 Representation

Table 12: Online citizen participation

(Estimated) number of citizens in online consultation		2018	2019	2023
	1-->20/20-->40		1 (6.5%)	4 (15.5%)
20-->100/40-->130		3 (19%)	5 (19%)	3 (21.5%)
100-->500/130-->550		0 (0%)	2 (8%)	0 (0%)
500-->5000/550-->5100		1 (6.5%)	1 (4%)	1 (7%)
>5000/5100		0 (0%)	1 (4%)	0 (0%)
No info (total/ratio)		22/81.5%	14/52%	10/62.5%

As noted above, citizens have increasingly been included in public participation on the NECPs. As many citizens could theoretically be involved, this raises the question of how many citizens actually participated. As indicated in Table 12, relevant information can only be found in less than half of the NECPs – and in less than 20% of the draft 2018/19 NECPs (which, however, also featured significantly fewer opportunities for citizen participation than the later stages). In fact, even fewer NECPs provide the exact numbers of citizens who participated in the online consultations as several only contain aggregate numbers that do not distinguish between citizens and civil society organisations or stakeholders. We nevertheless included these cases/aggregate numbers to increase the information base. As already explained in the methodology section, in order to take into account that a significant share of participants included in the aggregate numbers are in fact stakeholders and civil society organisations we raised the thresholds for these cases above the ones for the cases where citizen numbers are stated separately in the NECPs (see the second thresholds and ranges behind the dash in the table). For example, cases providing aggregate numbers below 20 participants were not included in the table as we assumed that most of these were likely stakeholders and, in any case, the number of citizen participants was low.<sup>2</sup>

To assess whether citizens were numerically well represented it seems useful to use the highest and lowest participation numbers in the table as orientation.<sup>3</sup> This approach suggests that overall citizen participation tended to be low: At each stage at least three quarters of cases fell into the two lowest categories of participation by up to 100 citizens, whereas the two highest categories

<sup>2</sup> Another difficulty arises from the fact that there is no standardised way in which the NECPs describe online participation. They refer variously to the number of participants, comments, replies and answers received. It seems possible that especially “participants” and “comments” may refer to different things as one participant may submit several comments within one reply. However, we decided to also include the numbers provided if the terms “comments”, “replies” etc. were used if it seemed plausible that they could refer to “participants”. We arrived at this decision after comparing the numbers for participants with those for comments, replies etc. and found no systematic differences that would indicate that especially “comments” referred to several statements by the same participant.

<sup>3</sup> One objection to this approach could be that population size might largely determine total participation numbers. However, in the case of the NECPs, population size seems to be at best one of several factors as the Member State with the by far the highest citizen participation numbers was relatively small (Belgium), whereas some of the most populous Member States were among the countries with the lowest numbers.

contained at most a quarter of cases. Comparison between the different stages suggests broadly similar (low) levels of participation at the draft stages in 2018/19 and 2023. The level of citizen participation tended to be somewhat higher for the 2018/19 final NECP. In this case the level of 100 citizen participants was exceeded four times, whereas it was only exceeded once at each of the draft stages.

*Table 13: Diversity of participants*

		2018	2019	2023
<i>Diversity of participants: citizens/civil society/both</i>	Citizens	0 (0%)	0 (0%)	0 (0%)
	Civil society	10 (62.5%)	9 (35%)	4 (29%)
	Both	2 (12.5%)	16 (62%)	7 (50%)
	No info (total/ratio)	15/56%	2/7.5%	5/31%

The diversity of participants in public participation refers to the inclusion of civil society and citizens. It reflects the general characteristics of public participation in the drafting of the NECPs already discussed in the section on “general observations”. As pointed out in that section participation was initially dominated by civil society: civil society organisations participated in all 12 cases of public participation on the 2018/19 draft NECPs (but not in all cases of stakeholder consultations - as opposed to *public* participation - on the 2018/19 draft NECPs, and potentially also at the following two stages), whereas citizens were only involved in two cases (12.5%). However, this changed soon. Citizens and civil society were included in slightly more than 60% of cases of public participation on the final NECPs in 2019/20 while exclusive participation of civil society dropped to 35%. For the 2023 draft updates these figures remained essentially stable.

Consequently, civil society was represented in all cases of public participation. Starting from a very low level, citizen representation increased strongly for the 2019/20 final NECPs and remained stable thereafter. Nevertheless, citizens still lacked representation in about 40 percent of the cases. While civil society was well represented, representation of citizens improved significantly, but subsequently stagnated at a still insufficient medium level.

### 5.2.2.3 Summary

Reflecting mixed developments in both openness and representation, overall inclusiveness has improved but remains insufficient. On the upside a trend towards combining increased online consultation with in-person meetings has increased openness. Similarly, representation has benefitted from increased inclusion of citizens. However, both aspects would benefit from further improvements, especially diversity, as in about 40% of the cases of public participation citizens are still not (or only marginally) included. On the downside, results for the numerical level of online citizen participation and, especially, for publicity were negative. The number of participating citizens remained predominantly low and opportunities to participate were rarely communicated effectively. Although it seems likely that low publicity contributed significantly to low numbers of



citizen participation, no significant improvement in the later stages of the NECPs could be identified. For the 2023 updated NECPs stagnation or even some negative developments could also be observed in respect of the overall positive participation format and diversity of representation trends. However, in this case it seems possible that those trends may in future be offset by an at least partial repeat of the positive developments that occurred during the drafting of the 2019/20 final NECPs. It should be noted that these results should be treated with some caution as the number of NECPs that lacked information relevant for inclusiveness was even higher than for robustness.

## 5.2.3 Integration into policy making

Integration into policymaking is covered by the dimensions of timeliness for decision-making, engagement with participation output, overall public participation in input, and methodological scope of input participation. Each of these dimensions is covered by one or more indicators.

### 5.2.3.1 Timeliness for decision-making

*Table 14: Participation during drafting of (final) NECP*

		2018	2019	2023
<i>Participation during draft drafting of (final) NECP: citizens/civil society/both/none</i>	Citizens	0 (0%)	0 (0%)	0 (0%)
	Civil society	6 (37.5%)	4 (15.5%)	7 (50%)
	Both	1 (6.5%)	10 (38.5%)	3 (21.5%)
	None	6 (37.5%)	9 (35%)	1 (7%)
	No info (total/ratio)	14/52%	4/15%	5/31.5%

As recognised by, for example, the Aarhus Convention, sufficiently early involvement of the public is necessary to increase the chances of public participation to exert an influence on policies. While most NECPs do not explicitly discuss early involvement of the public, information such as description of input by the public and stakeholders, can provide at least preliminary indications. Keeping these constraints on data reliability in mind (as well as our general “good will” approach to the assertions contained in the NECPs), several developments can be identified. First, starting from a level of just over 40%, timely involvement improved gradually to over 70% in the 2023 draft updated NECPs. However, while timely involvement of citizens rose strongly from 6.5% to 38.5% for the 2019/20 final NECPs, the subsequent rise in 2023 was exclusively caused by timely involvement of civil society, whereas timely involvement of citizens (in combination with civil society) decreased again. Although at 21.5% timely involvement of citizens remained significantly higher than at the previous draft stage in 2018/19, this improvement mostly reflects the higher level of citizen participation in 2023.



Timely involvement of citizens therefore only improved for the 2019/20 final NECPs, although even in this case much of the improvement simply reflects the rise in citizen participation. A more significant improvement is limited to civil society participation in the 2023 updates which roughly doubled to over 70%.

### 5.2.3.2 Engagement with participation output

*Table 15: Type of reaction/procedure*

		2018	2019	2023
<i>Reaction/procedure: statement of reasons/ acknowledgement /none</i>	Reasons	2 (12.5%)	4 (15.5%)	3 (21.5%)
	Acknowledgement	5 (31.5%)	15 (58%)	5 (36%)
	None	8 (50%)	0 (0%)	0 (0%)
	No info (total/ratio)	12/44.5%	8/30%	8/50%

To the extent that competent authorities reacted at all to the comments received in the run of public participation, they could do so by a general acknowledgement that they considered the comments or by providing substantive reasons, especially for the rejection of at least some of the comments received. The 2018/19 draft NECPs contained no reaction to the comments received in 50% of the cases in which consultations had been held. Moreover, if there was a reaction it was mostly in the form of a general acknowledgement. More specific reasons indicated higher engagement by policymakers were only provided in just over 10% of the cases. This situation improved in 2019/20 when almost 60% of the final NECPs at least contained a general acknowledgement. More importantly, however, the share of NECPs stating more specific reasons remained essentially the same and only rose to 21.5% at the subsequent stage of the draft updates.

Overall, the reactions to the comments suggest a low integration of public participation into policymaking. However, the rise in acknowledgements may at least indicate a growing awareness of the results of public participation. Although the share of NECPs containing more specific reasons doubled in 2023 (relative to 2018), the resulting share of just over 20% remained very low.

### 5.2.3.3 Overall public participation in input

Table 16: Input participation intensity

Input participation intensity: strong/medium/weak/ none		2018		2023
		Strong	8 (30%)	3 (19%)
Medium	5 (18.5%)	4 (25%)		
Weak	2 (7.5%)	0 (0%)		
No info (total/ratio)	12/44.5%	9/56%		

In many cases, NECPs largely mirror previously established, and sometimes concurrently introduced, major national climate and energy policies and strategies. If these have been subjected to public participation, this raises questions on the relationship with public participation in the NECPs. For example, the results of, and the participants in the different instances of public participation may vary. Furthermore, the organisational capacities and resources of public authorities and participation participants may be unduly strained if two instances of public participation on closely related issues take place. In the NECPs, at least two factors attest to these questions: First, several NECPs contain often detailed information on public participation in major national policies and strategies that form the basis of the NECP. Second, against the background of previous or ongoing public participation in policies and strategies that serve as major input to the NECPs, some Member States appear to be reluctant to also subject the NECPs to public participation (most obviously France). Reflecting these issues, public participation in major national input policies and strategies is a potentially important contextual parameter for public participation in the NECPs, both because of potential impacts and from a normative point of view.

The figures in the table are very rough estimates of the intensity of public participation in major national policies and strategies that served as input to the NECPs. They aggregate the information on the scope of input participation further below. There are no separate figures for the 2018/19 draft and 2019/20 final NECPs as we assume that both draw on essentially the same major national policies and strategies as input. Percentage shares in the table refer to the total number of NECPs submitted at each stage (for 2023: before the cut-off date).

More than half of the draft and final NECPs (15 out of 27) relied on important national input policies and strategies which had been subjected at least to weak public participation. Illustrating the significance of public participation in input policies and strategies at this stage, more than half of these NECPs (8 out of 15) had even been subjected to strong public participation. However, the significance of public participation in major input policies and strategies decreased moderately by 12 percentage points for the 2023 draft updated NECPs. Moreover, while strong public participation had been most common previously, medium-level public participation became somewhat more common than strong participation in 2023.

Overall, these results illustrate that public participation in input policies and strategies was quite common and, especially for the draft and final NECPs, often even strong. However, in 2023 there was a modest decline in the incidence and intensity of public participation in input. This could potentially be attributed to the “updating” character of the 2023 drafts. Being updates rather than entirely new plans, they appear likely to have required fewer major national input. An alternative or additional explanation could be that some Member States partly replaced public participation in major national policies and strategies by public participation in the NECPs.

#### 5.2.3.4 Scope of input participation

To assess the intensity and relevance of public participation in national policies and strategies that served as major input into the NECPs we looked at its methodological scope, i.e. the extent to which it relied on consultation, discussion, and deliberation. For consultation and deliberation, we also assessed the diversity of participants in terms of whether civil society and/or citizens were included in the respective public participation processes. Because discussion as a public participation methodology tends to be more appropriate for stakeholders and civil society organisations than citizens, we focused on whether discussion was comprehensive in its substantive scope - covering most key sectors - or partial - covering only some in this case.

*Table 17: Participation in consultation*

<i>Participation in consultation: citizens/civil society/both/none</i>	2018		2023
	Citizens	0 (0%)	0 (0%)
Civil society	7 (26%)	3 (19%)	3 (19%)
Both	7 (26%)	4 (25%)	4 (25%)
No info (total/ratio)	13/48%	9/56.5%	9/56.5%

Consultation featured in almost all instances of public participation in input policies and strategies (14 out of the total of 15 cases of input participation in 2018 and all 7 cases in 2023). At both stages, consultation of civil society tended to be twice as common as consultation of both civil society and citizens.

*Table 18: Substantive scope of civil society participation in discussion*

<i>Substantive scope of civil society participation in discussion: comprehensive /partial/ absent</i>	2018		2023
	Comprehensive	8 (30%)	3 (19%)
Partial	1 (4%)	0 (0%)	0 (0%)
No info (total/ratio)	18/67%	13/81.5%	13/81.5%

In addition to widespread consultation, a clear majority of cases of input public participation relevant for the draft and final NECPs also involved discussion (9 out of the total of 15 cases). In all but one case the substantive scope covered was comprehensive. Although the scope of discussion remained comprehensive for the input into the 2023 draft update, discussion was used somewhat less than at the previous stage (60% vs. 43% in relation to the total number of cases of input participation at each stage (15 and 7).

*Table 19: Participation in deliberation*

Participation in deliberation: citizens/civil society/both/none	2018		2023
	Citizens	0 (0%)	3 (19%)
Civil society	4 (15%)	1 (6.5%)	
Both	1 (4%)	1 (6.5%)	
No info (total/ratio)	22/81.5%	11/69%	

Deliberation played a role in public participation on input policies and strategies for the draft and final NECPs in a third of the total number cases of input participation (5 out of 15). In a very large majority of cases civil society rather than citizens were involved. The significance of deliberation increased further for input into the 2023 updated NECPs. A clear majority of the cases of public participation in input involved deliberation (5 out of 7). Whereas deliberation had previously predominantly involved civil society, citizens were central in 2023: while 2 cases involved civil society, 4 involved citizens.

Although many results are not directly comparable between the two levels of public participation (input and direct NECP participation), they suggest that, overall, the scope of input participation tended to be larger than participation in the NECPs. First, this conclusion reflects the low performance of NECP participation in important areas and the relatively good performance of input participation in other respects. The low rate of citizens participation in online consultations on the NECPs on the one hand, and the comprehensiveness of discussion in the context of input participation are cases in point. Second, and perhaps more importantly, the methodological scope of input participation is considerably wider than the one of NECP participation. While the use of consultation and discussion is broadly similar, there were no cases of NECP participation that involved deliberation. This contrasts with a significant number of cases of deliberation linked to input participation. These cases initially mostly involved civil society, but in the context of the 2023 draft updated NECPs subsequently focused predominantly on citizens. Given the overall low numbers of online citizens participation in the NECPs, this raises the possibility that the instances of deliberative input participation may have contributed indirectly to citizen participation in the NECPs.

### 5.2.3.5 Summary

While the strong variability of the NECPs in terms of focus, comprehensiveness and availability of data is a challenge for assessing all pillars of public participation in the NECPs on this basis, the challenge is perhaps the largest in respect of integration into policymaking. This challenge comprises two levels. First, participants in public participation and their policy proposals need to be integrated. Second, as the NECPs are frequently based on major policies and strategies that have already undergone public participation (or are in the process of doing so), public participation in NECPs should ideally be aligned with these processes.

Regarding the first level, the results indicate that timely participation in drafting of the NECPs has improved and, for civil society, doubled since the initial draft NECPs to reach a level of around 70% for the 2023 draft updated NECPs. At the same time, and despite an improvement especially for the 2019/20 final NECPs, in 2023 timely participation fell back to just over 20% for citizens (combined with civil society). However, especially the relatively positive results for timely participation by civil society contrast with accounts provided by civil society organisations themselves that complain that participation opportunities frequently continued to be too late to allow for sufficient participation. It seems possible that a large part of the discrepancies between our results and the assessment of civil society organisations could reflect a combination of the scarcity of relevant data in the NECPs mentioned above and our “good will” approach to the available data. While the responses of authorities to the comments made during public participation also indicate a somewhat better integration into policymaking, the numerically considerable rise in acknowledgements seems mainly indicative of a growing awareness of contributions arising from public participation, rather than a more substantive reaction and engagement. Despite some increase, more substantive reasoned reactions remained at a very low level of 21.5% of the cases which included consultations on the 2023 draft updates. Depending on how one assesses the discrepancies between our results and the assessment of civil society organisations concerning timely participation, this leaves the first level of integration into policymaking as “very mixed and uncertain” or “generally low”.

Concerning the second level of integration of NECP public participation and public participation in major input policies and strategies, integration into policymaking seems to fall into two cases. In the first case integration is not an issue either because the respective NECPs were not based on major pre-existing input, or these inputs had not been subjected to significant public participation. In the second case no integration into the policy process has taken place. On the one hand, this raises the normative question how potentially different results and constituencies of public participation on input and NECPs relate to each other. On the other hand, some Member States which had engaged in input public participation seemed to be reluctant to facilitate public participation in the NECPs. It also seems possible that some Member States may at least partly replace “early” input public participation by “late” NECP participation (when the major “input” building blocks of the NECPs have already been decided).

## 6. Discussion and conclusions

Assessing how public participation was incorporated into the NECP process based on the information provided in each Member State's report, and with the help of the three pillars of public participation, leads to sobering results: the robustness of public participation remained low, inclusiveness was insufficient, and integration into policymaking was very mixed and uncertain at best, and generally low at worst. Put differently, public participation in the NECPs scored low across the three pillars. Even in more specific areas where progress has been made, changes have been insufficient.

However, it is also possible to view these results in a somewhat more positive light. The NECPs are highly comprehensive, complex documents which are still relatively new. Even as purely national documents similar strategies did not exist in many Member States prior to the NECPs. Given the newness and complexity of the NECPs, it is perhaps not surprising that public participation in drafting these documents started from a low level and a longer period is required to improve public participation to reach sufficient levels. Encouraging developments include increasing participation by citizens (and not only civil society), growing diversity of participation methods and perhaps also higher levels of timeliness of participation opportunities.

Nevertheless, noticeable progress has been limited to some areas, whereas very little progress has been made in several other areas. Arguably, some, or perhaps even all of the areas where little progress has been made, might be the more critical ones to achieve further progress in the longer run. More specifically, little or no progress has been made in the following areas:

In the robustness pillar, the dimensions of transparency and independence have shown very little or no progress at all. Both transparency and independence are critical elements for the legitimacy of public participation; transparency because it enhances the accountability of the participation exercise and independence because it increases its credibility in the eyes of participants and the general public (cf., e.g., Institute of Development Studies, 2002; Rowe & Fewer, 2013, p. 13; Kamlage & Nanz, 2017, pp. 11, 14). Concerning transparency, information on the number and identity of participants in public participation has remained at a highly general level and in part regressed. Despite explicit EU requirements, there has been little progress on summaries of stakeholder views, and information on follow-up of stakeholder proposals has also remained at a highly general level. The lack of progress on transparency is surprising as at least some remedies, such as more detailed information about the number and identities of public participation participants, would require relatively little effort to implement on the part of national governments. With respect to identification of the number and identity of participants and a summary of their comments, the German final NECP provides an example of good practice.

Cases in which independent or semi-independent bodies were charged with the implementation of public participation in the drafting of the NECPs were, and remained, particularly rare. However, Belgium's experience with independent implementation of public participation in the 2019/20 final NECP yielded an exceptionally high number of participants and comments.

Publicity and the dissemination of information on public participation opportunities were especially weak and stagnant aspects of NECP inclusiveness. These weaknesses mirror the experience with independence in that Belgium's exceptionally more professional approach to publicity regarding the 2019/20 final NECP appears to have helped to generate a particularly high mobilisation of the public.

Concerning integration into policymaking, the reaction to proposals arising from public participation predominantly remained at a symbolic "acknowledgement", rather than a more substantive "reasoned" level, suggesting low engagement of policymakers with the proposals resulting from public participation. However, a few Member States, such as the Netherlands and Finland, provided more advanced, reasoned responses to consultations on their 2019/20 final NECPs. Lithuania pursued perhaps the most innovative approach as some rejected proposals arising from public participation were integrated into the final NECP as alternative options.

NECPs have not explicitly addressed the issue of how public participation in the related processes can be integrated with previous or near simultaneous public participation related to major national-level policies and strategies that served in turn as input and building blocks for the NECPs. However, in France (and to a lesser extent in some other countries such as Sweden), extensive input participation seems to have undermined the motivation for additional public participation on the NECPs to the extent that the latter was not done. In the Netherlands there are some indications that the co-existence of public participation on the NECPs with significant previous or near simultaneous input public participation may have led to a partial replacement of the latter by the former. This could have had the negative effect of shifting public participation away from the relatively early (input) towards the end (NECP) stage of the policymaking process. As a result, the effectiveness of public participation might decrease, as it tends to have more impact if done at the earlier stages of policymaking. Once again Belgium's arrangements for the 2019/20 final NECP illustrates what appears to have been a relatively successful integration of NECP and input public participation. In this case, the public was consulted simultaneously on relevant national policies and strategies and the NECP (arguably, however, this happened at a relatively late stage of the policymaking process).

While our results indicate some progress on enabling early participation in the NECPs, civil society organisations have lamented a lack of progress on this issue (see, e.g., Romain et al., 2023). As mentioned above, these discrepancies might partly reflect a combination of lack of relevant and sufficiently conclusive data in our primary source of data, the NECPs, and our "good will" approach to interpreting the information that does exist. However, to some extent they may also reflect a difficulty in determining the optimal timing for public participation: if no draft is yet available, it may be considered too early (because of lack of information about what is planned), but if a draft is available, it may be considered too late (to exert effective influence). Phased public participation, as practiced by, for example, Slovenia on the 2023 draft updated NECP, may offer a solution to such problems. An emphasis on public participation by civil society organisations at the early draft stage of the NECPs could be combined with broader online participation by citizens in later policy stages.



Moreover, a phased approach could be further combined with an approach resembling Belgium's integrated approach to input and NECP public participation for the 2019/20 final NECP: In this case early public participation could focus on two-way discussion and dialogue with civil society on the one hand, and a relatively general, survey-based online consultation of the broader public on questions relevant for both input strategies and policies and NECPs on the other hand. This could be followed-up at a later stage with online consultation on an advanced draft of the NECP. Ideally (or alternatively?), this could also be coupled with deliberative elements by involving citizens assemblies at an early stage and more permanent deliberative bodies, such as potentially the multi-level dialogues required by Article 11 of the Governance Regulation, at a later stage of the drafting of the NECPs (and input strategies and policies).

Finally, it is striking that most of the examples of good practices mentioned above belong to the final NECP stage. On the one hand, a possible explanation could be that Member State governments engaged in an extra effort in this case, as it was the only stage at which a final document rather than merely a draft was adopted. However, the apparent extra effort may also point to the considerable impact of contextual political factors on the implementation of public participation in the NECPs. The final NECPs were drafted in 2019 which was the year in which climate change rose to the top of the political agenda, not least due to the climate protests organised by Fridays for Future and others. The particular attention which Belgium devoted to participation of the youth climate movement in its ambitious 2019 public participation exercise hints at the impact of this contextual factor.



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## Annex A: Coding Tables

EU Member State	Document type	Robustness of the participation process				
		Timely access to information		Transparency		
		<i>Draft available for consultation: Yes/partly/no</i>	<i>Dedicated website: yes/no</i>	<i>Information on numbers and identity of participants: specific/general</i>	<i>Summary of stakeholder views: Yes/no</i>	<i>Information on follow-up: comprehensive, selective, general, none</i>
AT	Draft	No info	No (likely)	General	No	None
	Final	No info	No info	General	No	General
	Update	-	-	-	-	-
BE	Draft	No info	No info	No info	No info	No info
	Final	Yes	Yes	General	Yes	General
	Update	-	-	-	-	-
BG	Draft	No info	No info	No info	No info	No info
	Final	Yes	Yes	Specific	Yes	Comprehensive
	Update	-	-	-	-	-
CR	Draft	No info	No	No info	No info	No info
	Final	Yes	No	General	No	None
	Update	Yes	No	General	No	None
CY	Draft	No	No	General	No info	No info
	Final	Yes	Yes	General	Yes	Comprehensive
	Update	Yes	Yes	General	Yes	Comprehensive
CZ	Draft	No	No	General	Yes	General
	Final	Yes	No	General	Yes	General
	Update	-	-	-	-	-
DK	Draft	No	No	General	No info	No info
	Final	Yes	Yes	Specific	Yes	Comprehensive
	Update	Yes	Yes	Specific	Yes	Comprehensive

EU member state	Document type	Robustness of the participation process				
		Timely access to information		Transparency		
		<i>Draft available for consultation: Yes/partly/no</i>	<i>Dedicated website: yes/no</i>	<i>Information on numbers and identity of participants: specific/general</i>	<i>Summary of stakeholder views: Yes/no</i>	<i>Information on follow-up: comprehensive, selective, general, none</i>
EE	Draft	Yes	Yes	Specific	Yes	Comprehensive
	Final	Yes	Yes	Specific	Yes	No info
	Update	Yes	Yes	Specific	Yes	General
FI	Draft	No info	No info	No info	No info	No info
	Final	Partly	No info	General	Yes	Comprehensive
	Update	No info	No info	No info	No info	No info
FR	Draft	No info	No info	No info	No info	No info
	Final	No info	No info	No info	No info	No info
	Update	-	-	-	-	-
GR	Draft	Yes	No	General	No info	General
	Final	Yes	No	General	Yes	General
	Update	-	-	-	-	-
HU	Draft	Yes	No	General	No	No info
	Final	Yes	Yes	General	No	None
	Update	Yes	Yes	General	No	None
IE	Draft	Yes	Yes	General	Yes	Comprehensive
	Final	Yes	Yes	General	Yes	Comprehensive
	Update	-	-	-	-	-
IT	Draft	No info	No info	No info	No info	No info
	Final	No info	Yes	General	Yes	None
	Update	No info	Yes	General	Yes	None
LV	Draft	Yes	No	Specific	No	None
	Final	Yes	Yes	General	No	None
	Update	-	-	-	-	-

EU Member State	Document type	Robustness of the participation process				
		Timely access to information		Transparency		
		<i>Draft available for consultation: Yes/partly/no</i>	<i>Dedicated website: yes/no</i>	<i>Information on numbers and identity of participants: specific/general</i>	<i>Summary of stakeholder views: Yes/no</i>	<i>Information on follow-up: comprehensive, selective, general, none</i>
LT	Draft	No info	No info	No info	No info	No info
	Final	Yes	No info	General	No	Selective
	Update	No	No info	General	No	General
LU	Draft	No info	No info	No info	No info	No info
	Final	Yes	Yes	General	No	General
	Update	Yes	Yes	General	No	General
MT	Draft	Yes	No	Specific	No	None
	Final	Yes	Yes	General	No info	Comprehensive
	Update	No info	No info	No info	No info	No info
NL	Draft	No info	No info	No info	No info	No info
	Final	Yes	No (likely)	General	Yes	General
	Update	No info	No info	No info	No info	No info
PL	Draft	Yes	No	No info	No	None
	Final	Yes	Yes	Specific	No	None
	Update	-	-	-	-	-
RO	Draft	Yes	No	Specific	Yes	Selective
	Final	Yes	No	General	Yes	Selective
	Update	-	-	-	-	-
SK	Draft	Yes (likely)	No (likely)	No info	No	None
	Final	Yes (likely)	No (likely)	No info	No	None
	Update	Yes (likely)	No (likely)	No info	No	None
SI	Draft	No info	Yes	No info	No info	No info
	Final	Yes	Yes	General	No	General
	Update	Yes	Yes	General	No	General

EU Member State	Document type	Robustness of the participation process				
		Timely access to information		Transparency		
		<i>Draft available for consultation: Yes/partly/no</i>	<i>Dedicated website: yes/no</i>	<i>Information on numbers and identity of participants: specific/general</i>	<i>Summary of stakeholder views: Yes/no</i>	<i>Information on follow-up: comprehensive, selective, general, none</i>
ES	Draft	No (likely)	No (likely)	General	No	None
	Final	Yes	No	General	No	General
	Update	No (likely)	No	General	No	General
SE	Draft	Yes	No	General	No	None
	Final	Yes	Yes	General	Yes	Comprehensive
	Update	No info	No	No info	No info	No info



EU Member State	Document type	Robustness of the participation process	
		Independence	Methodological scope of public participation
		<i>Body charged with conducting public participation: independent/semi-independent/not independent</i>	<i>(draft) NECP subjected to: consultation and/or discussion and/or deliberation</i>
AT	Draft	No info	Deliberation
	Final	No info	Consultation
	Update	-	-
BE	Draft	No info	No info
	Final	Independent	All
	Update	-	-
BG	Draft	No info	No info
	Final	Not independent (likely)	Discussion
	Update	-	-
CR	Draft	No info	No info
	Final	No info	Consultation
	Update	No info	Consultation
CY	Draft	Not independent	Consultation
	Final	Not independent	Discussion
	Update	Not independent	Consultation
CZ	Draft	Not independent	Consultation
	Final	Not independent	Consultation
	Update	-	-
DK	Draft	Not independent	Consultation
	Final	Not independent	Consultation
	Update	Not independent	Consultation
EE	Draft	Not independent	Consultation
	Final	Not independent	Consultation.
	Update	Not independent	Consultation

<b>FI</b>	Draft	No info	No info
	Final	Semi-independent (likely)	Consultation
	Update	No info	No info
<b>FR</b>	Draft	No info	No info
	Final	No info	No info
	Update	-	-
<b>DE</b>	Draft	No info	No info
	Final	Not independent (likely)	Consultation
	Update	-	-
<b>GR</b>	Draft	No info	Consultation
	Final	Not independent (likely)	Discussion
	Update	-	-
<b>HU</b>	Draft	Not independent	Consultation
	Final	Not independent	Consultation
	Update	Not independent	Discussion
<b>IT</b>	Draft	No info	No info
	Final	Not independent	Consultation
	Update	Not independent	Consultation
<b>LV</b>	Draft	Not independent	Consultation
	Final	Not independent	Consultation
	Update	-	-
<b>LT</b>	Draft	No info	No info
	Final	Not independent	Discussion
	Update	Not independent	Consultation
<b>LU</b>	Draft	No info	Consultation
	Final	Not independent	Discussion
	Update	No info	All
<b>MT</b>	Draft	Not independent	Consultation
	Final	Not independent	Consultation
	Update	No info	No info

<b>NL</b>	Draft	No info	No info
	Final	Semi-independent	Consultation
	Update	No info	No info
<b>PL</b>	Draft	Not independent	Consultation
	Final	Not independent	Consultation
	Update	-	-
<b>PT</b>	Draft	Not independent	Discussion
	Final	Not independent	Discussion
	Update	Not independent	Discussion
<b>RO</b>	Draft	Not independent.	Consultation
	Final	Not independent	Discussion
	Update	-	-
<b>SK</b>	Draft	Semi-independent (likely)	Consultation (likely)
	Final	Semi-independent (likely)	Consultation (likely)
	Update	Semi-independent (likely)	Consultation (likely)
<b>SI</b>	Draft	No info	No info
	Final	No info	Consultation
	Update	Not independent (likely)	Discussion
<b>ES</b>	Draft	Not independent (likely)	Consultation
	Final	Not independent (likely)	Discussion (likely)
	Update	Not independent (likely)	Discussion (likely)
<b>SE</b>	Draft	Not independent	Consultation
	Final	Not independent	Discussion
	Update	No info	No info

EU Member State	Document type	Inclusiveness of public participation				
		Openness				Representation
		Participation format: online/in-person/both	Access: self-selected/invited/both	Awareness raising for public participation in NECPs: yes/no	(Estimated) number of citizens in online consultation <sup>4</sup>	Diversity of participants: citizens/civil society/both
AT	Draft	In-person	Invited	No info	No info	Civil society
	Final	No info	Self-selected	No info	(120)	Both
	Update	-	-	-	-	-
BE	Draft	No info	No info	No info	No info	No info
	Final	Both	Invited	Yes	(2230)	Both
	Update	-	-	-	-	-
BG	Draft	No info	No info	No info	No info	No info
	Final	Both	Both	No	No info	Civil society
	Update	-	-	-	-	-
CR	Draft	No info	No info	No	No info	No info
	Final	Both	No info	No	(99)	Both
	Update	Both	No info	No	No info	Civil society
CY	Draft	(In-person)	Invited	No	No info	Civil society
	Final	No info	Both	No	(108)	Both
	Update	No info	No info	No	(46)	Civil society
CZ	Draft	Online	Self-selected	No	No info	Both
	Final	Online	Self-selected	No	No info	Both
	Update	-	-	-	-	-
DK	Draft	No info	Invited	No	No info	No info
	Final	No info	Both	No	No info	Civil society
	Update	No info	Both	No	99	Both

<sup>4</sup> The use of brackets on some numbers in the table “(Estimated) number of citizens in online consultation” refers to the number of comments from online consultation as opposed to number of citizens.

EU Member State	Document type	Inclusiveness of public participation				
		Openness				Representation
		Participation format: online/in-person/both	Access: self-selected/invited/both	Awareness raising for public participation in NECPs: yes/no	(Estimated) number of citizens in online consultation	Diversity of participants: citizens/civil society/both
EE	Draft	Online	Self-selected	No	No info	Civil society
	Final	Online	Self-selected	No	No info	Civil society
	Update	Online	Invited	No	No info	(Civil society)
FI	Draft	No info	No info	No info	No info	No info
	Final	Online	Both	No info	No info	Civil society
	Update	No info	No info	No info	No info	No info
FR	Draft	No info	No info	No info	No info	No info
	Final	No info	No info	No info	No info	No info
	Update	-	-	-	-	-
DE	Draft	No info	No info	No info	No info	No info
	Final	Online	Self-selected	No info	96	Both
	Update	-	-	-	-	-
GR	Draft	Online	Self-selected	No info	826	Both
	Final	Online	Both	No info	118	Both
	Update	-	-	-	-	-
HU	Draft	No info	Invited	No	50	Civil society
	Final	No info	Self-selected	No	No info	Civil society
	Update	Both	Both	No	No info	Both
IE	Draft	No info	Self-selected	No	(60)	Civil society
	Final	No info	Self-selected	No	No info	Civil society
	Update	-	-	-	-	-
IT	Draft	No info	No info	No info	No info	No info
	Final	Online	Self-selected	No info	92	Both

	Update	Online	Both	No info	650	Both
<b>EU Member State</b>	<b>Document type</b>	<b>Inclusiveness of public participation</b>				
		<b>Openness</b>				<b>Representatio</b>
		Participation format: online/in-person/both	Access: self-selected/invited/ both	Awareness raising for public participation in NECPs: yes/no	(Estimated ) number of citizens in online consultation	Diversity of participants: citizens/civil society/both
<b>LV</b>	Draft	No info	No info	No	100	No info
	Final	No info	Self-selected	No	No info	Both
	Update	-	-	-	-	-
<b>LT</b>	Draft	No info	No info	No info	No info	No info
	Final	Both	Self-selected	No info	30	Both
	Update	Online	No info	No info	No info	Civil society
<b>LU</b>	Draft	In-person	Self-selected	No info	No info	Civil society
	Final	Both	Self-selected	No info	328	Both
	Update	Both	(Both)	No info	19	Both
<b>MT</b>	Draft	Both	Invited	No	No info	No info
	Final	Both	Self-selected	Yes	13	Both
	Update	No info	No info	No info	No info	No info
<b>NL</b>	Draft	No info	No info	No info	No info	No info
	Final	Online	Self-selected	Yes	1813	Both
	Update	No info	No info	No info	No info	No info
<b>PL</b>	Draft	No info	No info	No	No info	No info
	Final	No info	Both	No	No info	Both
	Update	-	-	-	-	-
<b>PT</b>	Draft	No info	Both	No	No info	Civil society
	Final	No info	Both	No	No info	(Civil society)
	Update	No info	No info	No	No info	(Civil society)
<b>RO</b>	Draft	No info	Self-selected	No info	8	Civil society
	Final	No info	Both	No	No info	Civil society

	Update	-	-	-	-	-
<b>EU Member State</b>	<b>Document type</b>	<b>Inclusiveness of public participation</b>				
		<b>Openness</b>				<b>Representatio</b>
		Participation format: online/in-person/both	Access: self-selected/invited/ both	Awareness raising for public participation in NECPs: yes/no	(Estimated ) number of citizens in online consultation	Diversity of participants: citizens/civil society/both
<b>SK</b>	Draft	Online	Self-selected	(No)	No info	No info
	Final	Online	Self-selected	(No)	No info	No info
	Update	Online	(Self-selected)	(No)	No info	No info
<b>SI</b>	Draft	No info	No info	No info	No info	No info
	Final	No info	No info	No info	No info	Civil society
	Update	Both	Both	No info	46	Both
<b>ES</b>	Draft	In-person	No info	(No)	No info	Civil society
	Final	No info	No info	(No)	21	Both
	Update	No info	No info	(No)	10	Both
<b>SE</b>	Draft	No info	No info	No info	No info	Civil society
	Final	Both	Both	No info	36	Both
	Update	No info	No info	No info	No info	No info



EU Member State	Document type	Integration into policy process		
		Timeliness for impact on decision-making	Engagement with public participation output in policy-making	Overall public participation in NECP input
		Public participation during <b>drafting</b> of draft (final) NECP: citizens/civil society/both/none	Type of reaction/procedure: statement of reasons/acknowledgment/no reaction	<b>Overall</b> public participation in major NECP <b>input</b> (e.g. national, sectoral, regional strategies): strong/medium/weak/absent
AT	Draft	No info	No info	Strong
	Final	No info	Acknowledgement	Strong
	Update	-	-	-
BE	Draft	No info	No info	Strong
	Final	None	Acknowledgement	Strong
	Update	-	-	-
BG	Draft	No info	No info	No info
	Final	None	Acknowledgement	No info
	Update	-	-	-
CR	Draft	No info	No info	Medium
	Final	Both	No reaction	Medium
	Update	No info	No reaction	Medium
CY	Draft	Civil society	No reaction	No info
	Final	Both	No reaction	No info
	Update	Civil society	No reaction	No info
CZ	Draft	None	Statement of reasons	No info
	Final	Both	Statement of reasons	No info
	Update	-	-	-
	Draft	None	No reaction	Medium

<b>DK</b>	Final	None	Acknowledgement	Medium
	Update	Civil society	Statement of reasons	Medium
<b>EU Member State</b>	<b>Document type</b>	<b>Integration into policy process</b>		
		<b>Timeliness for impact on decision-making</b>	<b>Engagement with public participation output in policy-making</b>	<b>Overall public participation in NECP input</b>
		Public participation during <b>drafting</b> of draft (final) NECP: citizens/civil society/both/none	Type of reaction/procedure: statement of reasons/acknowledgment/no reaction	<b>Overall public participation in major NECP input</b> (e.g. national, sectoral, regional strategies): strong/medium/weak/abs
<b>EE</b>	Draft	Civil society	Statement of reasons	No info
	Final	None	Acknowledgement	No info
	Update	(Civil society)	Acknowledgement	No info
<b>FI</b>	Draft	None	No info	Strong
	Final	None	Statement of reasons	Strong
	Update	None	No info	Strong
<b>FR</b>	Draft	No info	No info	Strong
	Final	No info	No info	Strong
	Update	-	-	-
<b>DE</b>	Draft	No info	No info	No info
	Final	No info	Acknowledgement	No info
	Update	-	-	-
<b>GR</b>	Draft	Both	Acknowledgement	Medium
	Final	Both	Acknowledgement	Medium
	Update	-	-	-
<b>HU</b>	Draft	Civil society	No reaction	Strong
	Final	Civil society	No reaction	Strong
	Update	Civil society	No reaction	No info
<b>IE</b>	Draft	Civil society	Acknowledgement	Medium
	Final	None	No reaction	Medium

	Update	-	-	-
EU Member State	Document type	<b>Integration into policy process</b>		
		<b>Timeliness for impact on decision-making</b>	<b>Engagement with public participation output in policy-making</b>	<b>Overall public participation in NECP input</b>
		Public participation during <b>drafting</b> of draft (final) NECP: citizens/civil society/both/none	Type of reaction/procedure: statement of reasons/acknowledgment/no reaction	<b>Overall</b> public participation in major NECP <b>input</b> (e.g. national, sectoral, regional strategies): strong/medium/weak/absent
IT	Draft	No info	No info	Weak
	Final	None	Acknowledgement	No info
	Update	Civil society	Acknowledgement	No info
LV	Draft	No info	No reaction	No info
	Final	Civil society	Acknowledgement	No info
	Update	-	-	-
LT	Draft	No info	No info	No info
	Final	Both	Acknowledgement	No info
	Update	Civil society	Statement of reasons	No info
LU	Draft	Civil society	No info	Weak
	Final	Both	Acknowledgement	No info
	Update	Both	Acknowledgement	Medium
MT	Draft	None	No reaction	No info
	Final	Both	Acknowledgement	No info
	Update	No info	No info	Medium
NL	Draft	No info	No info	Strong
	Final	(None)	Statement of reasons	Strong
	Update	No info	No info	Strong
PL	Draft	None	No reaction	No info
	Final	None	No reaction	No info

	Update	-	-	-
<b>EU Member State</b>	<b>Document type</b>	<b>Integration into policy process</b>		
		<b>Timeliness for impact on decision-making</b>	<b>Engagement with public participation output in policy-making</b>	<b>Overall public participation in NECP input</b>
		Public participation during <b>drafting</b> of draft (final) NECP: citizens/civil society/both/none	Type of reaction/procedure: statement of reasons/acknowledgment/no reaction	<b>Overall</b> public participation in major NECP <b>input</b> (e.g. national, sectoral, regional strategies):strong/medium/weak/abs
<b>PT</b>	Draft	No info	No reaction	Strong
	Final	Both	No reaction	Strong
	Update	Civil society	Acknowledgement	No info
<b>RO</b>	Draft	None	No reaction	No info
	Final	Civil society	Acknowledgement	No info
	Update	-	-	-
<b>SK</b>	Draft	No info	Statement of reasons	No info
	Final	No info	Statement of reasons	No info
	Update	No info	Statement of reasons	No info
<b>SI</b>	Draft	No info	No info	No info
	Final	Both	Acknowledgement	No info
	Update	Both	Acknowledgement	No info
<b>ES</b>	Draft	Civil society	No info	No info
	Final	Both	Acknowledgement	No info
	Update	Both	Acknowledgement	No info
<b>SE</b>	Draft	No info	Acknowledgement	Strong
	Final	Civil society	Acknowledgement	Strong
	Update	No info	No info	Strong

EU Member State	Document type	Integration into policy process for draft (2018/19) and updated NECP (2023)		
		Methodological scope of public participation		
		<i>Participation in consultation: citizens/civil society/both/none</i>	<i>Substantive scope of civil society participation in discussion: comprehensive /partial/ absent</i>	<i>Participation in deliberation: citizens/civil society/both/none</i>
AT	Draft	Both	Comprehensive	Civil society
	Update	-	-	-
BE	Draft	Both	Comprehensive	Civil society
	Update	-	-	-
BG	Draft	No info	No info	No info
	Update	-	-	-
CR	Draft	Civil society	No info	No info
	Update	Civil society	No info	No info
CY	Draft	No info	No info	No info
	Update	No info	No info	No info
CZ	Draft	No info	No info	No info
	Update	-	-	-
DK	Draft	Civil society	No info	No info
	Update	Civil society	No info	No info
EE	Draft	No info	No info	No info
	Update	No info	No info	No info
FI	Draft	Both	Comprehensive	No info
	Update	Both	Comprehensive	Citizens
FR	Draft	Both	Comprehensive	both
	Update	-	-	-

DE	Draft	No info	No info	No info
	Update	-	-	-
EU Member State	Document type	<b>Integration into policy process for draft (2018/19) and updated NECP (2023)</b>		
		<b>Methodological scope of public participation</b>		
		<i>Participation in consultation: citizens/civil society/both/none</i>	<i>Substantive scope of civil society participation in discussion: comprehensive /partial/ absent</i>	<i>Participation in deliberation: citizens/civil society/both/none</i>
GR	Draft	Both	Partial	No info
	Update	-	-	-
HU	Draft	Civil society	Comprehensive	No info
	Update	No info	No info	No info
IE	Draft	Civil society	No info	No info
	Update	-	-	-
IT	Draft	Civil society	No info	No info
	Update	No info	No info	No info
LV	Draft	No info	No info	No info
	Update	-	-	-
LT	Draft	No info	No info	No info
	Update	No info	No info	No info
LU	Draft	Civil society	Comprehensive	Civil society
	Update	Both	comprehensive	Both
MT	Draft	No info	No info	No info
	Update	Both	No info	No info
NL	Draft	Both	Comprehensive	No info
	Update	Both	Comprehensive	Both
PL	Draft	No info	No info	No info
	Update	-	-	-

PT	Draft	No info	No info	No info
	Update	No info	No info	No info
RO	Draft	No info	No info	No info
	Update	-	-	-
EU Member State	Document type	<b>Integration into policy process for draft (2018/19) and updated NECP (2023)</b>		
		<b>Methodological scope of public participation</b>		
		<i>Participation in consultation: citizens/civil society/both/none</i>	<i>Substantive scope of civil society participation in discussion: comprehensive /partial/ absent</i>	<i>Participation in deliberation: citizens/civil society/both/none</i>
SK	Draft	No info	No info	No info
	Update	No info	No info	No info
SI	Draft	No info	No info	No info
	Update	No info	No info	No info
ES	Draft	No info	No info	No info
	Update	No info	No info	Citizens
SE	Draft	Civil society	Comprehensive	Civil society
	Update	Civil society	Comprehensive	Civil society



## 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



BRUSSELS  
SCHOOL OF  
GOVERNANCE



UNIVERSITY OF  
EASTERN FINLAND



WAGENINGEN  
UNIVERSITY & RESEARCH



rede  
research group in energy,  
innovation and environment



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