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Understanding EU Legislative Development Beyond Early Indicators

A Comparative Multiple Case-Study of Political Conflict and Legislative Trajectories in EU Logistics Policy

Degree project in International logistics

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Policy (2015–2025)

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ABSTRACT

This study examines how European Union legislative proposals develop after their formal introduction within the policymaking process. Using a comparative multiple-case study design, the study analyses the EU Emissions Trading System (EU ETS), the Alternative Fuels Infrastructure Regulation (AFIR), and CountEmissions EU through within-case analysis and cross-case comparison. The findings suggest that early-stage indicators, such as reasoned opinions and subsidiarity checks, may provide meaningful insight into emerging political resistance and institutional sensitivity at early stages of the legislative process. However, these indicators appear less capable of capturing the broader intensity and evolving nature of political conflict that develops during later stages of the legislative process. Instead, legislative development appears to be shaped through the interaction between policy maturity, institutional embeddedness, amendment activity, voting behaviour, and informal negotiation processes within the European Union. The comparative analysis further demonstrate that legislative proposals associated with different forms of political conflict may still follow substantially different legislative trajectories depending on institutional context, regulatory complexity, and the extent of informal coordination throughout the Ordinary Legislative Procedure. In this context, trilogues and other informal negotiation arenas appear to play a significant role in facilitating compromise and managing legislative complexity, while simultaneously raising broader questions concerning transparency and democratic accountability within EU policymaking.

Rather than functioning as a predictive framework for forecasting exact legislative outcomes, the study contributes to a structured and forward-looking analytical approach for interpreting legislative development under conditions of institutional complexity, uncertainty, and political negotiation within the European Union.

Keywords: European Union policymaking, Legislative development, Multiple case study, Logistics

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List of Abbreviations

AFID – Alternative Fuels Infrastructure Directive
AFIR – Alternative Fuels Infrastructure Regulation
CBAM – Carbon Border Adjustment Mechanism
COM – European Commission legislative Representatives
Coreper – Committee of Permanent Representatives
ETS – Emissions Trading System
EU – European Union
ICAO – International Civil Aviation Organization
MSR – Market Stability Reserve
OLP – Ordinary Legislative Procedure
SAF – Sustainable Aviation Fuel
TEU – Treaty on European Union
TFEU – Treaty on the Functioning of the European Union

Glossary

Co-decision procedure

Former term for what is now referred to as the Ordinary Legislative procedure. The procedure establishes the European Parliament and the Council of the European Union as joint legislators with equal decision-making authority in the adoption of EU legislation.

Early agreements

Informal agreements reached between EU institutions at an early stage of legislative process, often to accelerate adoption.

Early-stage indicators

Observable signals at the beginning of the legislative process used to assess potential political conflict or support.

Early Warning System (EWS)

An EU mechanism allowing national parliaments to review legislative proposals and issue reasoned opinions regarding subsidiarity compliance.

Bicameral System

A parliamentary system consisting of two separate legislative chambers or houses. Within the European Union, bicameral national parliaments distribute subsidiary control votes between the two chambers under the Early Warning System.

Interinstitutional agreements

Formal or informal agreements between EU institutions that structure cooperation during the legislative process.

Institutional dynamics

The interaction between EU institutions, Member States, and informal negotiation arenas throughout the legislative process.

Informal governance

Decision-making and coordination processes occurring outside formal legislative procedures, often through negotiations and informal institutional interaction.

Legislative conflict

Observable disagreement between political or institutional actors during the legislative process, reflected through amendments, voting opposition, or delays.

Legislative trajectory

The way a legislative proposal evolves throughout the policymaking process, including negotiations, amendments, delays, and final outcomes.

Liberal Intergovernmentalism

A theory of EU integration emphasizing national preferences, interstate bargaining, and negotiated cooperation between Member States as the primary drivers of EU policymaking.

Neo-functionalism

A theory of European integration arguing that integration in one policy area creates pressure for further integration across related sectors through spillover effects.

Orange card procedure

A subsidiarity control mechanism allowing national parliaments to challenge a proposal if a majority raises concerns.

Policy foresight

A forward-looking analytical approach used to identify emerging developments, risks, and possible future policy implications under conditions of uncertainty and complexity.

Political conflict indicators

Analytical measures used to capture the level and nature of disagreement between actors in the legislative process.

Reasoned opinion

A formal objection issued by a national parliament arguing that a proposal violates the subsidiarity principle.

Spillover

A concept within Neo-functionalism describing how integration or regulation in one policy area creates pressure for integration in related policy sectors.

Subsidiarity control mechanism

The system through which national parliaments assess whether EU action is justified at the Union level.

Subsidiarity principle

The principle that decisions should be taken as closely as possible to the citizen, with the EU acting only when necessary.

Trilogues

Informal negotiations between the European Parliament, Council, and Commission aimed at reaching agreement on legislation.

Yellow card procedure

A subsidiarity mechanism triggered when a sufficient number of national parliaments raise objections, requiring the Commission to review the proposal.

1. Introduction

In an increasingly complex and regulated global economy, European Union policymaking plays a central role in shaping market conditions, transport systems, and long-term strategic planning across logistics and supply chain-intensive industries. As argued by Bradford (2012), the European Union has emerged as one of the world's most influential regulatory actors. Through regulatory initiatives such as the European Green Deal and the Fit for 55 package, the EU increasingly shapes the conditions under which firms, transport operators, and supply chain-intensive industries operate both within and beyond the Union (European Council, 2025).

Due to the size and economic importance of the internal market, the implications of EU regulations often extend beyond European borders and influence international trade, transport systems, and industrial strategies on a global scale. While these perspectives explain how EU policies are formed and stabilised internally, they do not fully account for the external effect of the Union's regulatory outcomes. The ability of EU rules to extend beyond its borders is instead captured by the concept of the Brussels Effect (Bradford, 2012). This phenomenon has previously been observed in federal regulatory contexts, most notably through the so-called "California Effect," where stricter regulatory standards in large markets encourage trading partners to adopt uniform production practices across jurisdictions in order to benefit from economies of scale and maintain market access (Fredriksson & Millimet, 2002). This process of unilateral regulatory globalization occurs when firms adopt EU standards to maintain access to the EU's internal market, effectively transforming EU rules into *de facto* global standards.

At the same time, the growing regulatory intensity of the European Union has increased the strategic importance of understanding how legislative proposals evolve throughout the policymaking process. Legislative proposals frequently undergo substantial modification during negotiations between the European Commission, the European Parliament, the Council, and Member States (Legislative Activities Unit [LEGI], 2025). Political bargaining, institutional conflicts, and informal negotiations may significantly alter the final outcome compared to the original proposal (Heisenberg, 2005; Reh, 2014). For businesses and logistics actors, this creates a regulatory environment characterized by uncertainty and continuous policy adaptation (Minetto, 2025). Legislative developments and international regulatory commitments increasingly influence investment decisions, operational planning, infrastructure transitions, and long-term strategic positioning long before legislation is formally adopted.

Previous research on EU policymaking has extensively examined institutional decision-making, bargaining dynamics, and European integration (Moravcsik, 2018; Reh et al., 2013). Existing studies have also highlighted the importance of early-stage political signals, such as subsidiarity checks and reasoned opinions submitted by national parliaments, in identifying potential political resistance during the legislative process (Janč, 2015; van Gruisen & Huysmans, 2020). However, limited research has comparatively examined how early-stage political signals, institutional dynamics, and legislative activity interact across different EU legislative proposals throughout the policymaking process. Building on these perspectives, this study examines how institutional dynamics, legislative activity, voting behaviour, amendment patterns, and informal negotiations interact throughout the policymaking process and contribute to broader legislative trajectories over time.

Against this background, this study examines how EU legislative proposals develop after their formal introduction within the Ordinary Legislative Procedure. Using a comparative multiple-case study design, as outlined by Yin (2018), the study analyses how political conflict, negotiation processes, and institutional interaction shape legislative development within the European Union policymaking process. The study applies a two-stage design. First, a structured screening of EU transport- and

logistics-related proposals introduced between 2015 and 2025 is conducted. Based on this screening, three cases are selected for in-depth comparative analysis: the EU ETS reform, AFIR, and CountEmissions EU. It is important to note that all three of these cases are part of, or closely related to, the Fit for 55 package introduced by the European Commission in 2021 (European Council, 2025).

The remainder of this thesis is structured as follows. Chapter 2 presents the background to the European legislative process and the Ordinary Legislative Procedure. Chapter 3 outlines the theoretical framework and discusses concepts related to policy foresight, EU policymaking, and legislative development. Chapter 4 presents the methodological approach and case-selection strategy. Chapter 5 introduces the selected cases and establishes their comparative context. Chapter 6 presents the empirical results, followed by a discussion in Chapter 7 and concluding remarks in Chapter 8.

1.1 Aim of the report

The aim of this study is to examine how political conflict and institutional dynamics shape the legislative development of EU transport- and logistics-related proposals after their formal introduction in the Ordinary Legislative Procedure. More specifically, the study investigates the explanatory value and limitations of early-stage political indicators, such as subsidiarity checks and reasoned opinions, in relation to later legislative developments. Through a comparative analysis of selected policy cases, the study examines how policy maturity, amendment activity, voting behaviour, and informal interinstitutional negotiations relate to differences in legislative trajectories. The study does not seek to predict exact legislative outcomes. Instead, it aims to provide a structured interpretation of how early signals, later-stage political conflict, and institutional context interact throughout EU legislative development.

1.1.1 Research Questions

1. To what extent is it possible to assess how EU legislative proposals are likely to develop after their formal introduction?
2. How do early and later stage indicators of political conflict and institutional dynamics differ across EU legislative proposals with varying levels of legislative contestation and development, and how do these differences affect legislative outcomes?

2. Background to the European Legislative Process

The European Union's legislative process is characterized by a complex institutional structure involving multiple actors, negotiation arenas, and procedural stages. Most legislative acts within the European Union are adopted through the Ordinary Legislative Procedure (OLP), where the European Parliament and the Council act as co-legislators on the basis of proposals submitted by the European Commission. The procedure is designed to balance supranational and intergovernmental interests through successive stages of negotiation, amendment, and compromise formation.

Understanding the institutional structure of the OLP is important for analysing how legislative proposals develop over time, as policy outcomes are shaped not only through formal voting procedures but also through interactions between institutions, Member States, committees, and informal negotiation arenas. The following section therefore outlines the historical development of the EU legislative system, the roles of the main institutions involved in the policymaking process, and the procedural structure of the OLP.

2.1 Evolution of the legislative system

The EU's legislative system has evolved through successive treaty reforms (see Figure 2), culminating in the OLP and a redefined balance of power between the Parliament, Council, and Commission (Legislative Activities Unit [LEGI], 2025). To understand the current decision-making process, it is useful to outline how these treaties have shaped and structured joint decision-making within the EU over time.

2.1.1 Maastricht Treaty 1993

The Treaty of Maastricht introduced the co-decision procedure as part of the EU legislative framework. This marked the first formal inclusion of the European Parliament in the legislative process alongside the Council (European Parliament, n.d.-e). However, the procedure was limited in scope and applied only to specific policy areas. Other procedures, particularly the consultation procedure in which the Commission sends a proposal to the European Parliament for its opinion, remained the most used legislative procedure within the EU.

2.1.2 Amsterdam Treaty 1999

The Treaty of Amsterdam expanded the use of the co-decision procedure and simplified its structure. It enabled agreements to be reached earlier in the legislative process, reducing the need for multiple readings (European Parliament, n.d.-b). As a result, the procedure became more central within EU law-making and applied to a broader range of policy areas.

2.1.3 Nice Treaty 2003

The Treaty of Nice further extended the application of the co-decision procedure to additional policy areas while the structure of the procedure remained largely unchanged (European Parliament, n.d.-d).

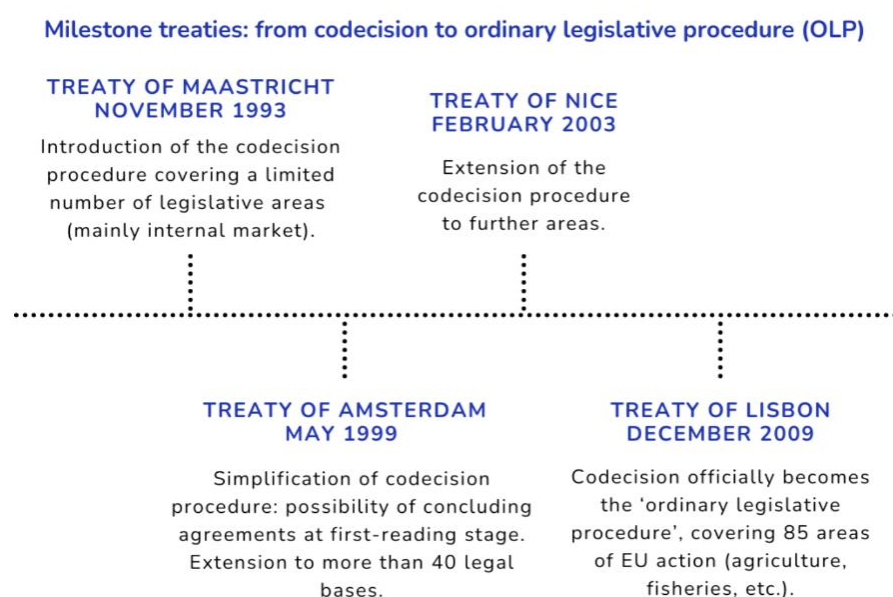
The treaty contributed to the adaptation of the EU institutional system to enlargement and reinforced the role of the procedure within the legislative framework.

2.1.4 Lisbon Treaty 2009

The Treaty of Lisbon established the OLP as the standard legislative process of the European Union. It defined the procedure formally in the treaties and clarified the roles of the European Parliament and the Council as co-legislators (European Parliament, n.d.-c). Under this framework, the Commission submits a proposal, after which the Parliament and the Council adopt positions through first reading, second reading, and, if necessary, conciliation and third reading.

Figure 1.

Development of the EU legislative process from co-decision to the Ordinary Legislative Procedure (OLP)



The figure illustrates the institutional development of the EU legislative process from co-decision to the Ordinary Legislative Procedure (OLP). It highlights four key treaties — Maastricht (1993), Amsterdam (1999), Nice (2003), and Lisbon (2009) — which progressively expanded, simplified, and formalised the procedure over time.

Source: Legislative Activities Unit (LEGI, 2025). Used with permission.

The European Union's legislative process is structured around the interaction between three central institutions: the European Commission, the European Parliament, and the Council. The relationship between these institutions has been progressively developed and formalised through successive treaty reforms, as mentioned above (Legislative Activities Unit [LEGI], 2025). The Treaty of Lisbon formally defined the OLP in Article 294 TFEU and introduced a legal basis for interinstitutional agreements under Article 295 TFEU, further facilitating cooperation between the institutions.

2.2 The Council

The Council's work within the legislative process is structured across multiple levels of preparation, coordination, and decision-making. The Council's Presidency leads the work of the Council and is responsible for organising the meetings and negotiations between Member States (European Union, n.d.-a). The Committee of Permanent Representatives (Coreper) I and II prepare legislative matters before they reach ministerial level and play a central role in coordination and negotiation (Legislative Activities Unit [LEGI], 2025). Within the OLP, the Council receives proposals from the Commission and reviews the European Parliament's position after the first reading. It decides whether to approve the Parliament's position, leading to the adoption of the act, or adopt its own position, triggering further stages of the procedure. The Council also participates in the second reading, conciliation, and final adoption.

The Council has also developed its capacity for forward-looking strategic planning in recent years (Damen, 2025). Since 2020, internal analytical functions have been strengthened through dedicated research support, enabling the examination of a wide range of issues, from immediate geopolitical developments to longer-term structural trends. As part of this work, the Council produces annual strategic assessments that identify key events and developments likely to have future implications.

2.3 The European Parliament

The European Parliament's work within the legislative process is organised through a structured system of committees, coordination, and formal decision-making (European Commission, n.d.). Committees are responsible for examining legislative proposals and constitute the primary arena for detailed work, while a rapporteur is appointed to draft reports and recommendations for each proposal. Shadow rapporteurs represent other political groups and participate in negotiations, while opinion-giving committees provide input within their respective policy areas (Legislative Activities Unit [LEGI], 2025). Within the OLP, the Parliament receives proposals from the Commission and adopts its position through successive readings. During the first reading, proposals are examined in committee, and amendments may be tabled both in committee and in plenary before a position is adopted. In the second reading, a rapporteur prepares a recommendation on the Council's position, which may again be amended and adopted. If required, the Parliament participates in conciliation and votes on the joint text in a third reading. Decisions are taken through formal voting procedures, including simple and absolute majority, and legislative acts are adopted jointly with the Council.

Beyond its formal legislative role, the European Parliament is supported by analytical and research capacities that contribute to the evaluation of policy proposals and their broader implications (Damen, 2025). These include forward-looking activities, such as policy foresight and trend analysis, which support Members in assessing long-term developments and emerging challenges in the policymaking process.

2.4 The European Commission

The European Commission functions as the initiating institution within the EU legislative process. It is responsible for submitting legislative proposals to the European Parliament and the Council, thereby formally starting the procedure (European Commission, n.d.). These proposals constitute the basis for subsequent examination and amendment in the following stages of the process. Within the OLP, the Commission's proposal is transmitted to both co-legislators, after which it is assessed, modified, and

negotiated throughout successive readings (Legislative Activities Unit [LEGI], 2025). The Commission remains involved throughout the procedure as the originating body of the proposal, which forms the reference point for the legislative process as it progresses towards adoption.

In addition to its formal legislative role, the Commission also performs analytical and preparatory functions that support policy development (Damen, 2025). Over time, these have increasingly incorporated forward-looking elements, including forms of strategic foresight and anticipatory governance. Such capacities contribute to the Commission's ability to assess long-term developments and emerging challenges when formulating legislative proposals.

2.5 National Parliament

Outside the three main institutions, there is an additional actor that plays a role within the legislative framework: the national parliaments of the Member States. National parliaments have a supportive role within the EU by contributing to the functioning of the Union, as outlined in Article 12 (European Parliament, n.d.-a). They are granted specific rights under the Treaties, particularly in monitoring compliance of draft legislative acts with the principle of subsidiarity (Legislative Activities Unit [LEGI], 2025). This principle requires decisions to be taken at the most appropriate level, meaning that actions should only be taken at the EU level when objectives cannot be sufficiently achieved by Member States. Under Protocols No. 1 and 2, national parliaments may, within an eight-week period, issue a reasoned opinion if they consider that a draft legislative act does not comply with this principle (Legislative Activities Unit [LEGI], 2025). Each national parliament is allocated two votes, with bicameral systems distributing one vote to each chamber.

2.5.1 Subsidiarity control mechanism

The role of the Member States is further reinforced through the subsidiarity control mechanism, commonly referred to as the "yellow card" and "orange card" procedures. If at least one third of national parliaments consider that a draft legislative act does not comply with the principle of subsidiarity, they may collectively trigger a yellow card, requiring the institution that proposed the act to review it (Legislative Activities Unit [LEGI], 2025). Following this review, the proposal may be maintained, amended, or withdrawn. An orange card is triggered if a majority of national parliaments consider that a draft legislative act does not comply with the principle of subsidiarity. In this case, the proposal must be reviewed by the Commission, which may decide to maintain, amend, or withdraw it. If the Commission decides to maintain the proposal, it must provide justification to the European Parliament and the Council. The proposal is then examined by both institutions, and if a simple majority in the European Parliament or a 55% majority in the Council considers that the proposal does not comply with subsidiarity, it will not be given further consideration.

2.6 The Ordinary legislative procedure

The OLP begins with the submission of a legislative proposal by the European Commission to the European Parliament and the Council (See Figure 3). The proposal is adopted by the College of Commissioners, the Commission's collective decision-making body composed of one Commissioner from each Member State (Legislative Activities Unit [LEGI], 2025). It is subsequently transmitted to both institutions, as well as to national parliaments, and where required, to advisory bodies such as the European Economic and Social Committee and the Committee of the Regions.

2.6.1 Trilogues

Additionally, informal institutional negotiations, commonly referred to as trilogues, play a central role in the legislative process. Trilogues function as a mechanism for managing the complexity of EU policymaking (Legislative Activities Unit [LEGI], 2025). By concentrating bargaining in small, flexible negotiation settings, they reduce transaction costs, facilitate compromise formation, and accelerate legislative output, thereby enabling a high share of acts to be adopted at first reading. In this sense, informalization enhances decision-making efficiency and supports the throughput capacity of the OLP.

2.6.2 First-reading stage

Following the submission of the legislative proposal, the first reading begins with its examination in the European Parliament (Legislative Activities Unit [LEGI], 2025). The proposal is assigned to a responsible committee, where a rapporteur is appointed to prepare a draft report. Amendments to the proposal may be tabled and discussed within the committee before voting. The committee then adopts its position, which is submitted to the plenary where further amendments may be introduced before the Parliament adopts its first reading position. The Council subsequently examines the Parliament's position. If the Council approves the Parliament's position, the legislative act is adopted. If not, the Council adopts its own position, thereby moving the procedure to the second reading stage.

2.6.3 Second-reading stage

The European Parliament examines the Council's position, and a rapporteur prepares a recommendation, which is considered in committee before being submitted to plenary (Legislative Activities Unit [LEGI], 2025). The Parliament can approve, reject, or amend the Council's position. If the Parliament approves the Council's position or fails to act within three months, the act is adopted. If the Parliament rejects the Council's position, the proposal is rejected. However, if amendments are adopted, the procedure continues to the next stage.

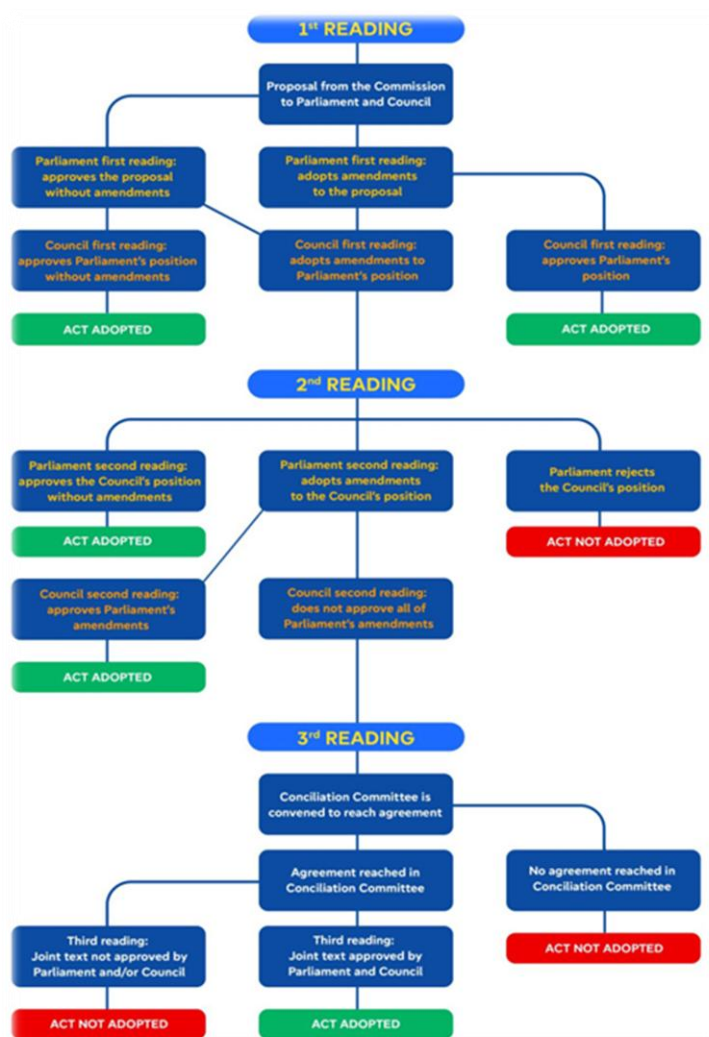
2.6.4 Conciliation and third-reading stage

If the European Parliament and the Council do not reach agreement during the second reading, the procedure moves to the conciliation stage (Legislative Activities Unit [LEGI], 2025). A conciliation committee is convened, composed of representatives from both the European Parliament and the Council.

The purpose of the committee is to agree on a joint text based on the positions of both institutions. The committee operates within a limited timeframe and aims to reconcile differences between the two positions. If the Conciliation committee reaches agreement on a joint text, the procedure continues to the third reading stage. This is the final step of the OLP, where both the European Parliament and the Council decide whether to approve the joint text agreed during the Conciliation. If no agreement is reached within the given timeframe, the proposal is considered rejected. Figure 3 provides an overview of the complete structure of the OLP, illustrating how legislative proposals progress through the first, second, and third readings depending on agreement between the European Parliament and the Council.

Figure 2.

Illustrates the step-by-step structure of the Ordinary Legislative Procedure (OLP)



The figure illustrates the step-by-step structure of the Ordinary Legislative Procedure (OLP), showing how legislative proposals progress through the first, second, and third readings depending on agreement between the European Parliament and the Council. The figure further demonstrate how proposals may either be adopted or rejected at different stages of the legislative process.

Source: Legislative Activities Unit (LEGI, 2025). Used with permission.

3. Theoretical Framework

The development of the European Union's decision-making structure, while formally embedded in successive treaty reforms, is more accurately understood through three interrelated processes identified by Moravcsik (2018): (1) preference formation, (2) interstate bargaining, and (3) institutionalisation. (1) Preference formation refers to how Member States develop policy positions based on domestic interests and economic interdependence. (2) These positions are subsequently negotiated through interstate bargaining, where outcomes depend on bargaining power, political interests, and existing institutional arrangements. (3) Institutionalisation shapes how negotiated agreements are implemented and further developed within EU institutions after formal adoption. Together, these dynamics highlight how policy outcomes emerge through negotiation, preference alignment, and interaction between Member States and EU institutions.

These dynamics can be further understood through Liberal Intergovernmentalism and Neo-functionalism. Member States negotiate their positions across multiple arenas, and outcomes depend on who benefits most from an agreement and who can afford to disagree. This multi-level bargaining process spans formal, semi-formal, and informal settings (Moravcsik, 2018). Legislative outcomes are often shaped prior to formal adoption, as informal arenas facilitate consensus between institutional actors before the first reading (Heisenberg, 2005). Neo-functionalism emphasizes how integration within one policy area may create pressures for further coordination across interconnected sectors over time, while Liberal Intergovernmentalism explains how policy outcomes remain dependent on interstate bargaining, national preferences, and political negotiation. Together, these perspectives frame EU decision-making as a system structured to manage interdependence, allocate conflict, and translate negotiated preferences into durable regulatory outcomes.

3.1 Current state of research

Previous research on EU policymaking has focused on the evaluation of the OLP, the growing role of informal decision-making arenas such as trilogues, and the influence of institutional coordination on legislative outcomes (Heisenberg, 2005; Reh et al., 2011). More recent research has additionally emphasized the increasing importance of anticipatory governance, policy foresight, and early-stage political signals in understanding how legislative proposals develop throughout complex institutional environments (Umbach, 2024; van Gruisen & Huysmans, 2020). The following sections examine central strands of research related to EU policymaking, legislative negotiations, and early-stage indicators within the EU legislative process.

3.1.1 Research on EU policymaking and informal legislative negotiations

Reh (2014) argues that the increasing use of trilogues represents a fundamental restructuring of EU decision-making, as participation becomes more restricted and negotiations increasingly secluded and non-codified. Procedural rules remain largely informal, resulting in limited transparency and weak documentation of the bargaining process. This creates asymmetries of influence among actors and further strengthens the position of rapporteurs and Council Presidency representatives.

This concern is further supported by Heisenberg (2005), who argues that the EU has been criticised for regulatory processes perceived as lacking transparency, and that the increasing reliance on trilogues reinforces these concerns by shifting *de facto* decision-making away from formal institutional arenas. This raises questions regarding the extent to which the OLP remains democratically deliberative when parliamentary plenaries and Council sessions increasingly function as sites of formal ratification rather than substantive negotiation. As a result, opportunities for open contestation and broad participation across political groups may become more limited.

Informalisation is not confined to technical or low-salience proposals but is also applied to politically sensitive and redistributive legislation, such as the EU ETS reform, suggesting that efficiency gains may come at the expense of open deliberation and public scrutiny (Reh et al., 2011). The increasing reliance on trilogues thus reflects a broader trade-off within the OLP, challenging principles of transparency, accountability, and equal representation within the democratic process. As argued by Heisenberg (2005), this contributes to the perception that formal parliamentary votes increasingly serve a ratifying rather than deliberative function. The provisional agreements observed across the selected cases reinforce this interpretation.

Research on fast-track legislation further demonstrates how informal decision-making within the EU increasingly operates through restricted and non-codified negotiation arenas. Compromise formation increasingly occurs through informal coordination rather than solely through formal procedures (Reh et al., 2011). Studies on agreements reached during the first reading suggest that such arrangements are often driven by efficiency considerations, reduces transaction costs, accelerate interinstitutional coordination, and facilitate negotiations in complex legislative files. Empirical evidence presented by Reh (2014) shows a substantial increase in legislative proposals concluded at first reading under the OLP, rising from 28% during 1999–2004 to 72% during 2004–2009 and 78% between 2009–2011. Together, these studies demonstrate how EU legislative development is increasingly shaped through informal bargaining and interinstitutional coordination alongside formal legislative procedures.

Within this context, strategic foresight and anticipatory governance have become increasingly integrated into the EU's Better Regulation framework (Umbach, 2024). This development is reflected in the growing use of impact assessments, monitoring mechanisms, and policy evaluation tools intended to identify emerging risks, long-term implications, and potential negotiation challenges at earlier stages of the policymaking process.

3.1.2 Research on Early-stage indicators

Existing research on the Early Warning System (EWS) and subsidiarity control suggests that reasoned opinions issued by national parliaments may function as institutional signalling mechanisms. These signals may indicate emerging political opposition and potential bargaining difficulties at early stages of the EU legislative process. Although the EWS has largely been unsuccessful in producing the checks and balances originally intended, van Gruisen and Huysmans (2020) move beyond the perception of the EWS as primarily functioning as a formal veto instrument. Instead, they argue that early-stage institutional responses may provide analytical insight into legislative dynamics and the presence of political resistance within Council negotiations and interinstitutional bargaining processes. Their findings indicate that governments issuing a reasoned opinion are five times more likely to oppose a proposal within the Council. This suggests that early institutional reactions reflect strong underlying political preferences and imply potential negotiation difficulties before proposals progress to later stages of the policymaking process.

This has led the Commission to take such signals into account when deciding whether to proceed with or withdraw a proposal. As a result, the Commission often withdraws proposals when a substantial number of

reasoned opinions are submitted, regardless of whether a yellow card procedure is formally triggered. Janč (2015) additionally suggests that the European Commission takes such signals into consideration when assessing whether legislative proposals are likely to encounter political resistance, particularly in cases characterised by low policy salience and high policymaking costs. This suggests that the role of reasoned opinions and related ‘card’ procedures extends beyond subsidiarity control, as national parliaments also use these mechanisms to influence EU policymaking and strengthen domestic political legitimacy within the process of European integration.

Van Gruisen and Huysmans (2020) further reveal that early-stage institutional reactions function not only as legal subsidiarity instruments, but also as political mechanisms through which national parliaments signal political resistance, express concerns regarding legislative direction, and seek greater political influence before legislative proposals progress further. Consequently, reasoned opinions may provide insight not only into potential legislative disagreement, but also into broader tensions surrounding political legitimacy, institutional influence, and the management of European integration within the EU’s multilevel governance system.

3.1.3 Policy Foresight and Anticipatory Governance

Public policy development is shaped both by gradual institutional change and sudden external shocks. More generally, the term “wild card” is used when a disruption is considered highly unlikely prior to occurring. Such shocks may have substantial policy implications and alter the trajectory of policy development (Damen, 2025). Recent developments, including COVID-19, climate change, and the Russian invasion of Ukraine, illustrate how external shocks can rapidly reshape the policy landscape and trigger substantial regulatory responses (Rokicki et al., 2023). In such a context, there is a growing need for analytical approaches capable of interpreting how policy proposals may develop under changing political and regulatory conditions.

Research in anticipatory governance and strategic foresight highlights how EU policymaking increasingly operates under conditions of multilevel governance and political uncertainty (Umbach, 2024). Legislative development is shaped through negotiation and coordination between supranational institutions, Member States, and other governance actors rather than through linear decision-making processes. Within this context, strategic foresight and anticipatory governance have become increasingly integrated into the European Commission’s Better Regulation framework (European Commission, n.d.). This is reflected in the growing use of impact assessments, monitoring mechanisms, and policy evaluation tools intended to identify emerging risks and long-term policy implications, and potential policy challenges at earlier stages of the policymaking process. Damen (2025) emphasizes that these forward-looking governance approaches are not primarily designed to predict policy outcomes with certainty, but rather to strengthen institutional preparedness, adaptive policymaking capacity, and the ability to interpret emerging policy developments. Policy foresight enables policymakers to assess potential policy developments and improve institutional preparedness before legislative proposals progress further within the EU decision-making process.

EU policymaking is characterized by uncertainty and institutional interdependence (Damen, 2025). As policy trajectories are often unpredictable, this has contributed to the emergence of anticipatory governance as a central approach to managing policy development, as argued by Umbach (2024). Anticipatory governance seeks to integrate forward-looking reflection into institutional decision-making processes to increase systemic resilience and adaptability to future challenges. Horizon scanning is used to systematically examine potential future problems, while policy evaluation is used to improve future policies. Additionally, Thomann et al. (2026) highlight how institutional norms emphasizing consultation, consensus-building, and cooperative bargaining have shaped the

management of political disagreement throughout EU policymaking processes, particularly within highly institutionalized negotiation environments. As a result, EU legislative outcomes cannot be explained solely through formal procedures, since informal negotiations, institutional bargaining, and strategic actor behaviour significantly influence how proposals develop.

Therefore, the European Foresight Network has been established as the EU's main supranational institutional platform for strategic foresight coordination and deliberation (Umbach, 2024). The network brings together key foresight-related actors within the EU's multilevel governance structure, including the European Commission's executive vice-president for the European Green Deal, Interinstitutional Relations and Foresight, as well as ministers and governmental representatives from the Member States. The purpose of the network is to strengthen the EU's long-term policymaking capacity by creating a coordinated institutional space for anticipatory governance, peer learning, and strategic foresight development across different governance levels.

Through this network, Umbach (2024) argues that the EU seeks to improve its ability to identify emerging risks, long-term trends, and potential future challenges before they develop into crises requiring reactive policy responses. The network therefore functions as a coordinating platform for building strategic foresight capacity across the EU, facilitating cooperation between supranational institutions and Member States in areas such as horizon scanning, scenario development, resilience assessment, and long-term policy planning. In this way, strategic foresight becomes integrated into the broader EU policymaking process, supporting institutional preparedness, adaptability, and resilience within evolving EU policymaking structures.

3.1.4 Theoretical Perspectives on EU Policymaking

EU policymaking can be understood through multiple complementary theoretical perspectives that explain different dimensions of European integration, institutional interaction, and legislative development (Moravcsik, 2018). Within the context of this study, Liberal Intergovernmentalism and Neo-functionalism are applied as analytical perspectives for interpreting how legislative proposals evolve throughout the policymaking process. While Liberal Intergovernmentalism explains how national interests, interstate bargaining, and institutional negotiation dynamics shape legislative outcomes, Neo-functionalism explains European integration through spillover effects, supranational governance, and the gradual expansion of regulatory integration across interconnected policy sectors.

McGowan and Lee (2007) highlight that neo-functionalist perspectives are rooted in the idea that European integration may generate different forms of institutional and regulatory outcomes depending on political and institutional conditions. Additionally, Nicoli (2020) argues that EU policymaking should be understood as a dynamic and non-linear process in which the balance between supranational integration and Member State control varies across policy areas, institutional settings, and legislative contexts. The legislative development within the EU cannot be understood as following a single integration pathway, but rather as the outcome of political bargaining, institutional constraints, and differentiated forms of integration across policy areas.

Liberal Intergovernmentalism

In *Preferences, Power and Institutions in 21st-Century Europe*, Moravcsik (2018) argues that Liberal Intergovernmentalism is deeply embedded within EU policymaking. The theory explains how legislative trajectories differ depending on the political salience and distributional consequences of legislative proposals. EU policymaking is driven by issue-specific national preferences, which are

rooted in interactions between governments and domestic actors and shaped by economic and political interdependence. The level of political conflict depends on the intensity of domestic interests and disputes surrounding legislative proposals.

Policymaking dynamics within policy areas characterised by diffuse effects and low political salience tend to become more ambiguous. Lower levels of political pressure may result in government positions becoming more flexible and less clearly defined during negotiations. This can provide governments with greater strategic leverage during negotiations and contribute to shifting bargaining dynamics between Member States within the Union. As stated by Thomann et al. (2026), weakly mobilised domestic interests and fragmented actor constellations reduce the intensity of political contestation within the EU's multilevel governance system. In such situations, governments may adopt more flexible negotiation positions, as lower domestic pressure provides greater room to pursue strategically advantageous outcomes and minimise political costs within EU bargaining processes.

Neo-functionalism

Neo-functionalism explains European integration as a dynamic process in which integration within one policy area creates pressure for further integration across related sectors through functional spillover and increasing policy interdependence (McGowan & Lee, 2007). From this perspective, regulatory coordination and institutional cooperation gradually expand beyond their original policy domains as interconnected economic and political activities create demands for additional supranational governance structures. Integration is therefore understood as an evolving process shaped by sectoral interconnectedness and expanding supranational coordination of EU regulatory and policymaking capacities.

More recent neo-functionalist perspectives presented by Nicoli (2020) argue that increasing cooperation and coordination within the EU may lead to different forms of governance depending on the political and institutional context. In some cases, integration strengthens the authority of supranational EU institutions, while in others, Member States retain greater control over decision-making through intergovernmental cooperation, such as within the European Council.

From a neo-functionalist perspective, legislative development occurs through interaction between supranational institutions, Member States, and interconnected policy areas. Spillover dynamics may therefore contribute to increasing policy interdependence and the gradual expansion of EU regulatory frameworks across related sectors (McGowan & Lee, 2007).

3.1.4.1 Complementary analytical perspectives

Together, Liberal Intergovernmentalism and Neo-functionalism provide complementary perspectives for understanding legislative development within the European Union policymaking process. Liberal Intergovernmentalism primarily explains how legislative outcomes emerge through issue-specific national preferences, interstate bargaining, and negotiated compromises between institutional and national actors operating under conditions of asymmetrical interdependence (Moravcsik, 2018). Neo-functionalism instead emphasizes how policy interdependence, spillover dynamics, and supranational institutional development contribute to the gradual expansion of regulatory integration and governance across interconnected policy sectors (McGowan & Lee, 2007; Nicoli, 2020).

3.1.5 Research gap

Despite extensive research on EU policymaking, institutional bargaining, and informal legislative negotiations within the OLP, existing literature has primarily examined these dynamics through separate institutional, procedural, or theoretical perspectives (Heisenberg, 2005; Moravcsik, 2018; Reh, 2014; Reh et al., 2011). Previous research has further contributed important insights into anticipatory governance, policy foresight, subsidiarity control, and institutional signalling mechanisms within EU policymaking (Damen, 2025; Umbach, 2024; van Gruisen & Huysmans, 2020). However, limited research has systematically examined how early-stage institutional indicators, such as reasoned opinions and subsidiarity-based objections, relate to legislative trajectories and developing policymaking dynamics across multiple stages of the legislative process. Existing literature additionally tends to analyse legislative bargaining, policy foresight, amendment activity and institutional signalling as relatively separate dimensions of EU governance. Fewer studies integrate these elements within a comparative framework focused on how legislative proposals evolve under conditions of political conflict and interinstitutional negotiation. Consequently, research examining how early-stage indicators interact with later stages of legislative development remains limited. This study therefore contributes to existing research by applying a structured conflict-based analytical framework to examine how early-stage institutional signals relate to legislative development and evolving policymaking dynamics across selected EU climate and logistics-related policy cases.

3.2 Central Concepts and Definitions

In order to ensure analytical consistency throughout the study, several central concepts used within the analysis require clarification and conceptual delimitation. These concepts form the basis of the analytical framework and guide the interpretation of legislative development within the European Union policymaking process.

Within this study, the term *legislative trajectory* refers to how a legislative proposal evolves throughout the policymaking process following its formal introduction by the European Commission. This includes developments related to amendment activity, institutional negotiations, political contestation, delays, compromise formation, procedural progression, and final legislative outcomes. Legislative trajectories are therefore understood as dynamic processes shaped by interactions between institutional actors, political interests, and procedural mechanisms within the Ordinary Legislative Procedure.

Political conflict is understood as observable disagreement between political or institutional actors during the legislative process. Within the context of this study, conflict is primarily examined through amendment intensity, voting opposition, competing institutional positions, procedural delays, the formation of blocs, and the extent of disagreement emerging throughout negotiations. Legislative conflict is not interpreted solely as formal opposition, but also as a reflection of broader tensions related to regulatory adjustment costs, distributional effects, and divergent national or institutional preferences.

The study further applies the concept of *institutional dynamics* to describe the interactions between the European Commission, the European Parliament, the Council, national parliaments, and informal negotiation arenas throughout the legislative process. Institutional dynamics therefore refer not only to formal procedural interactions, but also to bargaining structures, coordination mechanisms, and informal practices that influence how proposals develop and are negotiated within the EU policymaking system.

Finally, *policy foresight* refers to forward-looking analytical approaches aimed at identifying emerging developments, risks, and future policy implications under conditions of uncertainty and complexity. Within this study, policy foresight is not applied as predictive forecasting, but rather as a structured interpretive approach used to assess how observable early-stage developments may provide meaningful insight into future legislative evolution.

3.3 Analytical lens

The theoretical perspectives presented in this study are applied as complementary analytical frameworks for examining how institutional bargaining, early-stage indicators, informal negotiations, and regulatory integration shape legislative development within EU policymaking. Rather than functioning as deterministic explanatory models, the theories are used to support the analysis of political conflict, institutional interaction, and legislative development across the selected policy cases.

Liberal Intergovernmentalism and Neo-functionalism are applied as complementary analytical perspectives for interpreting how legislative proposals develop within EU policymaking. Liberal Intergovernmentalism is primarily used to analyse how divergent national preferences, political salience, bargaining asymmetries, and interinstitutional negotiation shape legislative development within the OLP (Moravcsik, 2018). From this perspective, indicators such as amendment intensity, voting opposition, legislative delays, and reasoned opinions are interpreted as expressions of political contestation, negotiation difficulties, and conflicting national interests within EU bargaining processes. Neo-functionalism instead contributes to the interpretation of long-term regulatory expansion, policy interdependence, and institutional embedding within EU governance (McGowan & Lee, 2007; Nicoli, 2020). This perspective is particularly relevant for understanding how established policy frameworks, such as the EU ETS, evolve through cumulative legislative development, functional spillover, and expanding regulatory integration across interconnected policy sectors.

Policy foresight and anticipatory governance perspectives are further applied to assess how observable early-stage developments may provide analytical insight into later stages of legislative development under conditions of political uncertainty (Umbach, 2024; Damen, 2025). Within this framework, reasoned opinions, subsidiarity checks, early disagreement, and other institutional responses are treated as analytical indicators capable of signalling emerging political resistance and potential bargaining difficulties, rather than as deterministic predictors of legislative outcomes (van Gruisen & Huysmans, 2020). This perspective supports a structured interpretation of how early-stage signals may relate to broader legislative development throughout the legislative process.

Finally, research on trilogues and informal governance is applied to interpret how legislative bargaining increasingly occurs through informal and non-codified negotiation arenas prior to formal adoption stages (Heisenberg, 2005; Reh, 2014; Reh et al., 2011). This perspective supports the interpretation that formal legislative outcomes and final parliamentary votes do not necessarily capture the full extent of political contestation throughout the policymaking process.

4. Method

This chapter outlines the methodological approach applied in the study. The research design combines an author-developed conflict-based screening framework with a comparative multiple-case study approach in order to analyse political conflict and legislative development within EU policymaking. The methodological process is conducted in two stages. First, a structured screening of EU legislative proposals is carried out in order to identify variation in political conflict across logistics related legislative initiatives. Based on this screening process, a smaller number of cases are selected for in-depth comparative analysis. The second stage applies a comparative multiple-case study design based on Yin (2018), where selected legislative proposals are analysed individually and through cross-case comparison. The study combines document analysis with structured quantitative indicators.

In addition, this chapter will also present the scope of the study, data collection procedures, analytical strategy, methodological position, limitations, and the use of AI-assisted and digital research tools throughout the research process.

4.1 Scope

The study focuses on EU legislative proposals introduced between 2015 and 2025. This time frame was selected in order to capture recent developments in EU policymaking while ensuring sufficient variation in regulatory initiatives affecting the logistics sector.

The study population consists of formal legislative proposals issued by the European Commission (COM documents) and adopted under the OLP. In addition, proposals were required to have a direct or indirect relevance to logistics, transport, trade, customs, or supply chain operations within the European Union. Based on these criteria, an initial screening was conducted, resulting in a preliminary pool of 14 legislative proposals. These proposals form the basis for the subsequent screening and case selection.

The scope of the study is limited to the legal and political processes of EU policymaking. As such, the analysis does not focus on technical or operational aspects of logistics, but rather on the institutional dynamics and regulatory development shaping the sector.

4.2 Data Collection

The data collection for this study is based on document analysis combined with structured quantitative legislative data derived from publicly available European policy materials. The primary data consists of official legislative documents related to each case, enabling a systematic examination of the policymaking process from proposal to outcome.

The main source of data includes European Commission (COM documents) accompanying impact assessments, amendments from the European Parliament, Council positions, voting records, amendments, and legal acts where applicable. In cases where proposals have not been adopted, procedure files and withdrawal notices are analysed to capture the full legislative trajectory. These

documents provide insight into both the formal development of each proposal and the political dynamics shaping its progression. All documents are collected through established EU databases, primarily EUR-lex and the Legislative Observatory (OEIL), as well as through Commission Work Programmes. These sources ensure traceability and consistency across cases, as they provide standardised documentation of each legislative process within the ordinary legislative procedure.

To ensure comparability, data collection follows a structured protocol. For each selected proposal, a complete document chain is compiled, including the initial proposal, subsequent amendments, and final outcomes. The collected material is then organised in case-specific datasets, where relevant information is extracted and organised according to the shared analytical dimensions applied across the cases.

4.3 Stage 1. Conflict-Based Screening Framework

The first stage of the study consists of an author-developed conflict-based screening framework designed to identify variation in political conflict across EU legislative proposals. The purpose of the framework is not to predict legislative outcomes, but rather to provide a structured and transparent basis for identifying proposals with different levels of political conflict for further analysis. The framework should therefore be understood as an exploratory tool for structured case selection rather than a precise measurement of conflict intensity.

Each proposal was subsequently coded using a structured screening matrix developed in Microsoft Excel. The matrix included descriptive variables such as COM number, year of introduction, policy area, and legislative status. In addition, each proposal was assessed according to five predefined indicators of political conflict: Member state Initial reaction, Sectoral Cost Impact, Political Attention, Legislative Complexity, and Stakeholder Mobilisation. The selected indicators were based on observable and publicly documented aspects of the legislative process in order to ensure comparability and consistent application across all 14 initial cases. For full screening model and all 14 cases see Appendix 1.

Each indicator was scored using a three-point scale ranging from low (1) to high (3), where higher values reflected greater levels of observable political disagreement, institutional complexity, or stakeholder mobilisation associated with the proposal. The scoring was based on a comparative assessment of publicly available legislative and institutional material. The aggregated scores were subsequently used to classify proposals into low-conflict, medium-conflict, and high-conflict categories. Although the framework involves interpretation, the use of predefined indicators, consistent scoring criteria, and observable legislative developments contributed to methodological transparency and comparability across proposals.

Conflict Coding Framework

The conflict coding framework was developed by the authors as an operationalised analytical framework for assessing political conflict within EU legislative proposals. Each proposal was assessed according to the following indicators.

- Member State Initial Reaction:
 - 1=consensus
 - 2=moderate divergence
 - 3=clear bloc divisions

- Sectoral Cost Impact:
 - 1=limited compliance costs
 - 2=significant sectoral adjustment
 - 3=major economic redistribution
- Political Attention
 - 1=technical or low-profile proposals
 - 2=cross-sectoral interaction
 - 3=high media and political visibility
- Legislative Complexity
 - 1=technical update
 - 2=cross-sectoral political attention
 - 3=structural regulatory change
- Stakeholder Mobilisation
 - 1=limited lobbying
 - 2=active sectoral engagement
 - 3=intense organised mobilisation

These indicators were assessed using publicly available legislative and institutional material, including Commission proposals, parliamentary amendments, voting records, committee reports, subsidiarity checks, stakeholder responses, institutional timelines, and secondary policy analyses. Each indicator was evaluated through interpretation of observable legislative developments associated with political disagreement, institutional complexity, and stakeholder engagement.

Member State Initial Reaction: was primarily assessed through observable divergence between Member States, including subsidiarity concerns, reasoned opinions, public institutional disagreement, and indications of bloc formation within the Council.

Sectoral Cost Impact: was evaluated based on the expected economic and operational implications for affected industries, including compliance costs, infrastructure requirements, and redistribution effects.

Political Attention: was assessed through indicators such as parliamentary debate intensity, amendment activity, and media attention surrounding the proposal.

Legislative Complexity was evaluated based on the regulatory scope of the proposal, the degree of cross-sectoral interaction, previous regulation in the same area, and the extent to which proposals introduced substantial institutional or regulatory change.

Stakeholder Mobilisation was assessed through observable stakeholder activity, including lobbying intensity, industry responses, consultation activity, and organised sectoral engagement throughout the legislative process.

The results of the screening process guided the final case selection. From the initial pool of 14 proposals, three cases were selected for in-depth comparative analysis based on variation in conflict intensity, policy characteristics, and legislative trajectory. The selected cases consist of the EU Emissions Trading System (EU ETS), the Alternative Fuels Infrastructure Regulation (AFIR), and CountEmissions EU.

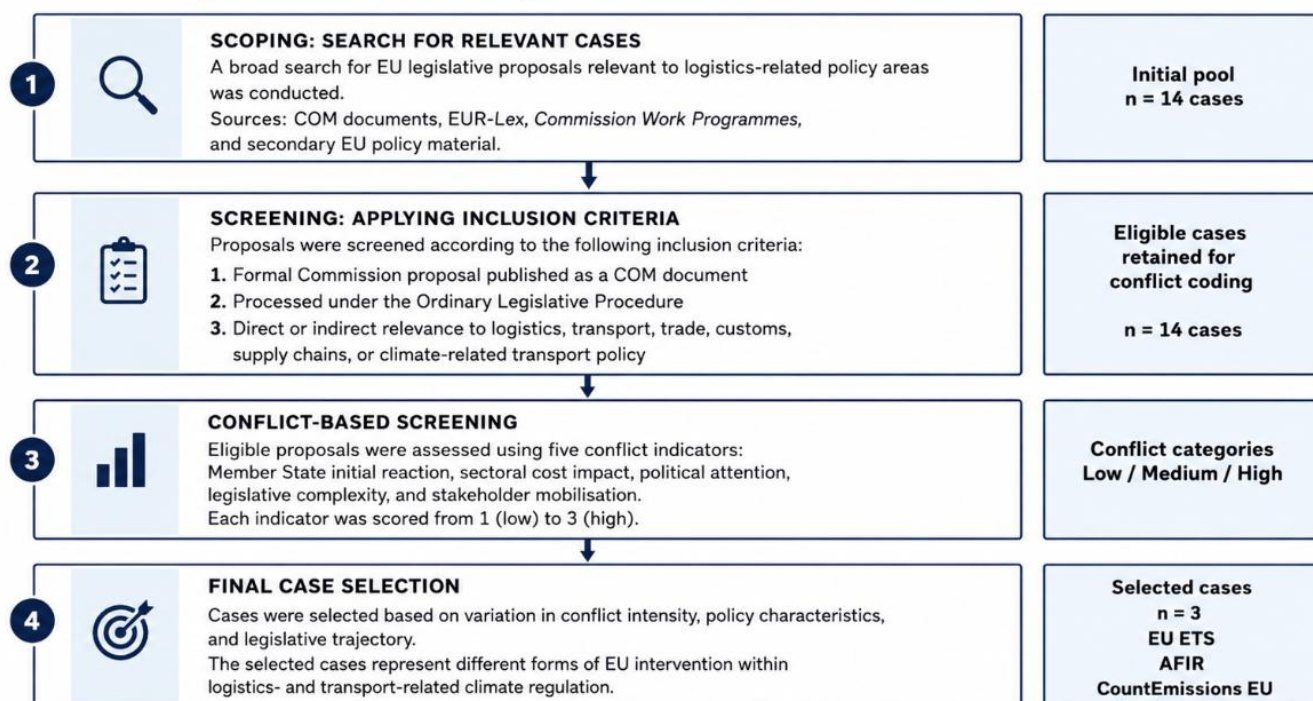
4.4 Case selection

As illustrated in Figure 4, the case selection process began with an initial screening of 14 EU legislative proposals related to the logistics sector. The proposals were identified through COM documents, EUR-Lex, Commission Work Programmes, and related EU legislative material. Following the initial screening, the proposals were evaluated according to predefined inclusion criteria, including relevance to logistics-related sectors and applicability under the Ordinary Legislative Procedure. The proposals were then compared using a conflict-based screening framework, where factors such as Member State reactions, sectoral cost impact, and political attention were used to assess differences between the cases. The final selection of EU ETS, AFIR, and CountEmissions EU was based on variation in conflict intensity, policy characteristics, and legislative trajectory in order to enable a comparative analysis across different forms of EU regulatory intervention within logistics- and transport-related climate policy.

Figure 3.

Initial screening and case selection process

Initial screening and case selection process



The figure illustrates how the initial pool of EU legislative proposals was narrowed down to three selected cases through a conflict-based screening framework.

Note: Own illustration.

4.5 Stage 2. Comparative Multiple-Case Study Design

This study applies a comparative multiple-case study design based on Yin (2018). Case study research is particularly suitable for examining contemporary phenomena within their real-life context, especially in situations where the boundaries between the phenomenon and its institutional environment are not clearly defined. In the context of EU policymaking, formal legislative procedures interact continuously with informal negotiations, institutional bargaining, and political dynamics, making a case study approach appropriate for analysing legislative development. The analysis is structured around process tracing and pattern matching, enabling examination of both individual legislative trajectories and recurring developments across cases. The analytical strategy is interpretive and pattern-oriented rather than deterministic. Rather than aiming for statistical generalisation, the methodological approach seeks analytical generalisation by identifying recurring patterns and relationships between early-stage political conflict and subsequent legislative development across the selected cases.

The study follows a comparative multiple-case design, where each legislative proposal is first analysed individually through within-case analysis before being examined through cross-case comparison. According to Yin (2018), multiple-case studies rely on replication logic rather than sampling logic, meaning that cases are selected to identify similarities, differences, and recurring patterns across comparable instances. The within-case analysis applies elements of process tracing by examining how each legislative proposal develops over time throughout the legislative procedure. The purpose of this approach is to identify how political conflict develops, intensifies, or changes throughout different stages of the legislative process. Particular attention is given to procedural milestones such as Commission proposals, committee stages, parliamentary votes, trilogue negotiations, amendments, and final adoption or withdrawal. The cross-case comparison is conducted through structured comparison and pattern matching. Each case is examined using the same analytical dimensions in order to ensure comparability across cases (Yin & Campbell, 2018). The analysis focuses on three central dimensions: legislative progression, political decision-making, and substantive policy change.

Legislative Progression

Legislative progression is analysed by tracing each proposal through the legislative procedure. Key milestones include the publication of the Commission proposal, committee and plenary votes, interinstitutional negotiations, and final adoption.

Political decision-making

Political decision-making is examined through voting data from the European Parliament. For each case, the number of votes in favour, against, and abstentions is recorded for key decision points. Key parliamentary votes conducted during the legislative development of the proposals are analysed in order to assess levels of political support, disagreement, and legislative contestation.

Substantive change

Substantive change is assessed by comparing the initial Commission proposal with the final adopted act, or most recent proposal. This includes identifying substantive amendments and evaluating the extent of modifications. Changes are categorised based on their impact, distinguishing between minor technical adjustments and substantial regulatory changes.

4.6 Methodological Position

A comparative multiple-case study design provides a suitable methodological foundation for examining legislative development within the European Union, where policymaking processes are characterised by institutional complexity, political negotiation, and evolving regulatory objectives. Legislative proposals within the EU do not develop solely through formal procedural stages, but are continuously shaped through interaction between supranational institutions, Member States, stakeholder interests, and changing political priorities throughout the legislative process. Particularly within policy areas connected to climate regulation and transport policy, legislative development often reflects broader political and economic tensions extending beyond the formal legislative framework itself. Examining these developments therefore requires a methodological approach capable of analysing both measurable legislative developments and broader institutional dynamics within their political context. The use of a comparative multiple-case study design enables individual proposals to be examined within their specific institutional and political setting while simultaneously allowing structured comparison across cases operating under comparable legislative conditions.

The study consequently adopts an interpretive and pattern-oriented methodological position focused on understanding how political conflict, institutional interaction, and regulatory complexity influence legislative development across different proposals. Rather than seeking deterministic causal explanations for legislative outcomes, the analysis focuses on identifying recurring patterns, variations, and institutional dynamics shaping legislative trajectories throughout the policymaking process.

In line with Yin (2018), the study applies a logic of analytical generalisation, where findings derived from individual cases contribute to broader conceptual understanding of legislative development within the European Union rather than statistical generalisation beyond the selected cases. The study combines comparative document analysis with structured quantitative legislative indicators. These indicators are not treated as isolated explanatory variables, but as structured legislative signals supporting the interpretation of broader political and institutional developments throughout the legislative process. These indicators are not treated as isolated explanatory variables, but rather as structured legislative signals supporting interpretation of broader political and institutional developments throughout the legislative process. Combining interpretation with structured comparative analysis therefore enables examination of both formal legislative progression and the wider political dynamics shaping legislative trajectories over time.

The methodological position reflects the exploratory nature of the study and the complexity of EU policymaking. Legislative proposals frequently evolve through prolonged negotiations making legislative developments difficult to capture through purely procedural or quantitative approaches alone. The conflict-based screening framework should therefore be understood as a structured analytical tool intended to identify variation across legislative proposals suitable for comparative analysis, rather than as a predictive model or definitive measurement of political conflict. By applying predefined analytical dimensions and consistent comparative procedures across all selected cases, the study seeks to improve transparency and comparability while still recognising the interpretive nature of legislative analysis within complex institutional environments.

4.7 Research Delimitations and Methodological Limitations

The study is limited to formal legislative proposals introduced by the European Commission (COM documents) and processed under the OLP. This delimitation was applied in order to ensure comparability across cases while maintaining focus on legislative proposals operating under comparable institutional conditions. Consequently, other forms of EU agenda-setting, informal policy development, and alternative legislation procedures are not included within the analysis. The study further focuses on the legal and political dimensions of EU policymaking rather than technical implementation or operational logistics-related outcomes.

The analysis relies primarily on publicly available European Union documentation, including Commission proposals, parliamentary material, voting records, and amendments. Although these materials provide substantial insight into the formal development of legislative proposals, important aspects of EU policymaking remain difficult to fully observe through publicly available documents alone. Informal negotiations, trilogue discussions, and internal bargaining processes within the Council frequently play a significant role in shaping legislative outcomes, yet these processes are only partially reflected within official documentation. Certain political dynamics influencing legislative development may therefore remain less visible within the analysis.

Additional limitations are associated with the conflict-based screening framework. Indicators such as Member State divergence, political attention, and stakeholder mobilisation rely partly on interpretation of observable legislative developments and institutional material. While predefined indicators and structured scoring criteria were applied in order to improve consistency across proposals, some degree of interpretive subjectivity cannot be fully avoided. Additionally, legislative initiatives encountering substantial resistance prior to formal publication may also not be fully reflected within the screening process itself.

The number of selected cases further limits the broader transferability of the findings. Although the selected proposals provide variation in policy area, conflict intensity, and legislative trajectory, the study remains focused on a relatively small number of cases operating within a specific institutional context. The findings should therefore primarily be understood as analytically transferable within comparable EU legislative settings. Even so, the comparative structure of the study provides a systematic basis for examining how political conflict, institutional dynamics, and legislative development interact throughout the EU policymaking process.

4.8 Use of Artificial Intelligence and Digital Tools

Artificial Intelligence (AI) and tools were used as supportive instruments throughout the research process. These tools were not used to generate primary findings or replace analytical reasoning, but rather to enhance efficiency, clarity, and data handling. AI-based language tools, including ChatGPT, Grammarly, and built-in auto correction features in Microsoft Word, were employed to review text for grammar, spelling and sentence structure. These tools were used to support language revision, including grammar, spelling, and overall textual clarity. It is important to note that the underlying content, arguments, and interpretations remain the authors own.

In addition, AI tools were used selectively to assist in processing large volumes of textual data. Given the extensive length of EU legislative documents, often exceeding several hundred pages, AI was used

to identify differences between proposal versions and related documents. This was particularly useful when detecting minor textual changes or structural revisions. However, all AI-assisted outputs were critically reviewed and verified against original sources to ensure accuracy and avoid misinterpretation. Quantitative data, such as voting results, were processed using the programming language Python. Python was used in a notebook-based environment (JupyterLab via Anaconda), which facilitated structured data handling, reproducibility, and transparent workflow documentation. The data was represented using graphical illustrations created in Python.

Due to the potential limitations and inaccuracies associated with AI-generated outputs, all AI-assisted material was critically reviewed and manually verified against original sources and official legislative documents. The use of AI therefore remained limited to supportive and efficiency-enhancing functions, while all analytical reasoning, interpretation, and final conclusions remained under the responsibility of the authors. Overall, AI and digital tools functioned as complementary aids, improving efficiency in text refinement and data processing, while all substantive analytical decisions remained under the control of the authors.

5. Selected Cases and Comparative Context

Following the screening and case-selection process outlined in Chapter 4, this chapter presents the three selected cases in greater detail. The purpose is to establish the regulatory and institutional context in which each proposal entered the legislative process. These contextual differences are not treated as findings, but as pre-existing conditions relevant to the subsequent comparative analysis.

5.1 EU Emissions Trading System

The EU Emissions Trading System (EU ETS), analysed in this study through both the general ETS proposal and the aviation-specific ETS revision, forms a central part of the European Union's climate policy. The main ETS revision proposal, formally titled *"Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757"* (European Commission, 2021a), introduced substantive revisions to the broader EU ETS framework as part of the Fit for 55 package (European Council, 2025).

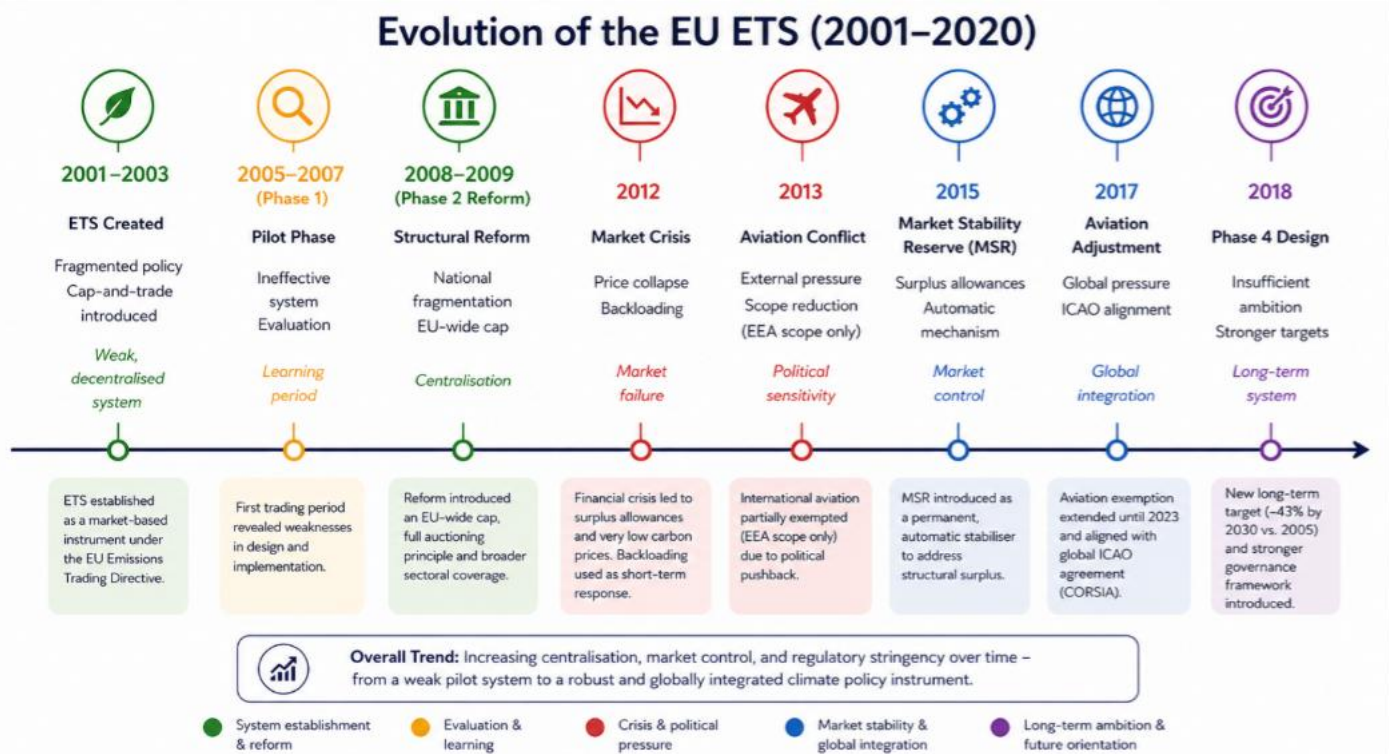
In parallel, the EU ETS Aviation revision was addressed through a separate legislative proposal formally titled *"Proposal for a Directive of the European Parliament and the Council amending Directive 2003/87/EC as regards aviation's contribution to the Union's economy-wide emission reduction target and appropriately implementing a global market-based measure"* (European Commission, 2021b). Although aviation is regulated through a separate legislative act, it remains integrated within the broader EU ETS framework. Both proposals rely on the same underlying emissions trading principles while addressing different sectoral and institutional challenges. Within this study, the aviation component is therefore treated as analytically separate due to its distinct legislative process, international dimensions, and sector-specific political dynamics.

The EU ETS operates through a cap-and-trade structure where operators must surrender emission allowances corresponding to their annual greenhouse gas emissions. The system was initially introduced to establish a cost-effective mechanism capable of reducing emissions across energy-intensive sectors within the European Union. Over time, the EU ETS has evolved into one of the EU's most significant climate policy instruments and forms a central part of broader climate objectives, including the European Green Deal and the target of climate neutrality by 2050 (European Commission, 2021a).

Early phases of the EU ETS were characterised by decentralised implementation, extensive free allocation of allowances, and significant national flexibility. However, the system gradually underwent several major reforms aimed at addressing structural weaknesses, market instability, and political pressure surrounding EU climate policy.

Figure 4.

Evolution of the EU Emissions Trading System (2001–2020)



The figure illustrates key phases, major reforms, and structural developments in the EU ETS from its establishment to the pre-2021 regulatory framework, highlighting increasing centralisation, market control, and policy integration over time.

Note: Figure created by the authors using data compiled from EU legislative documents and visualised with assistance from OpenAI ChatGPT.

Figure 1 illustrates the historical development of the EU ETS between 2001 and 2020, highlighting major reforms, institutional developments, and political challenges that shaped the system prior to the 2021 revision analysed in this study. The development of the EU ETS reveals a gradual transition from a relatively weak and decentralized pilot system towards a more centralised, market-oriented, and institutionally mature regulatory framework.

The initial phase of the EU ETS, between 2005 and 2007, primarily functioned as a pilot period intended to test the implementation of emissions trading across Member States. During this phase, the system revealed several structural weaknesses, including fragmented national allocation systems, excessive distribution of allowances, and limited market effectiveness. These weaknesses contributed to later reforms during Phase 2 (2008–2012), where the EU introduced a more centralized governance structure, including an EU-wide emissions cap and increased use of auctioning mechanisms. During Phase 3 (2013–2020), the system encountered significant market instability following the 2008 financial crisis, which contributed to a substantial surplus of allowances and declining carbon prices. In response, the EU introduced both temporary and structural reforms, including backloading measures and the establishment of the Market Stability Reserve (MSR), intended to stabilise the carbon market and improve long-term regulatory predictability.

The aviation sector simultaneously emerged as one of the most politically sensitive components of the EU ETS framework. Unlike stationary emission sources, aviation involves international transport and is therefore closely connected to international governance structures, particularly through the International Civil Aviation Organization (ICAO) and the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (ICAO, n.d.). The inclusion of aviation within the EU ETS generated significant international opposition, particularly due to flights to and from the European Union being regulated by the EU ETS. As a result, the EU was forced to reduce parts of the aviation scope and gradually align the system with broader international aviation agreements. This contributed to the separation between the general EU ETS reform and the EU ETS aviation reform in 2021.

By the end of the 2010s, the EU ETS had evolved into a significantly more integrated and forward-looking climate policy instrument, incorporating mechanisms intended to support long-term emissions reductions, market stability, and international coordination. As the system expanded in scope and regulatory ambition, the EU ETS increasingly became associated with broader political and economic conflicts concerning competitiveness, distributional effects, and international coordination. These developments collectively formed the institutional and political foundation for the 2021 revision analysed in this study.

5.2 Alternative Fuels Infrastructure Regulation

The Alternative Fuels Infrastructure Regulation (AFIR), formally titled “*Regulation of the European Parliament and of the Council on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU of the European Parliament and of the Council*” (European Commission, 2021c), establishes a binding regulatory framework for the deployment of alternative fuel infrastructure across the European Union. The regulation is part of the broader Fit for 55 package.

AFIR was introduced to address uneven infrastructure development across Member States, which had increasingly been identified as a major barrier to the transition toward low- and zero-emission transport systems. Prior to AFIR, infrastructure development was primarily regulated through Directive 2014/94/EU, which relied heavily on national implementation and resulted in substantial variation in charging and refuelling infrastructure across the European Union. The introduction of AFIR therefore represented a shift towards a more centralised and harmonised regulatory approach within EU transport policy.

As an EU regulation, AFIR is directly applicable within Member States and establishes mandatory minimum targets for infrastructure deployment, including electric charging stations and hydrogen refuelling infrastructure. The regulation defines quantitative targets related to charging capacity, geographical coverage, and maximum distance intervals, particularly along the Trans European Transport Network (TEN-T). In addition, AFIR introduces time-bound implementation targets for 2025 and 2030, while also requiring Member States to support implementation through national policy frameworks.

Beyond infrastructure deployment targets, AFIR also introduces standardisation and interoperability requirements intended to improve accessibility and consistency across the internal market. These include common technical specifications for charging connectors, payment systems, pricing transparency, and user accessibility (European Parliament and the Council of the European Union, 2023a). Compared to the EU ETS, which primarily relies on market-based mechanisms, AFIR instead

reflects a more direct regulatory approach based on mandatory infrastructure obligations, implementation targets, and coordinated EU level planning. The regulation therefore represents a different form of EU climate intervention within the transport sector, where political conflict is closely connected to implementation costs, infrastructure responsibilities, financing, and differences in national transport conditions. As a result, AFIR provides an important comparative case for examining how infrastructure-focused regulation develops politically and institutionally within the EU legislative process.

5.3 CountEmissions EU

CountEmissions EU, formally titled “*Proposal for a Regulation for the European Parliament and of the Council on the accounting of greenhouse gas emissions of transport services*” (European Commission, 2023), establishes a harmonised framework for calculating and reporting greenhouse gas emissions generated by freight and passenger transport services within the European Union. The proposal aims to improve services within the European Union. The proposals aim to improve transparency, comparability, and consistency in emissions accounting across different transport modes and logistics operators.

The proposal was introduced as part of the European Union’s broader climate and sustainability agenda, where increasing emphasis has been placed on emissions transparency and standardised environmental reporting. Prior to CountEmissions EU, Greenhouse gas calculations within the transport sector were largely based on fragmented methods, voluntary standards, and company-specific reporting systems, resulting in limited comparability across Member States and transport providers.

CountEmissions EU therefore introduces a common EU-level methodology for calculating transport-related greenhouse gas emissions. The proposal establishes standardised rules for emissions accounting applicable across freight and passenger transport services, including road, rail, maritime, and aviation transport. In doing so, the regulation seeks to support both regulatory oversight and market-based environmental decision-making by enabling more transparent and comparable sustainability reporting throughout transport and logistics supply chains.

Unlike EU ETS and AFIR, which primarily focus on emissions reduction, CountEmissions EU instead focuses on information standardisation and emission transparency. The proposal therefore represents a distinct form of regulatory intervention within EU climate and transport policy, where political conflict is less directly connected to immediate compliance costs and more closely related to methodological standardisation, reporting obligations, administrative burden, and market transparency. In contrast to both EU ETS and AFIR, which were developed on the basis of existing regulatory frameworks, CountEmissions EU represents the first major EU-level attempt to establish a harmonised system for measuring and reporting transport-related greenhouse gas emissions across transport modes. As a result, CountEmissions EU provides an important comparative case for examining how newly introduced and technically oriented regulation develops within the EU legislative process in the absence of an established regulatory framework. The proposal is particularly relevant for analysing how institutional uncertainty, implementation complexity, and methodological standardisation influence legislative development, stakeholder mobilisation, and negotiation within EU policymaking process.

5.4 Comparative Case Context

To fairly assess the cases, it is important to acknowledge that inherent differences exist between them, affecting both their outcomes and the way in which the European Union develops the proposals. These differences relate to the type of legislative instrument involved, such as whether the proposal is introduced as a directive or a regulation, the sector being regulated, and the maturity of the respective policy area.

First, the cases differ in their legal form. AFIR was initially proposed as a directive under the Alternative Fuels Infrastructure Directive (AFID) but was later transformed into a regulation. This implies a higher degree of harmonisation and direct applicability across Member States. In contrast, the 2021 EU ETS revisions were based on multiple amendments to an existing and already well-established regulatory framework (European Commission, 2021b; The European Parliament and the Council of the European Union, 2003). The 2021 revision was primarily intended to address issues and loopholes that had emerged during the first, second, and third phases of ETS implementation. At the same time, the revisions marked the beginning of the fourth phase, broadening the scope of the system to include additional sectors and supporting the achievement of the EU climate objectives within the Fit for 55 framework (European Council, 2025). CountEmissions EU, by comparison, represents a newer regulatory initiative in which the legislative structure is still under development. As a result, the legislative procedure may require a longer period of negotiation and institutional adjustment before reaching final adoption.

Second, the cases differ in terms of the sectors to which they apply. The EU ETS regulates emissions in sectors with substantial economic implications, including energy, industry, and aviation, thereby involving many of the EU's largest economic stakeholders. In addition, the EU ETS affects actors from non-EU member states, such as international aviation and shipping companies. AFIR, by contrast, focuses on infrastructure development, where implementation is more closely connected to national planning processes and investment decisions. CountEmissions EU primarily addresses emissions accounting, reporting, and standardisation, making it a comparatively more technical policy area.

Third, the cases differ in terms of policy maturity. The EU ETS has undergone continuous development since its introduction in 2001, while the system itself was formally implemented in 2003. Over time, a large number of revisions and amendments have shaped the framework, collectively forming the basis for the 2021 revision. These background amendments are included in the analysis to illustrate the long-term legislative evolution of the EU ETS. In contrast, AFIR and CountEmissions EU represent more recent initiatives with fewer prior revisions influencing their current form. Consequently, a greater degree of legislative development and institutional negotiation may still be required before these proposals reach a fully developed regulatory structure. This may help explain why such proposals can require longer legislative processes, whereas the 2021 EU ETS revision, despite facing considerably stronger political opposition, progressed more rapidly from the initial proposal stage to the signing of the final act.

Finally, the EU ETS also includes a distinct aviation component, which is regulated through a separate legislative act due to its international nature and its interaction with global frameworks such as the CORSIA system (ICAO, n.d.). While treated as separate legislative processes, it should also be noted that both the EU ETS and EU ETS Aviation legislative proposals were officially published on the same day, parliamentary debates for both proposals were held on the same dates, all parliamentary votes took place on the same day, and the final acts were signed simultaneously. This clearly demonstrates the strong institutional and political linkage between the two proposals. Nevertheless, there remains a

practical and legal need to treat them as separate legislative processes. Therefore, EU ETS and EU ETS aviation will be treated as part of the same case in this study.

6. Results

This chapter presents the empirical findings of the study. The results are structured around the selected policy cases and the analytical dimensions outlined in the methodological framework. The chapter first examines each case individually, focusing on legislative development, voting behaviour, amendment activity, and substantive policy changes. This is followed by a cross-case comparison identifying similarities and differences in legislative activity, subsidiarity control, procedural development, legislative timelines, and final voting outcomes across the selected EU policy proposals.

6.1 EU Emissions Trading System 2021 reform

A comparison between the Commission proposal (European Commission, 2021a) and the final act (European Commission, 2021a) shows several substantive changes in the structure and scope of the EU ETS. The most significant changes include the following:

- **Expansion of the EU ETS to maritime transport.**
The final act expands the scope of the EU ETS to include maritime transport. Emissions from voyages within the European Union are fully covered, while 50% of emissions from voyages to and from destinations outside the EU are included within the system. The inclusion of maritime emissions is introduced gradually between 2024 and 2026.
- **Inclusion of additional greenhouse gases.**
While the original proposal primarily focused on carbon dioxide (CO₂), the final act introduces provisions for the future inclusion of methane (CH₄) and nitrous oxide (N₂O) emissions within the system.
- **Introduction of a separate ETS for buildings and road transport (ETS II).**
The final act introduces a separate emissions trading system for buildings and road transport, commonly referred to as ETS II. This significantly expands the overall scope of emissions trading beyond the sectors included within the original EU ETS framework.
- **Revision of the emissions cap and linear reduction factor.**
The final act adjusts the overall emission cap in order to align the system with the updated 2030 climate targets. This includes revisions to the linear reduction factor, resulting in a steeper annual reduction in the number of available allowances.
- **Revisions to the Market Stability Reserve (MSR).**
Changes were introduced concerning the operation of the Market Stability Reserve, including adjustments to the intake and release mechanisms for allowances as well as the handling of surplus allowances within the system.
- **Modification of installation scope and emissions coverage.**
The final act clarifies the scope of activities and installations covered by the EU ETS. Installations are assessed based on activity type and capacity thresholds rather than solely on direct emissions release, resulting in more consistent treatment across technologies and industrial processes.

- **Stricter rules governing free allocation.**
The final act introduces additional restrictions intended to reduce the risk of double compensation, particularly concerning indirect compensation through electricity pricing mechanisms.
- **Linkage between free allocation and the Carbon Border Adjustment Mechanism (CBAM)**
Free allocation rules were further revised through the introduction of provisions linking the gradual phase-out of free allocation to the implementation of CBAM.
- **Revision of benchmark definitions and production categories.**
The final act revises benchmark definitions and production categories, including provisions concerning sectors such as steel, aluminium, and hydrogen production. These changes aim to improve comparability across production methods and technologies.
- **Additional alignment with related EU legislation and carbon management provisions.**
Further revisions include updated legal references, alignment with related EU legislation, and the introduction of provisions concerning carbon capture, storage, and emissions not directly released into the atmosphere.

6.1.1 EU ETS 2021 Aviation reform

A comparison between the Commission proposal (EUROPEAN COMMISSION, 2021b) and the final act (The European Parliament and the Council of the European Union, 2023c) reveals several adjustments to the aviation provisions of the EU ETS (see Figure 6). The most significant changes include the following:

- **Clarification of the geographical scope of the EU ETS and its interaction with CORSIA.**
The final act maintains the inclusion of intra-European flights while further clarifying how the EU ETS interacts with the global Carbon Offsetting and Reduction for International Aviation (CORSIA) for flights involving both EU and non-EU countries (ICAO, n.d.).
- **Alignment with CORSIA.**
Additional provisions were introduced concerning the use of compliance units, treatment of international aviation routes, and reporting obligations in order to ensure consistency with the global CORSIA system.
- **Revision of aviation allowance allocation.**
The total quantity of aviation allowances was consolidated and made subject to the EU ETS linear reduction factor, resulting in a defined annual reduction in available allowances over time.
- **Phase-out of free allocation for aviation.**
One of the most significant revisions concerns allowance allocation. The final act introduces a gradual phase-out of free allocations during 2024 and 2025, followed by full auctioning from 2026 onwards.
- **Introduction of incentives for sustainable aviation fuel (SAF).**
New provisions were introduced to support the use of SAF. The final act reserves a specific

quantity of allowances for operators using eligible fuels during the period 2024-2030.

- **Expansion of monitoring and reporting requirements.**

The final act introduces additional monitoring and reporting obligations concerning non-CO₂ aviation effects, while also establishing a framework for potential future regulatory measures related to these emissions.

6.1.2 Voting results EU ETS

First vote

In the first reading, the proposal rejection amendment (Am268) was rejected with 104 votes in favour and 509 votes against, with 19 abstentions. This corresponds to an agreement level of 16.96%. Several committee amendments were accepted with high levels of support. For example, Amendment 17 received 589 votes in favour and 26 against, with 20 abstentions, resulting in an agreement level of 95.15%. Similarly, Amendment 90 was accepted with 586 votes in favour and 43 against, corresponding to an agreement level of 93.02%. For voting result in the main revision for EU ETS see figure 15.

Other amendments showed more moderate support. Amendment 49 was accepted with 364 votes in favour and 273 against, resulting in an agreement level of 57.14%. Amendment 248 and 264 were both accepted with narrow margins, agreement levels of approximately 51%.

Several amendments were rejected with relatively low support. For example, Amendment 217 received 113 votes in favour and 512 against, resulting in an agreement level of 17.98%. Similarly, Amendment 219 was rejected with 111 votes in favour and 515 against, corresponding to an agreement level of 17.73%.

The first final vote on the Commission proposal was rejected with 265 votes in favour and 340 against, alongside 34 abstentions. This resulted in an agreement level of 41.47%.

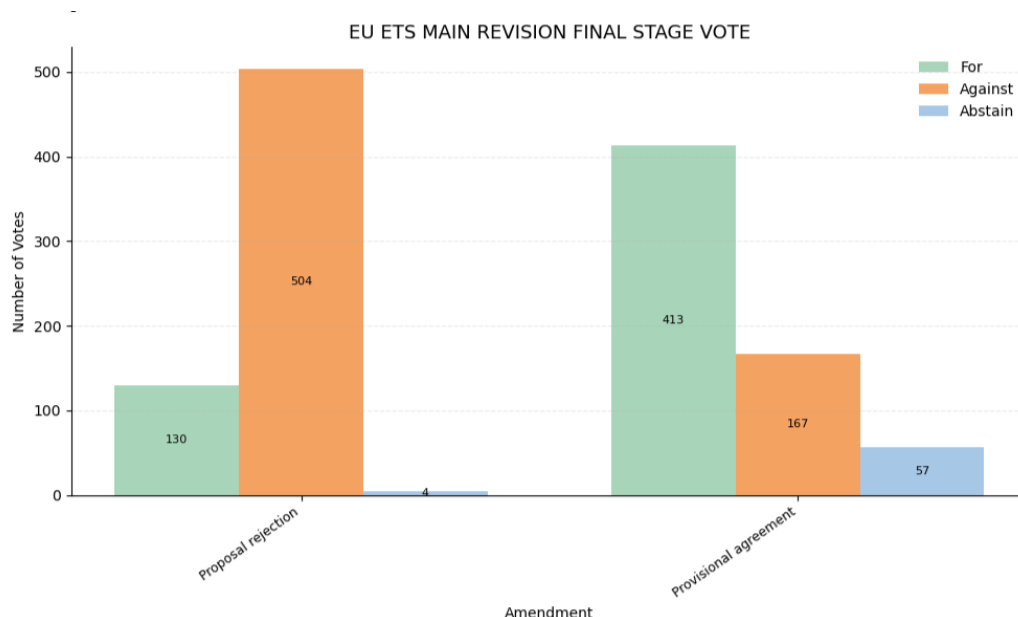
Second vote

In the second vote, the proposal for rejection, Amendment 675, was once again rejected with 114 votes in favour and 499 against, corresponding to an agreement level of 18.26%. Several committee amendments were accepted with strong support (See Figure 5). For example, Amendment 446 received 576 votes in favour and 52 against, resulting in an agreement level of 91.14%. Amendment 561 was also accepted with 499 votes in favour and 97 against, corresponding to an agreement level of 79.08%. For voting results in the main revision second vote, see figure 16.

At the same time, multiple amendments were rejected with low levels of support. Amendment 672 received 82 votes in favour and 533 against, resulting in an agreement level of 13.06%. Similarly, Amendment 629 was rejected with 55 votes in favour and 484 against, with 92 abstentions, the lowest recorded agreement level of 8.72%.

Figure 5.

Voting distribution for EU ETS FINAL STAGE VOTING



The figure illustrates the distribution of votes for, against, and abstentions during the final stage vote of the EU ETS revision in the European Parliament. The comparison between the proposal rejection vote and the provisional agreement vote highlights differing levels of political support and opposition during the concluding stage of the legislative process.

Note: Own illustration.

Final vote

In the final vote, the proposal rejection amendment, Amendment 682, was rejected with 130 votes in favour and 504 against, an agreement level of 20.38%. The proposal agreement, Amendment 680, was accepted with 413 votes in favour and 167 against, as well as 57 abstentions, resulting an agreement level of 64.84%. This resulted in the approval of the proposal and its progression to final adoption.

It should be noted that all votes are still in the first reading stage. The EU ETS never progressed to a second reading. See figure 16 in appendix 2.

6.1.3 Voting Results EU ETS Aviation

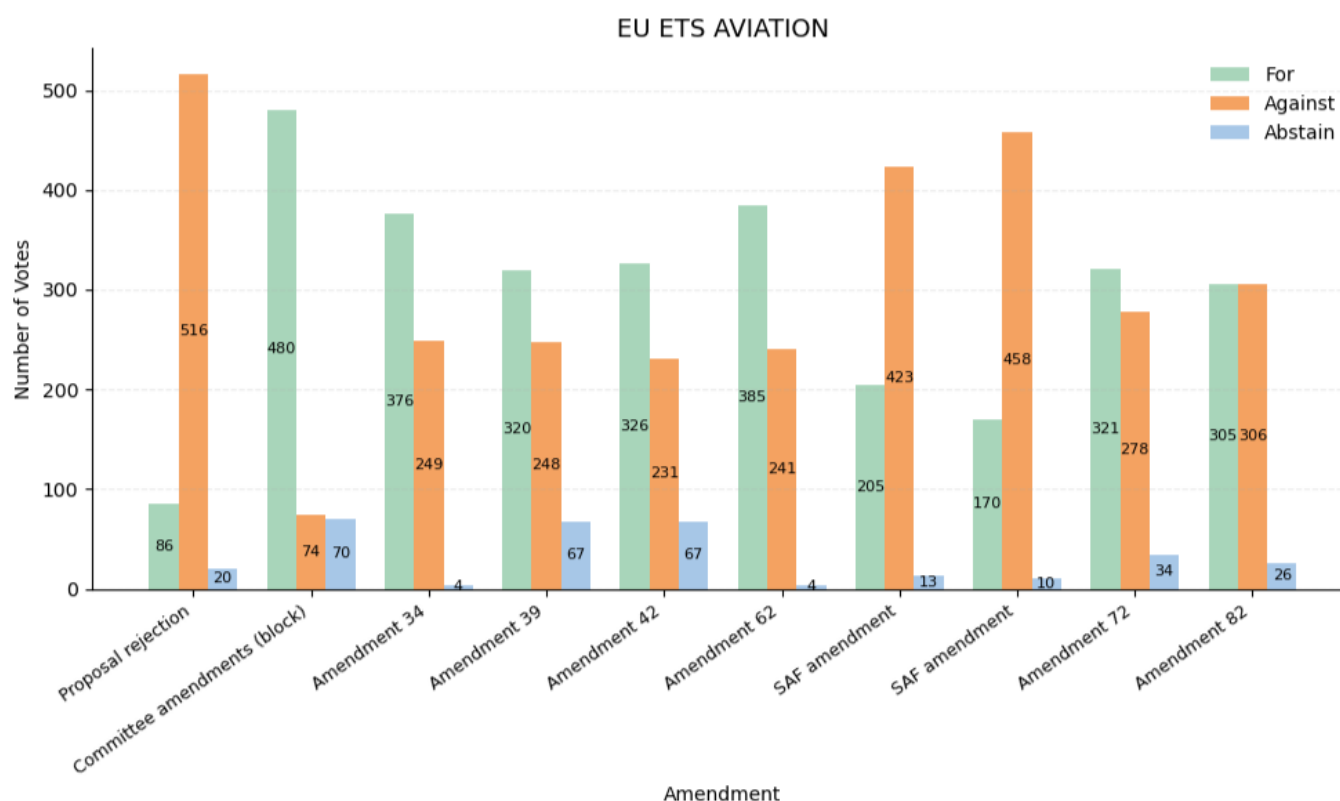
First vote

The proposal for rejection, Amendment 75, was rejected with 86 votes in favour and 516 votes against, with 20 abstentions. This corresponds to an agreement level of 13.45% (See Figure 6).

Several committee amendments were accepted with high levels of support. The committee amendment block, Amendments 1-9, was accepted with 480 votes in favour and 74 against, with 70 abstentions, resulting an agreement level of 77.92%. Amendment 34 was accepted with 376 votes in favour and 249 against, corresponding to an agreement level of 60.26%.

Figure 6.

Voting distribution across amendments during the EU ETS Aviation vote



The figure illustrates the distribution of votes for, against, and abstentions across selected amendments related to the EU ETS Aviation proposal in the European Parliament. The voting patterns demonstrate varying levels of political support and opposition across aviation-related amendments, including proposals concerning SAF measures and sector-specific revisions.

Note: Own illustration.

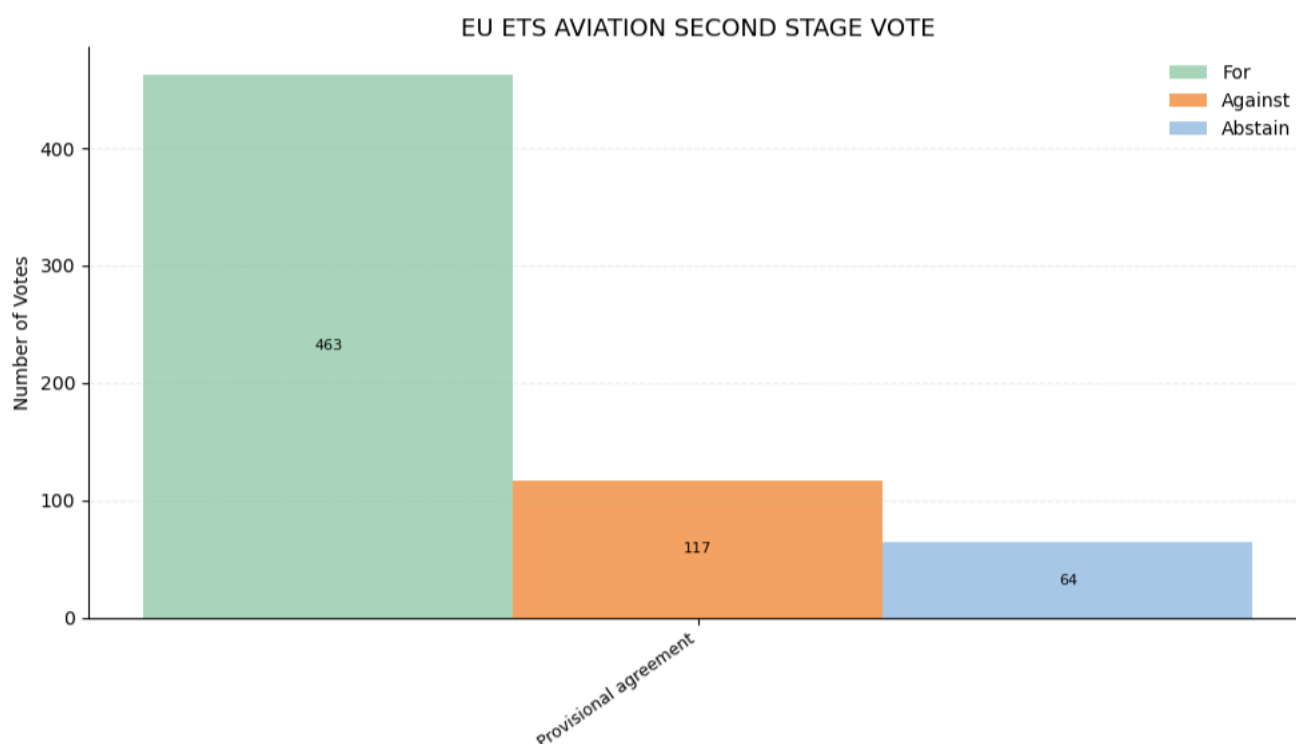
Other amendments showed moderate support. Amendment 39 received 320 votes in favour and 248 against, with 67 abstentions, resulting in an agreement level of 51.61%. Amendment 42 was accepted with 326 votes in favour and 278 against, an agreement level of 53.67% (See figure 7)

One amendment was rejected, Amendment 82, with a relatively balanced voting result. It received 305 votes in favour and 306 against, with 26 abstentions, resulting in an agreement level of 49.92%.

Amendments related to sustainable aviation fuels (SAF) were rejected with lower levels of support. Amendment 88 received 205 votes in favour and 423 against, resulting in an agreement level of 32.05%. Similarly, Amendment 94 was rejected with 170 votes in favour and 458 against, an agreement level of 27.60%.

Figure 7.

Voting distribution during the EU ETS Aviation second stage vote



The figure illustrates the distribution of votes for, against, and abstentions during the second stage vote on the provisional agreement for the EU ETS Aviation proposal in the European Parliament. The voting outcome demonstrates a comparatively high level of political support for the provisional agreement during the later stage of the legislative process.

Note: Own illustration.

Final vote

The final vote on the Commission proposal was approved, with 479 votes in favour and 130 against, alongside 32 abstentions. This is equal to an agreement level of 73.14%.

6.2 Alternative Fuels Infrastructure Regulation

A comparison between the Commission proposal (European Commission, 2021c) and the final act (The European Parliament and the Council of the European Union, 2023a) show several changes in the structure, scope, and level of regulatory ambition of the framework for alternative fuels infrastructure.

The final act replaces Directive 2014/94/EU with a direct applicable regulation, strengthening the legal nature of the framework and ensuring more uniform implementation across Member States. It introduces binding and measurable targets, addressing the previously uneven development of infrastructure and differing levels of national ambition.

The scope of the regulation was expanded to cover all major transport modes, including road, maritime, aviation, and rail. While the proposal primarily focused on road transport infrastructure, the final act established a more integrated framework by including requirements for shore-side electricity in ports,

electricity supply for stationary aircraft, and infrastructure for alternative fuel across the TEN-T network.

More detailed and binding deployment targets were introduced in the final act. These include distance-based targets along the TEN-T network and fleet-based targets at national level. This ensuring both network coverage and alignment with vehicle uptake. The regulation also introduces specific requirements for heavy duty vehicles, where infrastructure deployment had previously been limited. Additional provisions were introduced to ensure interoperability and user accessibility. The final act establishes common technical specifications, requirements for smart and digitally connected infrastructure, and obligations related to data availability, price transparency, and payment systems. These measures aim to create a more integrated and user-friendly infrastructure network across the union.

Changes were also made to the governance structure. The final act strengthens requirements for national policy frameworks, including clear planning, reporting obligations, and coordination mechanisms between Member States and the Commission. The entrance monitoring and ensuring more consistent implementation across the EU.

The final act further implements modifications include provisions to support emerging technologies such as hydrogen infrastructure and smart charging systems. The regulation introduces mandatory targets for hydrogen refuelling stations and promotes the integration of infrastructure with the electricity system, including smart and bidirectional charging.

6.2.1 Voting Results

The voting results show a clear distinction between broadly supported committee amendments and rejected proposals from individual political groups. Most committee amendments were adopted with moderate levels of agreement, generally around 50–60%, while some received substantially higher support. For example, Amendment 45 (part 2) received 365 votes in favour and 281 against, corresponding to an agreement level of 75.55%.

A substantial number of amendments achieved significantly higher levels of support, such as Amendments 88–97 and 99/102, which exceeded 78% agreement. Several other amendments, including Amendment 231 and Amendment 261(1), reached agreement levels of approximately 88%, indicating strong political consensus. The highest levels of agreement were observed for Amendments 170 and 171, both exceeding 94%, reflecting near-unanimous support.

In contrast, all rejected amendments display low levels of agreement. For example, Amendment 303(2) was rejected with 19 votes in favour and 489 against, corresponding to an agreement level of 19%. Similar patterns are observed for Amendments 291 and 280, indicating limited political support for these proposals.

Amendments with high levels of agreement primarily reflect adjustments aimed at improving flexibility and facilitating implementation within the regulatory framework. Amendment 398 expands the definition of alternative fuels to include both permanent and transitional solutions, while Amendment 400 broadens the scope of the regulation to cover multiple transport modes, including road, maritime, and aviation. Amendments 979 and 981 introduce a differentiated approach to infrastructure deployment by linking requirements to population density and vehicle numbers. Furthermore, Amendment 1080 requires the Commission to assess the broader economic implications of the regulation, including effects on competitiveness, employment, and transport costs.

The rejected amendments primarily introduce more specific prioritisation criteria and contextual adjustments to infrastructure deployment. Amendment 303 proposes a more detailed prioritisation of shore-side electricity based on vessel size, emissions reduction potential, and operational characteristics, thereby increasing the level of technical specification. Similarly, Amendment 284 emphasises implementation “mainly at berth in ports”, refining the geographical and operational focus of the regulation.

The remaining rejected amendments seek to introduce greater flexibility and differentiation in implementation. Amendments 275 and 276 extend accessibility considerations while allowing for case-specific adjustments. Amendment 276 further strengthens the language on accessibility by requiring infrastructure to be “accessible and user-friendly for all”.

In addition, Amendment 303 (additional provision) introduces explicit consideration of cost-efficiency and grid capacity constraints in infrastructure deployment, prioritising investments based on economic viability and frequency of use. This represents a shift towards a more conditional and economically driven implementation approach. (See Figure 17 in Appendix 6)

6.3 CountEmissions EU

A comparison between the Commission proposal (European Commission, 2023) and the final act (The European Parliament and the Council of the European Union, 2026) show a high degree of continuity, with only a few limited adjustments in the structure and implementation of the regulation.

The overall scope remains largely unchanged. The framework continues to apply to the accounting of greenhouse gas emissions from transport services across the EU, covering both freight and passenger transport. The final act confirms its applicability to services starting or ending within the EU, including cross-border operations.

The methodological foundation is preserved. The Commission proposal established EN ISO 14083:2023 as the reference methodology for calculating emissions, and the final act maintains this approach, reinforcing the use of a harmonised and globally recognised standard to ensure comparability across transport modes and operators.

The applicability of the regulation continues to follow a proportional approach. The “binding opt-in” system introduced in the proposal is retained, meaning that entities are required to apply the methodology only when they choose or are required to calculate and disclose emissions. This ensures that small and medium-sized enterprises are not subject to mandatory reporting obligations, while maintaining consistency for those that do report emissions.

Adjustments are primarily introduced in relation to verification and implementation. The final act clarifies that verification requirements mainly apply to larger entities, while remaining voluntary for SMEs. It also strengthens provisions related to transparency, communication of emissions data, and the certification of calculation tools to improve the reliability of reported information.

Further refinements include the development of EU-level databases for emission factors and default values, as well as clearer rules on data usage, particularly regarding primary and secondary data. These additions enhance consistency and practical applicability.

The limited degree of modification suggests that the proposal was already closely aligned with stakeholder interests and institutional expectations at the time of submission. The legislative process primarily contributed to improving operational clarity and implementation, rather than altering the underlying regulatory structure.

6.3.1 Voting Results

The voting results display in both outcomes and levels of agreement across amendments.

For article 1§1, the amendment was rejected with 181 votes in favour and 413 votes against, with 9 abstentions. This corresponds to an agreement level of 30.02%.

Article 2 §1 and Article 4 §1 were both accepted. Article 2§1 received 334 votes in favour and 242 against, with 28 abstentions, resulting in an agreement level of 55.30%. Similarly, Article 4 §1 received 339 votes in favour and 231 against, with 45 abstentions, an agreement level of 55.12%.

Recital 30 was rejected, with 260 votes in favour and 352 against, resulting in an agreement level of 42.21%.

The final committee vote in the second reading was approved, with 81 votes in favour and 16 against, alongside 4 abstentions. This resulted in the highest recorded agreement level of 80.20%.

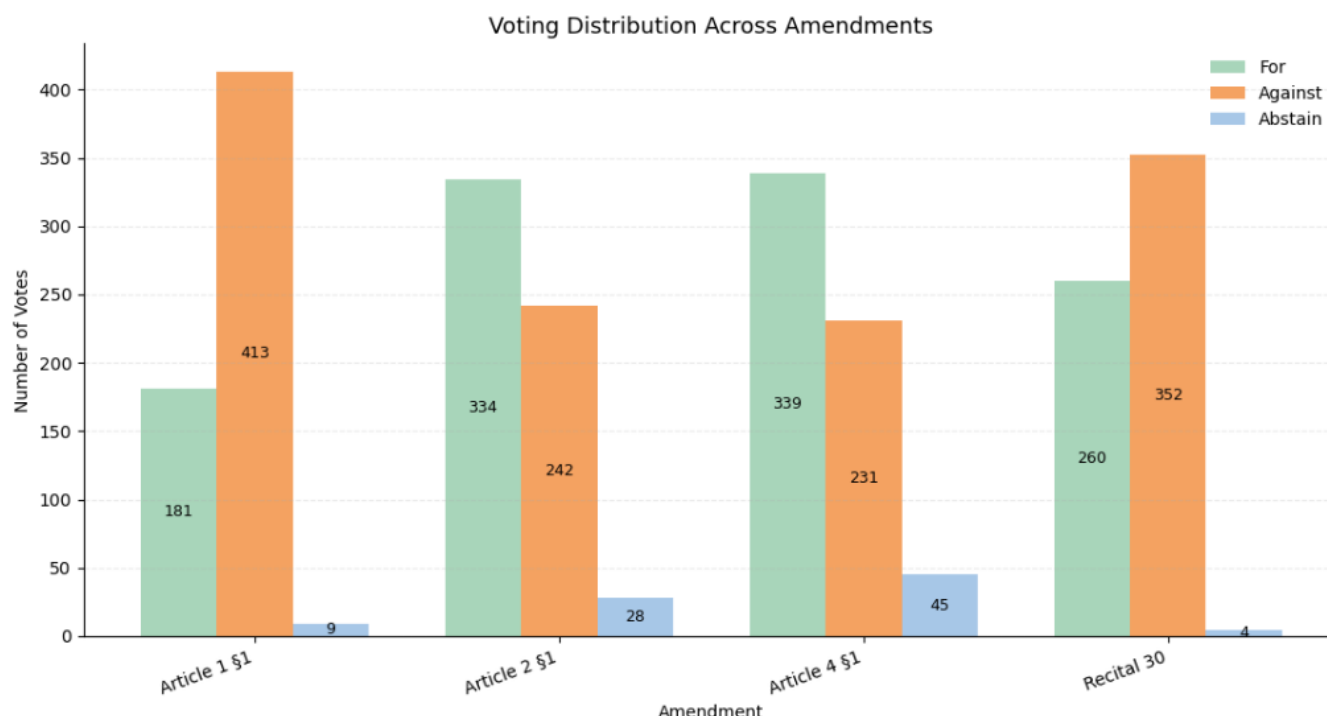
Following these results, the amendments can be interpreted based on their content.

The rejected amendments to Article 1§1 (Amendment 115) and Recital 30 (Amendment 114) aimed to adjust the scope and integration of the regulation, for example by treating existing EU rules “in an equivalent manner” or by extending references to frameworks such as the “ETS Aviation” and the “MRV Regulation” (See Figure 8). Their rejection indicates limited political support for altering the established regulatory balance.

In contrast, the accepted amendments to Article 2§1 and Article 4§1 were primarily technical in nature, focusing on clarification and implementation of details, which likely explains their broader political support.

Figure 8.

Voting distribution across selected amendments for CountEmissions EU



The figure illustrates the distribution of votes for, against, and abstentions across selected amendments related to the legislative proposal. The voting patterns demonstrate differing levels of political support and opposition across specific articles and recitals within the amendment process.

Note: Own illustration.

6.4 Cross-case comparison

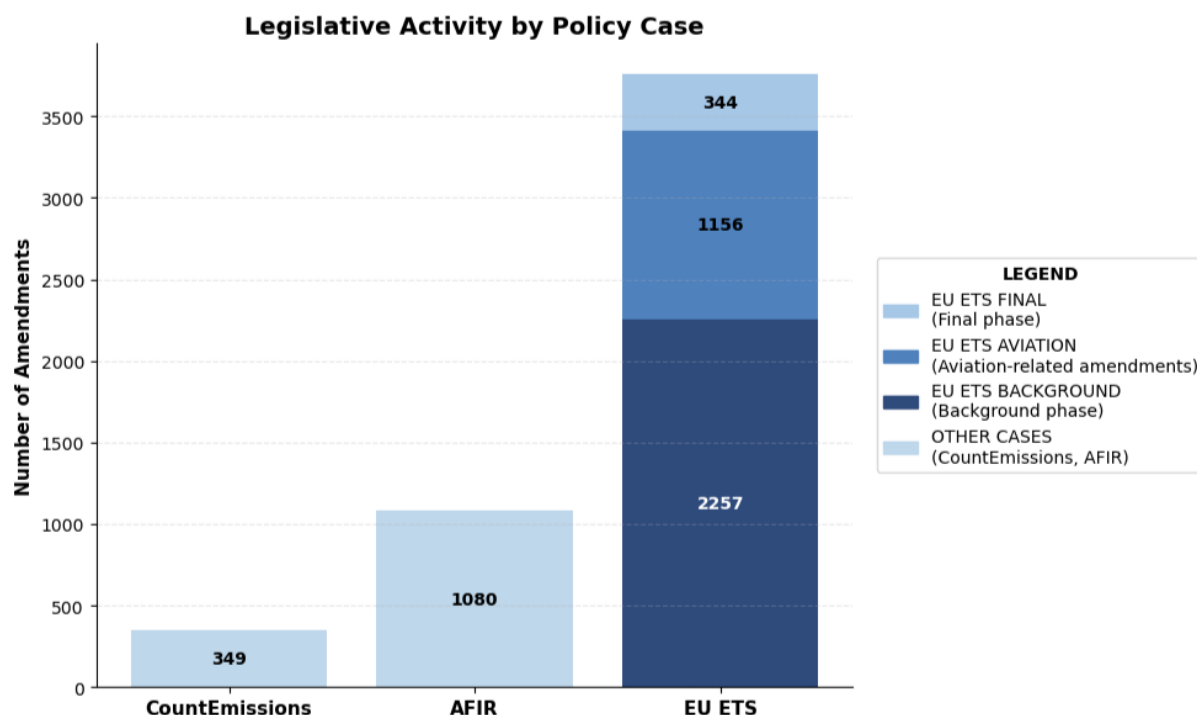
This section presents a cross-case comparison of the selected legislative proposals in order to identify similarities and differences in legislative development, political conflict, amendment activity, voting behaviour, and institutional dynamics throughout the policymaking process.

6.4.1 Legislative activity by Policy Case

Figure 9 presents the total number of amendments across the selected cases. The figure shows a clear difference in legislative activity between the cases. CountEmissions Eu includes a total of 349 amendments, while AFIR includes 1 080 amendments. The EU ETS shows substantially higher legislative activity, with a combined total of 3 757 amendments.

Figure 9.

Legislative activity across selected EU policy cases



The figure illustrates legislative activity across the selected EU policy cases by comparing the number of amendments introduced during different stages of the legislative process. The distribution highlights substantial variation in amendment intensity between CountEmissions, AFIR, and EU ETS, particularly within the background and final negotiation phases.

Note: Own illustration.

For the EU ETS, the total number of amendments includes both the core ETS revision and the aviation revision. Although these are treated as separate legislative processes, they are presented jointly in the figure as part of the same policy framework. The total amendment count is divided into background amendments (2,257 amendments), EU ETS Aviation 2021 (1,156 amendments), and EU ETS 2021 (344 amendments). The background amendments refer to changes made to the EU ETS framework prior to the 2021 proposals and are included to illustrate the accumulated legislative development that formed the basis for the current revision.

The AFIR case differs in that the proposal was initially introduced as a directive under the Alternative Fuels Infrastructure Directive (AFID) but was later revised into a regulation. This transition affects both the structure and legal character of the amendments included in the total count.

CountEmissions EU represents an ongoing legislative process. At the time of this analysis, the proposal had not yet reached its final voting stage, meaning that additional amendments may still be introduced. It should also be noted that amendments vary significantly in scope, ranging from minor technical adjustments to substantial policy changes. In this study, it is assumed that the relative proportion of

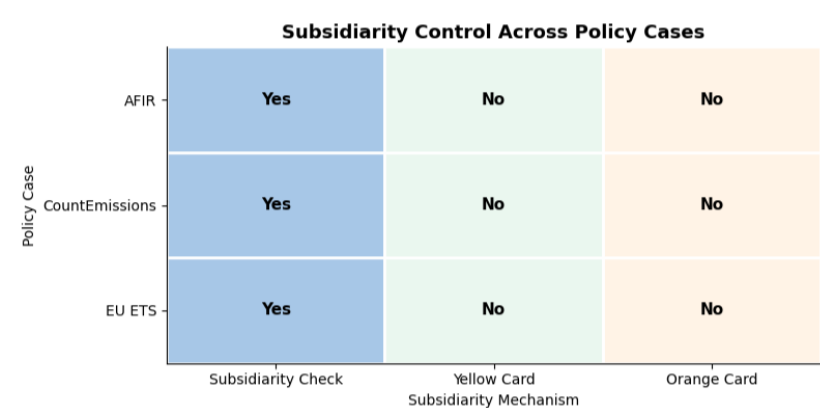
minor and major amendments is sufficiently consistent across the cases to allow comparison based on the total number of amendments.

6.4.2 Subsidiarity control Across Policy Cases

Figure 10 presents the application of warning signals used before the legislative proposal was officially published. In all cases (AFIR, CountEmissions EU, EU ETS and EU ETS aviation) subsidiary checks were performed. However, no yellow card or orange card procedures were triggered in any of the cases.

Figure 10.

Subsidiarity control across selected EU policy cases



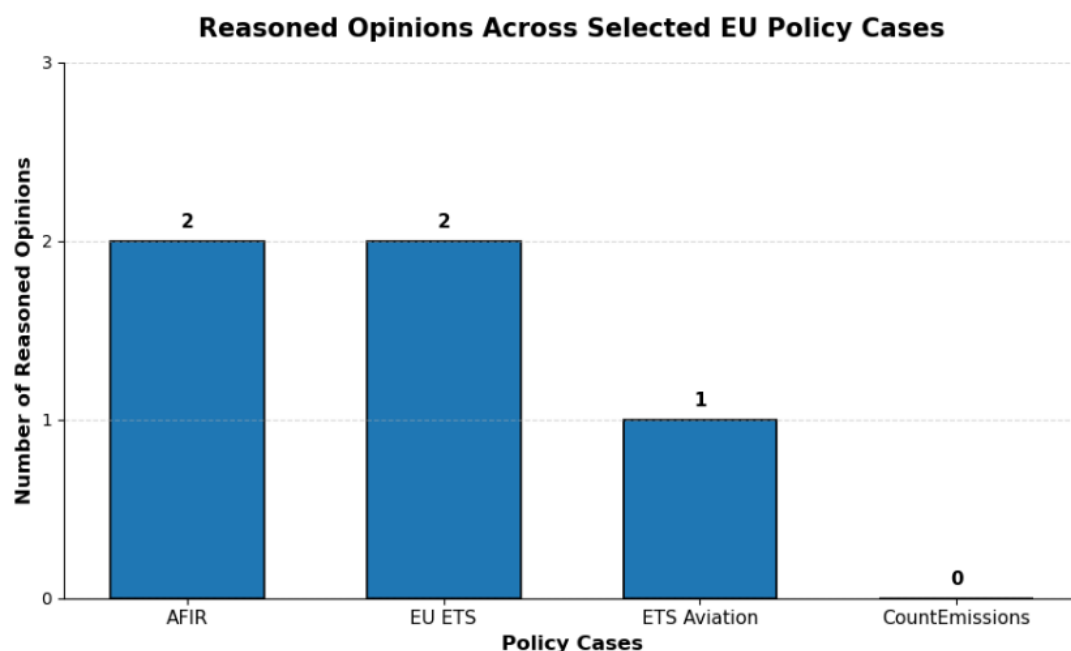
The figure illustrates the presence of subsidiarity checks across the selected EU policy cases (AFIR, CountEmissions, and EU ETS), while also showing the absence of yellow card and orange card procedures during the legislative process. The comparison highlights that subsidiarity scrutiny was present across all cases without triggering formal collective objections from national parliaments.

Note: Own illustration.

Figure 11 further illustrates the distribution of reasoned opinions across the selected policy cases. The results show consistently low levels of Early Warning System activity, with AFIR and EU ETS each receiving two reasoned opinions, EU ETS Aviation receiving one, and CountEmissions EU receiving none. While this indicates that some subsidiarity-based concerns were raised at an early stage, the overall level of formal opposition remained limited across the examined proposals.

Figure 11.

Reasoned opinions across selected EU policy cases



The figure illustrates the number of reasoned opinions submitted by national parliaments across the selected EU policy cases (AFIR, EU ETS, EU ETS Aviation, and CountEmissions). The distribution indicates comparatively low levels of subsidiarity-based opposition and limited activation of the Early Warning System across the analysed proposals.

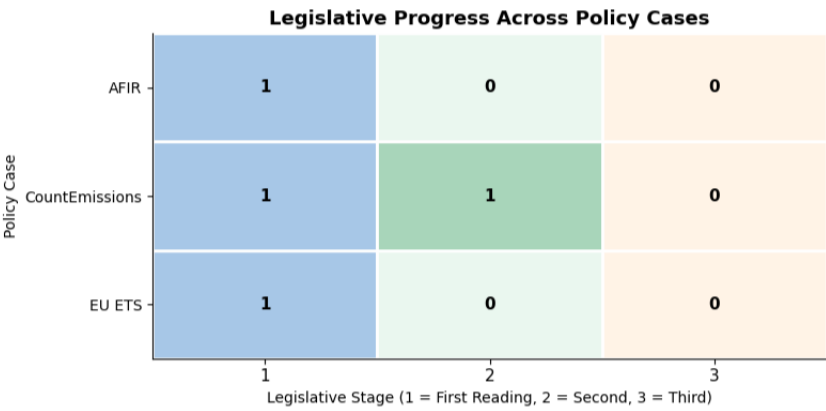
Note: Own illustration.

6.4.3 Legislative Progress Across Policy Cases

The legislative process illustrated in Figure 12 shows variation in how far each case had advanced within the Ordinary Legislative Procedure. Both AFIR and EU ETS completed the first reading stage, indicating that they reached an initial institutional agreement without requiring further discussion. The Count Emission case has advanced to the second reading stage, reflecting a more extended legislative process. It has, however, not yet reached a final vote, meaning that the legislative process is still active.

Figure 12.

Legislative progress across selected EU policy cases



The figure illustrates the legislative stages reached by the selected EU policy cases (AFIR, CountEmissions, and EU ETS) within the Ordinary Legislative Procedure. The comparison highlights differences in legislative progression between the analysed proposals, showing that CountEmissions advanced further within the procedure compared to AFIR and EU ETS at the time of analysis.

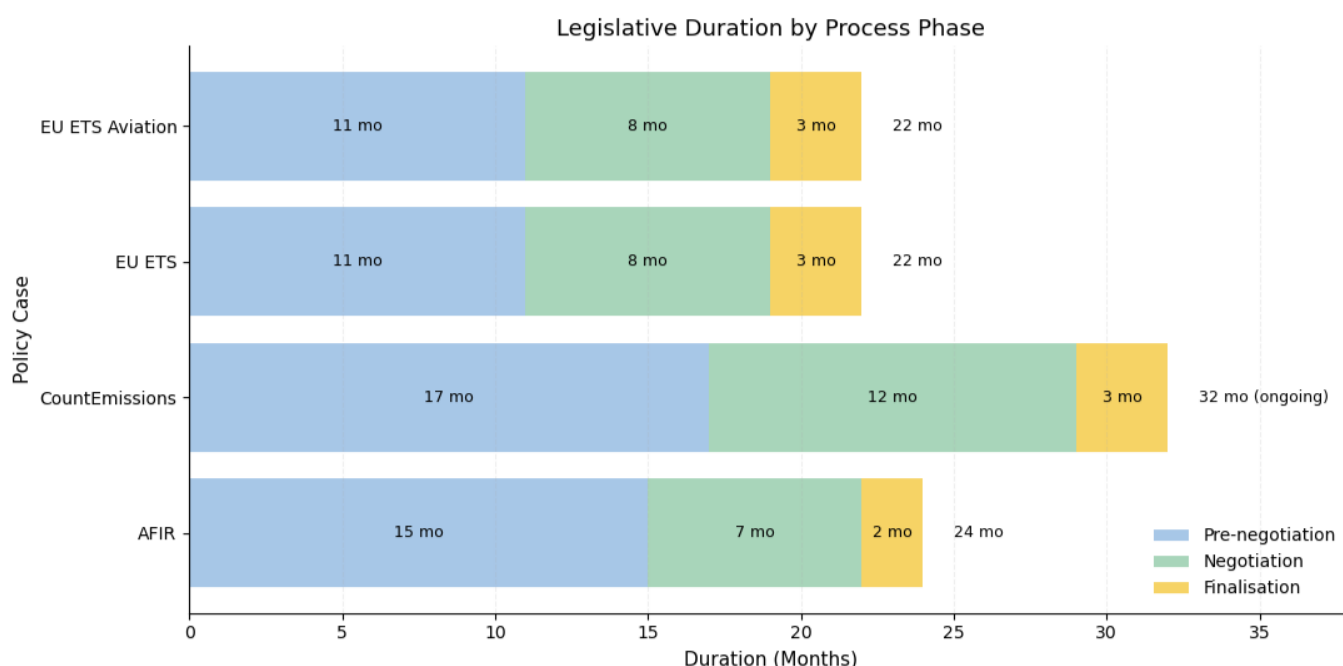
Note: Own illustration.

6.4.4 Legislative Duration by Process Phase

The distribution of legislative duration across process phases, illustrated in Figure 13, highlights both similarities and differences in how the selected cases evolved over time. EU ETS and EU ETS Aviation share an identical timeline, reflecting the close interconnection between the two procedures, as both were ultimately linked within the same regulatory framework once adopted. This indicates a relatively balanced legislative process across the different procedural phases, with a clear and continuous progression towards adoption.

Figure 13.

Legislative duration across selected EU policy cases



The figure illustrates the duration of different legislative phases across the selected EU policy cases (AFIR, CountEmissions, EU ETS, and EU ETS Aviation), measured in months spent in pre-negotiation, negotiation, and finalisation stages. The comparison highlights variation in legislative timelines and process intensity between the analysed proposals, with CountEmissions displaying the longest ongoing duration at the time of analysis.

Note: Own illustration.

AFIR follows a broadly similar structure but includes a longer pre-negotiation phase (15 months). This may be explained by the fact that AFIR was initially proposed as a directive before being revised and adopted as a regulation. This suggests greater emphasis on early-stage preparation and alignment prior to entering formal negotiations.

In contrast, the CountEmissions case shows a more extended and ongoing process. The pre-negotiation phase lasts 17 months, followed by 12 months of negotiation and a 3-month ongoing finalisation phase. This reflects the longer timelines associated with cases that are not concluded at the first reading stage.

6.4.5 Final Vote Comparison

Figure 17 presents the final vote outcomes across the selected cases, showing the number of votes in favour, against, and abstentions, alongside the corresponding agreement levels (See figure 14).

The AFIR proposal was approved with 485 votes in favour, 65 against, and 80 abstentions, resulting in an agreement level of 77.0%.

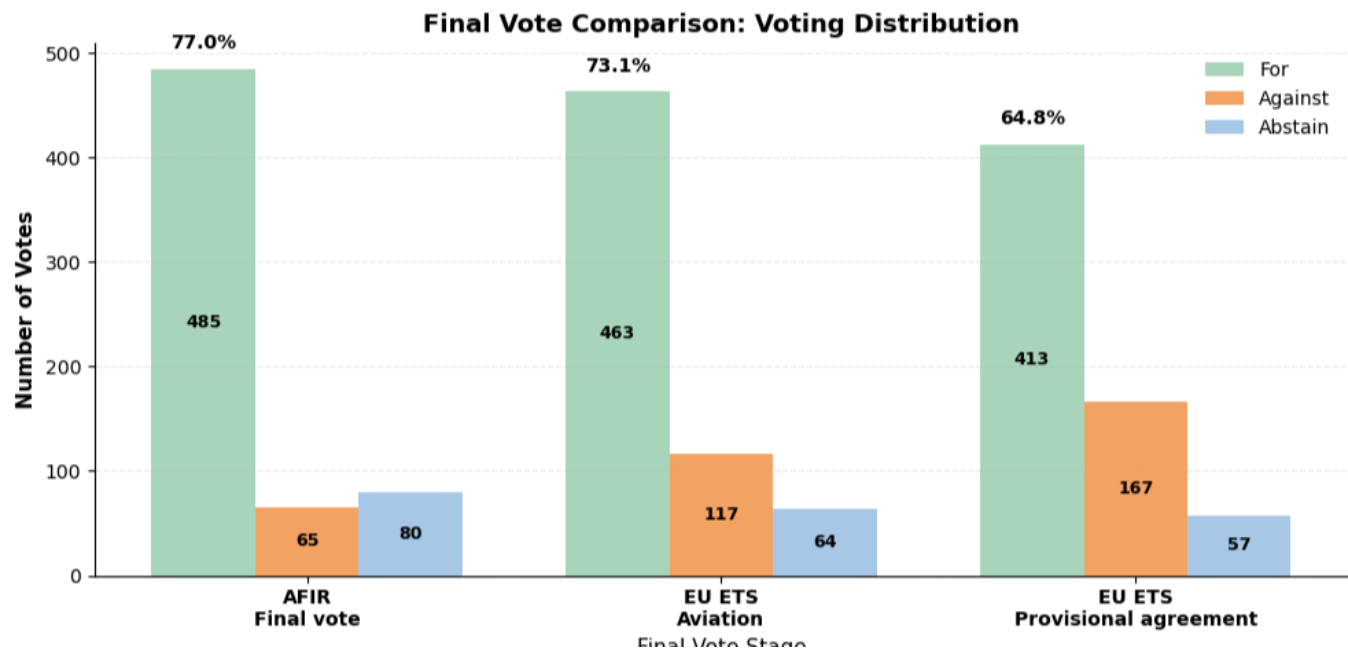
The EU ETS Aviation component was approved with 463 votes in favour, 117 against, and 64 abstentions, corresponding to an agreement level of 73.1%.

The EU ETS provisional agreement was approved with 413 votes in favour, 167 against, and 57 abstentions, resulting in an agreement level of 64.8%.

CountEmissions EU has not yet reached its final vote.

Figure 14.

Final vote comparison across selected EU policy cases



The figure illustrates the distribution of votes for, against, and abstentions during the final voting stages across the selected EU policy cases (AFIR, EU ETS Aviation, and EU ETS provisional agreement). The comparison highlights differing levels of political support and opposition between the proposals, with AFIR receiving the highest level of support among the analysed cases.

Note: Own illustration.

6.5 Negotiation Processes and informal Coordination

Across the selected cases, the legislative documents indicate that important elements of compromise formation occurred before the final formal voting stages. In the EU ETS and AFIR cases, the procedure files and parliamentary documents refer to provisional agreements reached between the European Parliament and the Council, followed by recommendations to approve the negotiated text without further amendment. In the EU ETS Aviation case, the Council’s position was accepted following prior interinstitutional negotiations, while the CountEmissions EU procedure similarly shows continued coordination around the text during the later stages of the process. These documents show that compromise formation took place before formal adoption and final parliamentary voting. Instead, the documented sequence of provisional agreements, committee recommendations, and Council-level

coordination shows that compromise formation occurred throughout the legislative process before formal adoption.

The extent and visibility of this coordination differed across the cases. The EU ETS and AFIR files contain clearer documentary indications of negotiated interinstitutional agreements, while CountEmissions EU remained less procedurally finalised during the period examined. This variation is relevant for the subsequent discussion, as it affects how formal voting outcomes and legislative duration can be interpreted across the selected cases.

7. Discussion

This section discusses the empirical findings in relation to the research questions and the theoretical framework presented earlier. The analysis focuses on how early-stage indicators of political conflict, institutional dynamics and the analytical lens help explain differences in legislative development across the selected policy cases. By linking observed patterns in subsidiarity control, legislative activity, and final legislative outcomes, the discussion aims to assess the extent to which early legislative signals provide meaningful insight into the trajectory of EU policy proposals.

7.1 Early indicators and legislative development

The results indicate that early-stage indicators of political conflict and institutional dynamics differed significantly across the selected legislative proposals. This is reflected in the degree of amendment activity, voting patterns, overall legislative activity, and legislative duration. As demonstrated in the results, AFIR, EU ETS, and EU ETS Aviation were all subject to subsidiarity checks. However, the absence of yellow or orange card procedures suggests that formal opposition from national parliaments remained limited. As argued by van Gruisen and Huysmans (2020), this should not be interpreted as an absence of political contestation, but rather as evidence that the Early Warning System (EWS) primarily functions as a signalling mechanism rather than a veto instrument.

Although EU ETS Aviation is treated as a separate legislative act in the empirical material, it is discussed alongside the main EU ETS reform because both proposals formed part of the broader 2021 ETS revision process. AFIR and EU ETS each received two reasoned opinions, while EU ETS Aviation received one, indicating that resistance was limited and fragmented across Member States at the time the proposals were introduced. According to van Gruisen and Huysmans (2020), reasoned opinions function as credible indicators of government opposition within the Council and are taken into account by the Commission when assessing whether to proceed with, revise, or withdraw a proposal. Empirical findings further reinforce this interpretation, demonstrating that governments whose national parliaments submit reasoned opinions are, on average, five times more likely to oppose the same proposal in the Council.

These findings suggest that, although potential resistance could be identified at an early stage, its limited scope did not provide sufficient grounds for reconsideration. Instead, the results point to a broader institutional commitment within the EU to advance climate-related regulation. The combination of low levels of early-stage opposition and high political importance, particularly within the Fit for 55 framework, indicates that the Commission was willing to proceed despite anticipating a certain degree of political conflict from the European Council. This aligns with theoretical expectations suggesting that proposals characterised by high political salience and relatively low decision-making costs are more likely to advance, even in the presence of opposition. Building on this, the observed pattern suggests that the Commission's decision to proceed reflected a strategic assessment of early-stage signals. While reasoned opinions provide indications of potential political opposition, the reasoned opinions received in these cases did not imply overwhelming resistance. Instead, they signalled that manageable adjustments could be made during subsequent negotiation stages without fundamentally altering the core objectives of the proposals.

7.2 Interpreting Differences in Legislative Trajectories

The comparison demonstrates that legislative trajectories cannot be understood solely through the number of amendments, the duration of the legislative process, or the level of formal voting opposition. While these indicators provide important insight into observable legislative activity, they do not independently explain why proposals with different levels of contestation may progress through the Ordinary Legislative Procedure at different speeds. Instead, the findings indicate that legislative development is shaped by the interaction between political conflict, policy maturity, institutional embeddedness, and informal coordination.

The EU ETS, AFIR, and CountEmissions EU entered the legislative process under substantially different institutional and regulatory conditions. These differences are important when interpreting the quantitative variation identified in Chapter 6. In particular, the cases suggest that a high level of legislative activity does not necessarily lead to a longer or more difficult legislative process. Similarly, a long legislative process does not automatically indicate high political conflict. Legislative trajectories must therefore be interpreted in relation to the institutional context in which individual proposals are negotiated.

7.2.1 Policy Maturity, Legislative Activity and Institutional Embeddedness

The results indicate that amendment activity should not be interpreted as a direct or isolated measurement of political conflict. A high number of amendments may reflect substantive political disagreement, but may also result from technical complexity, regulatory revision, institutional adaptation, or the need to clarify implementation responsibilities. This is particularly relevant in the EU ETS case, where extensive amendment activity occurred within an already established and institutionally embedded regulatory framework.

From a neo-functionalist perspective, the development of the EU ETS can be understood as part of a longer process of regulatory expansion and policy integration. The 2021 reform did not establish an entirely new policy area, but instead revised and expanded an existing framework that had developed through previous legislative reforms, institutional learning, and increasing integration between climate, transport, and industrial policy. Existing regulatory structures may therefore have reduced uncertainty during negotiations, even where political disagreement remained substantial. This supports the argument that policy maturity and institutional embeddedness can facilitate legislative development by providing established procedures, recognised actor roles, and previous compromise structures on which new negotiations can build (McGowan & Lee, 2007; Nicoli, 2020).

AFIR demonstrates a different form of legislative development. Although the proposal was based on the earlier Alternative Fuels Infrastructure Directive, it involved a significant change in regulatory approach through the transition from a directive to a directly applicable regulation. The legislative process therefore involved not only the development of infrastructure targets, but also the redistribution of implementation responsibilities between the European Union and Member States. The amendment activity observed in the AFIR case should consequently be interpreted in relation to this institutional shift, rather than solely as an indication of political opposition. The proposal required negotiation over implementation obligations, financing, geographical coverage, and national flexibility, which created a different type of legislative complexity from that found in the EU ETS reform.

CountEmissions EU followed a different trajectory again. The proposal concerned the creation of a harmonised framework for calculating and reporting transport-related greenhouse gas emissions. Compared with the EU ETS and AFIR, the proposal was less directly connected to immediate distributional conflict and large-scale compliance costs. However, its relatively long legislative

development suggests that lower observable conflict does not necessarily produce a faster process. As a newer and more technically oriented regulatory initiative, CountEmissions EU required agreement on methodological standards, reporting obligations, data use, verification requirements, and the relationship between EU-level rules and existing sector-specific frameworks. This indicates that legislative duration may also reflect the absence of an established regulatory foundation, rather than high political contestation alone.

These findings are consistent with Liberal Intergovernmentalism, which emphasises that legislative development depends on issue-specific national preferences, distributional consequences, and bargaining conditions between Member States and EU institutions (Moravcsik, 2018). The three cases differed not only in their level of observable conflict, but also in the type of interests and adjustment costs involved. The EU ETS involved highly visible economic and political consequences across several sectors, while AFIR concerned infrastructure responsibilities and national implementation capacity. CountEmissions EU, in contrast, primarily concerned technical standardisation and administrative coordination. Legislative activity must therefore be interpreted in relation to the political and institutional context of each proposal, rather than treated as a uniform indicator of conflict.

7.2.2 Informalisation, Legislative Efficiency and Democratic Transparency

The results further indicate that formal legislative indicators provide only a partial account of how political conflict is managed within the Ordinary Legislative Procedure. The selected cases show that substantial coordination and compromise formation may take place before final parliamentary voting stages. This is particularly important when interpreting strong final voting outcomes or adoption at an early reading stage, since such outcomes do not necessarily indicate that the legislative process was characterised by limited disagreement. Rather, they may reflect that disagreements were addressed through earlier interinstitutional negotiations.

Research on trilogues and informal governance helps explain this pattern. Reh (2014) argues that informal negotiations increasingly structure legislative bargaining within the European Union by moving compromise formation into smaller and less visible institutional settings. Similarly, Heisenberg (2005) highlights that informal coordination may reduce transaction costs and facilitate agreement, while simultaneously limiting transparency and reducing the visibility of political disagreement within formal legislative arenas. The findings of this study support this interpretation, as the legislative processes examined were characterised by procedural arrangements in which compromise could be reached before final parliamentary approval.

Informalisation may therefore help explain why proposals associated with substantial amendment activity or politically sensitive provisions can nevertheless progress relatively efficiently through the legislative process. In the EU ETS case, the existence of an established regulatory framework may have enabled institutions to negotiate complex issues within familiar procedural and policy structures. In AFIR, informal coordination may have supported compromise between different national implementation conditions and the Union's objective of establishing binding infrastructure requirements. In CountEmissions EU, informal coordination may have been particularly relevant for resolving technical questions concerning methodology, reporting, verification, and regulatory scope. However, the use of informal negotiation arenas also raises broader questions concerning democratic transparency and accountability. When substantial bargaining takes place before formal parliamentary voting stages, final votes may function primarily as approval of compromises reached elsewhere rather than as the principal arena for open political contestation. This does not mean that informal negotiations are inherently incompatible with democratic decision-making. Rather, the findings indicate a structural trade-off within the OLP: informalisation may improve legislative efficiency and reduce the risk of institutional deadlock, while simultaneously making it more difficult to identify where political disagreement emerged, how compromises were reached, and which actors exercised influence over the final outcome (Heisenberg, 2005; Reh, 2014).

Taken together, the findings suggest that legislative trajectories should be interpreted as the outcome of both formal and informal processes. Amendment activity, voting behaviour, and procedural duration remain useful indicators of legislative development, but they must be analysed alongside policy maturity, institutional context, and informal negotiation processes. This is particularly important when using early-stage signals to assess future legislative development, since the later trajectory of a proposal may be shaped as much by institutional capacity for compromise as by the level of initial political resistance.

7.3 Implications

The findings of this study highlight that early-stage indicators provide valuable, but limited, insight into how EU legislative proposals develop over time. While signals such as reasoned opinions and initial political reactions capture the presence of potential opposition, they do not fully reflect the intensity and nature of conflict that emerges during later stages of legislative process. Instead, much of the variation between cases becomes visible only during the amendment phase, where political positions are formalised and negotiated in detail.

Across the selected cases, legislative activity reflected different forms of regulatory development. The EU ETS generated a high volume of amendments within an established and politically salient framework. AFIR involved substantial amendment activity in connection with the transition from a directive-based approach to a directly applicable regulation. CountEmissions EU displayed more limited amendment activity, while its development nevertheless required continued coordination regarding methodology, reporting, verification, and implementation. These patterns indicate that amendment volume should not be interpreted as a direct measure of either political conflict or regulatory novelty.

These findings further suggest that legislative development within the EU is strongly influenced by the degree of institutional and regulatory maturity already present within the policy area itself. Both the EU ETS and AFIR were built upon previously established regulatory frameworks, institutional structures, and policy objectives. Although both proposals generated substantial legislative activity and policy negotiation, the proposals still developed within relatively established governance systems where institutional responsibilities, regulatory direction, and stakeholder relationships had already evolved over time. In this regard, political conflict primarily concerned expansion, adjustment, and implementation of already existing systems rather than the creation of entirely new governance structures. CountEmissions differs more substantially in this regard. Unlike both EU ETS and AFIR, the proposal represents one of the first attempts to establish a harmonised EU-level framework for measuring emissions. The proposal therefore introduced a different form of legislative complexity, where negotiations were shaped not only by political disagreement, but also by uncertainty surrounding methodology, reporting standards, implementation, and future institutional responsibilities.

The comparison between the three cases therefore indicates that legislative trajectories within the EU may partly depend on how institutionally embedded a proposal already is before entering the legislative process. More mature policy frameworks appear better equipped to absorb political conflict and legislative complexity through already established governance structures, while newer policy areas

instead require the simultaneous development of regulatory standards, institutional coordination, and implementation structures throughout the legislative process. From a neo-functionalist perspective, this may also reflect how previous regulatory integration contributes to the gradual expansion of EU governance across interconnected policy sectors. Earlier legislative frameworks appear not only to shape institutional structures and negotiation processes, but also to generate new forms of policy interdependence requiring additional coordination, harmonisation, and regulatory development over time.

At the same time, the findings demonstrate that legislative outcomes cannot be explained by early-stage indicators alone. Despite facing higher levels of contestation, the EU ETS progressed relatively quickly through the legislative process, supported by its established institutional framework and the accumulated development of previous phases. This suggests that policy maturity plays a critical role in shaping legislative trajectories, allowing complex and contested proposals to advance more efficiently than newer initiatives.

The conflict-based screening model provides a structured method for identifying variation between legislative proposals at an early stage and for supporting case selection and initial assessment. However, it should not be interpreted as a predictive tool. Its value lies in combining early indicators with later observations in order to examine how proposals evolve over time.

The findings additionally suggest that political conflict within EU climate policymaking does not necessarily function as a barrier to further integration. Instead, the selected cases indicate that regulatory conflict, implementation difficulties, and institutional complexity may themselves contribute to the emergence of additional coordination needs and subsequent legislative development. From this perspective, conflict may partly function as a driver of further regulatory development rather than solely as an obstacle to integration.

Finally, these findings directly relate to the purpose of this study. The results indicate that certain aspects of legislative development can be assessed at an early or mid-stage, particularly the presence of potential opposition and institutional sensitivity. However, such assessments remain incomplete without considering later stages of the process. While early-stage indicators provide relevant signals, the intensity and nature of political conflict become more visible during amendment, negotiation, and voting phases.

8. Conclusion

The findings of this study suggest that it is possible to assess certain aspects of how EU legislative proposals are likely to develop after their formal introduction, particularly regarding the presence of potential political opposition and institutional sensitivity. Early-stage indicators such as reasoned opinions and subsidiarity checks provide meaningful insight into emerging political resistance. However, they appear less capable of capturing the broader intensity and nature of legislative contestation that develops during later stages of negotiations, amendment activity, and interinstitutional bargaining. Instead, legislative development appears to be shaped through the interaction between policy maturity, institutional embeddedness, amendment activity, voting behaviour, and informal negotiation processes within the European Union.

The cross-case comparison further indicates that differences in political conflict and institutional dynamics affect legislative proposals in different ways depending on how institutionally developed and politically embedded the policy area already is. More mature policy frameworks, such as the EU ETS, appear capable of progressing relatively efficiently despite substantial contestation, partly because negotiations are able to build upon already established governance structures and previous legislative development. At the same time, the newer and less institutionalised proposals may require longer periods of negotiation and coordination despite potentially lower political opposition.

The findings additionally suggest that EU climate policymaking reflects broader cumulative integration dynamics, where earlier legislative frameworks contribute to new coordination needs and further regulatory development across interconnected policy areas. At the same time, the extensive use of trilogues and informal negotiations highlights a broader institutional trade-off within the OLP between legislative efficiency, transparency, and democratic accountability.

Overall, the study demonstrates that assessing EU legislative development requires a dynamic and multi-dimensional perspective in which early-stage indicators are interpreted together with later legislative developments, institutional context, and evolving policymaking dynamics throughout the legislative process.

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Appendix 1. Initial Screening

This appendix presents the screening model and selection framework used to identify and evaluate EU legislative proposals relevant to the study. The appendix includes the initial scoping process, inclusion criteria, conflict-based screening indicators, and the final case selection process applied throughout the research. The presented material provides supplementary methodological transparency regarding how legislative proposals were identified, assessed, and narrowed down to the selected cases analysed in the study.

Table A1.1

Initial screening framework and conflict-based case assessment.

Case ID	Proposal Title	COM/ Reference	Year	Policy Area	OLP	Status	MS Reaction	Sectoral Impact	Cost	Political Attention	Legislative Complexity	Stakeholder Mobilisation	Total Score	Conflict Category	Selected for Analysis	Notes
Case 01	Vehicle weights and dimensions	COM(2023)445	2023	Road freight	Yes	Pending	2	3		2	2	2	11	Medium	No	
Case 02	Rail infrastructure capacity regulations	COM(2023)443	2023	Rail freight	Yes	Pending	2	2		1	3	2	10	Medium	No	
Case 03	CountEmissionsEU	COM(2023)441	2023	Transport emissions	Yes	Pending	1	1		1	2	1	6	Low	Yes	
Case 04	EU Customs reform	COM(2023)258	2023	Customs	Yes	Pending	2	2		2	3	2	11	Medium	No	
Case 05	ITS Directive	COM(2021)813	2021	Logistics/Digitalization	Yes	Adopted	1	2		1	2	1	7	Low	No	
Case 06	TEN-T	COM(2021)812	2021	Transport infrastructure	Yes	Adopted	2	2		2	3	2	11	Medium	No	
Case 07	CBAM	COM(2021)564	2021	Trade/Climate	Yes	Adopted	3	3		3	3	3	15	High	No	
Case 08	FuelEU Maritime	COM(2021)562	2021	Maritime/Climate	Yes	Adopted	2	2		2	2	2	10	Medium	No	
Case 09	AFIR	COM(2021)559	2021	Transport infrastructure	Yes	Adopted	2	2		2	2	2	10	Medium	Yes	
Case 10	EU ETS	COM(2021)551	2021	Maritime/Climate	Yes	Adopted	3	3		3	2	3	14	High	Yes	
Case 11	Rail Freight Corridors evaluation	n/a	2021	Rail freight	No	Evaluation Completed	n/a	n/a		n/a	n/a	n/a	0		No	Was simply an evaluation, may lead to future proposals
Case 12	ReFuelEU Aviation	COM(2020)798	2020	Aviation/Climate	Yes	Adopted	2	3		2	2	3	12	High	No	
Case 13	Mobility Package - Market access	COM(2017)281	2017	Road freight market access	Yes	Adopted	3	3		3	2	3	14	High	No	
Case 14	Mobility Package - Driving times	COM(2017)278	2017	Road freight/Labour	Yes	Adopted	3	3		3	2	3	14	High	No	

The table presents the initial screening of EU legislative proposals considered for the study. Each proposal was assessed using indicators related to Member State reactions, sectoral impact, political attention, legislative complexity, and stakeholder mobilisation in order to support the comparative case selection process.

Appendix 2. AFIR

This appendix presents supplementary material related to the Alternative Fuels Infrastructure Regulation (AFIR) legislative process. The appendix includes voting results from selected parliamentary votes and amendments, together with a legislative timeline outlining the progression of the proposal throughout the Ordinary Legislative Procedure. The presented material provides additional transparency regarding the development of the AFIR case, including legislative activity, institutional negotiations, amendment processes, and voting behaviour during the policymaking process.

Table A2.1

Case AFIR, Voting results	Amendment	Author	Result	For	Against	Abstain	Margin	Agreement %	
Am 45 (part 2)		45 Committee	Accepted		356	281	5	75	55.45%
Am 50		50 Committee	Accepted		353	261	19	92	55.77%
Am 59 (1)		59 Committee	Accepted		353	283	3	70	55.24%
Am 59 (2)		59 Committee	Accepted		355	274	1	81	56.35%
Am 59 (3)		59 Committee	Accepted		322	306	6	16	50.79%
Am 59 (4)		59 Committee	Accepted		326	311	2	15	51.02%
Am 59 (5)		59 Committee	Accepted		347	280	2	67	55.17%
Am 60 (2)		60 Committee	Accepted		359	242	39	117	56.09%
Am 88–97	Block	Committee	Accepted		506	107	29	399	78.82%
Am 98		98 Committee	Accepted		485	124	13	361	77.97%
Am 99/102	99/102	Committee	Accepted		506	116	19	390	78.94%
Am 100		100 Committee	Accepted		495	135	9	360	77.46%
Am 101		101 Committee	Accepted		488	134	12	354	76.97%
Am 110		110 Committee	Accepted		484	146	11	338	75.51%
Am 111		111 Committee	Accepted		473	144	10	329	75.44%
Am 112		112 Committee	Accepted		478	142	12	336	75.63%
Am 113		113 Committee	Accepted		474	140	12	334	75.72%
Am 116/120/121	Block	Committee	Accepted		497	129	16	368	77.41%
Am 117		117 Committee	Accepted		485	136	16	349	76.14%
Am 118		118 Committee	Accepted		484	138	11	346	76.46%
Am 119		119 Committee	Accepted		484	137	12	347	76.46%
Am 149		149 Committee	Accepted		392	233	14	159	61.35%
Am 151		151 Committee	Accepted		390	233	14	157	61.22%
Am 176		176 Committee	Accepted		357	262	20	95	55.87%
Am 177		177 Committee	Accepted		357	239	43	118	55.87%
Am 180		180 Committee	Accepted		376	246	5	130	59.97%
Am 196		196 Committee	Accepted		370	256	5	114	58.64%
Am 228		228 Committee	Accepted		397	236	6	161	62.13%
Am 230		230 Committee	Accepted		496	129	10	367	78.11%
Am 231		231 Committee	Accepted		583	43	3	540	92.69%
Am 260 (1)		260 Committee	Accepted		345	289	3	56	54.16%
Am 260 (2)		260 Committee	Accepted		345	276	5	69	55.11%
Am 260 (3)		260 Committee	Accepted		355	275	5	80	55.91%
Am 261 (1)		261 Committee	Accepted		567	27	46	540	88.59%
Am 261 (2)		261 Committee	Accepted		498	122	14	376	78.55%
Am 274		274 Committee	Accepted		396	221	18	175	62.36%
Am 150		150 Committee	Accepted		399	230	9	169	62.54%
Am 170		170 Committee	Accepted		606	13	20	593	94.84%
Am 171		171 Committee	Accepted		602	20	17	582	94.21%
Am 174 (1)		174 Committee	Accepted		512	88	35	424	80.63%
Am 174 (2)		174 Committee	Accepted		382	218	31	164	60.54%
Am 303 (1)		303 Verts/ALE	Rejected		278	353	7	-75	43.57%
Am 303 (2)		303 Verts/ALE	Rejected		119	489	27	-370	18.74%
Am 291 (1)		291 Verts/ALE	Rejected		132	503	5	-371	20.63%
Am 291 (2)		291 Verts/ALE	Rejected		121	507	7	-386	19.06%
Am 280		280 ECR	Rejected		161	469	9	-308	25.20%
Am 278		278 S&D	Rejected		269	350	16	-81	42.36%
Am 275		275 PPE	Rejected		255	372	11	-117	39.97%
Am 284 (1)		284 Verts/ALE	Rejected		145	485	11	-340	22.62%
Am 284 (2)		284 Verts/ALE	Rejected		294	339	5	-45	46.08%
Am 276		276 S&D	Rejected		233	379	25	-146	36.58%
Am 277		277 S&D	Rejected		273	352	10	-79	42.99%
FINAL VOTE	Proposal	Commission	Accepted		485	65	80	420	76.98%

This table A2.1 presents the distribution of votes in favour, against, and abstentions across selected amendments and final legislative votes within the examined EU policy cases. The material illustrates variations in political support, opposition, and consensus-building throughout different stages of the legislative process under the Ordinary Legislative Procedure. By comparing voting outcomes across cases, the table supports the analysis of legislative conflict intensity, amendment activity, and interinstitutional bargaining dynamics associated with the development of EU regulatory proposals.

Table A2.2

Case AFIR FINAL VOTE	Result	For	Against	Abstain	Margin	Agreemnet
Provisional agreement	Accepted	514	52	74	462	80.31%
Final vote	Accepted	485	65	80	420	76.98%

Table A2.2 presents the final voting distribution for the AFIR proposal, including votes in favour, against, and abstentions during the concluding legislative stage. The results illustrate the overall level of political support and opposition surrounding the adoption of the regulation within the European Parliament. The table supports the analysis of consensus formation, political disagreement, and institutional alignment during the final stages of the AFIR legislative process under the Ordinary Legislative Procedure.

Table A2.3

Legislative timeline	Date	Institution	Event	Description	Outcome	Notes
Proposal	14/07/2021	European Commission	Legislative proposal published	COM(2021)0559	Initiated	Start of procedure
Committee Stage (1st reading)	3/10/2022	European Parliament	Committee vote	Vote in committee, 1st reading	Approved	Committee stage completed
Plenary (1st reading)	19/10/2022	European Parliament	Parliament vote	Parliament adopted first-reading position	Approved	Partial vote at 1st reading
Negotiation Phase	19/10/2022	EP + Council	Interinstitutional negotiations	Matter referred back to committee for negotiations	Ongoing	Trilogue phase initiated
Political Agreement	24/05/2023	European Parliament	Agreement approved	Committee approved text agreed in interinstitutional negotiations	Approved	Turning point
Final Parliament Vote	11/7/2023	European Parliament	Parliament vote	Text adopted by Parliament, 1st reading	Approved	Final EP position
Council Stage	25/07/2023	Council of the EU	Act adopted	Council adopted act after Parliament's first reading	Adopted	No second reading needed
Finalisation	13/09/2023	EP + Council	Final act signed	Final act signed	Completed	Formal signature
Publication	22/09/2023	European Union	Official Journal publication	Final act published in Official Journal	Completed	Regulation enters into force

Table A2.3 presents the legislative timelines for AFIR , illustrating the progression of each proposal through the main stages of the Ordinary Legislative Procedure. The material highlights differences in legislative duration, negotiation intensity, and procedural development between the examined cases. The table supports the analysis of how political disagreement, amendment activity, institutional bargaining, and interinstitutional coordination may influence the pace and development of EU legislative proposals over time.

Appendix 3. EU ETS

This appendix presents supplementary material related to the European Union Emissions Trading System (EU ETS) legislative process. The appendix includes voting results, amendment distributions, legislative timelines, and additional comparative material connected to the EU ETS revisions analysed in the study. The presented material provides further transparency regarding the development of the legislative proposal throughout the Ordinary Legislative Procedure, including institutional negotiations, amendment activity, political disagreement, and voting behaviour during the policymaking process.

Table A3.1

EU ETS AVIATION	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Proposal rejection	Am 75	ID	RCV	Rejected	86	516	20	-430	13.45%
Committee amendments (block)	Am 1–9 etc.	Committee	RCV	Accepted	480	74	70	406	77.92%
Amendment 34	Am 34	Committee	RCV	Accepted	376	249	4	127	60.26%
Amendment 39	Am 39	Committee	RCV	Accepted	320	248	67	72	51.61%
Amendment 42	Am 42	Committee	RCV	Accepted	326	231	67	95	56.05%
Amendment 62	Am 62	Committee	RCV	Accepted	385	241	4	144	61.90%
SAF amendment	Am 88	MEPs	RCV	Rejected	205	423	13	-218	32.05%
SAF amendment	Am 94	MEPs	RCV	Rejected	170	458	10	-288	27.60%
Amendment 72	Am 72	The Left	RCV	Accepted	321	278	34	43	53.67%
Amendment 82	Am 82	ECR	EV	Rejected	305	306	26	-1	49.92%
Commission proposal (final vote)	Proposal	Commission	RCV	Accepted	479	130	32	349	76.76%

This table presents the voting distribution across selected amendments related to the EU ETS Aviation proposal, including votes in favour, against, and abstentions during different stages of the legislative process. The material illustrates the degree of political support and disagreement surrounding proposed amendments connected to aviation emissions regulation, allowance allocation, and broader climate policy measures within the European Union. The table supports the analysis of amendment activity, legislative contestation, and institutional bargaining dynamics that shaped the development of the EU ETS Aviation reform under the Ordinary Legislative Procedure.

Table A3.2

EU ETS AVIATION SECOND STAGE VOTE	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Provisional agreement	Am 96	Committee	RCV	Accepted	463	117	64	346	73.14%
Commission statement	Am 97	Committee	—	Accepted	—	—	—	—	—

This table presents the voting distribution during the second stage of the EU ETS Aviation legislative process, including votes in favour, against, and abstentions related to the revised proposal. The results illustrate how political support and opposition evolved during the later stages of interinstitutional negotiations under the Ordinary Legislative Procedure. The table supports the analysis of legislative bargaining, political disagreement, and consensus-building surrounding the expansion and adjustment of aviation emissions regulation within the European Union.

Table A3.3

EU ETS MAIN REVISION FIRST VOTE	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Proposal rejection	Am 268	ID	RCV	Rejected	104	509	19	-405	16.96%
Amendment 17 (part 1)	Am 17.1	Committee	RCV	Accepted	589	26	20	563	95.15%
Amendment 17 (part 2)	Am 17.2	Committee	RCV	Accepted	477	147	3	330	76.09%
Amendment 49	Am 49	Committee	EV	Accepted	364	273	2	91	57.14%
Amendment 55 (part 1)	Am 55.1	Committee	RCV	Accepted	566	64	8	502	89.79%
Amendment 55 (part 2)	Am 55.2	Committee	RCV	Accepted	467	135	30	332	75.08%
Amendment 90 (part 1)	Am 90.1	Committee	RCV	Accepted	586	43	7	543	93.02%
Amendment 90 (part 2)	Am 90.2	Committee	RCV	Accepted	450	157	11	293	73.05%
Amendment 102	Am 102	Committee	RCV	Accepted	441	189	8	252	69.05%
Amendment 105	Am 105	Committee	RCV	Accepted	555	37	39	518	88.87%
Amendment 209	Am 209	Committee	RCV	Accepted	441	195	5	246	69.00%
Amendment 271	Am 271	ID	RCV	Rejected	127	494	14	-367	20.45%
Amendment 272	Am 272	ID	RCV	Rejected	179	452	3	-273	28.36%
Amendment 92CP1	Am 92CP1	Committee	RCV	Accepted	442	182	14	260	70.83%
Amendment 92CP2	Am 92CP2	Committee	RCV	Accepted	466	141	34	325	73.28%
Amendment 278/311	Am 278	ID / MEPs	RCV	Rejected	177	453	10	-276	28.10%
Amendment 261	Am 261	PPE	RCV	Rejected	269	334	35	-65	44.69%
Amendment 251 (part 1)	Am 251.1	S&D	EV	Accepted	417	219	5	198	65.57%
Amendment 217	Am 217	The Left	RCV	Rejected	113	512	14	-399	17.98%
Amendment 101	Am 101	Committee	RCV	Rejected	268	362	10	-94	42.54%
Amendment 244 (part 1)	Am 244.1	PPE / Renew	RCV	Accepted	468	147	25	321	75.97%
Amendment 219	Am 219	The Left	RCV	Rejected	111	515	16	-404	17.73%
Amendment 245	Am 245	PPE / S&D / Renew	RCV	Accepted	575	30	36	545	94.08%
Amendment 115 (part 1)	Am 115.1	Committee	RCV	Accepted	484	142	16	342	77.17%
Amendment 117	Am 117	Committee	RCV	Rejected	222	402	14	-180	35.58%
Amendment 120	Am 120	Committee	RCV	Accepted	448	183	9	265	70.63%
Amendment 258	Am 258	PPE / S&D / Renew	EV	Accepted	399	233	9	166	63.13%
Amendment 221D	Am 221D	The Left	RCV	Rejected	143	488	8	-345	22.66%
Amendment 122 (part 2)	Am 122.2	Committee	RCV	Rejected	288	345	6	-57	45.07%
Amendment 131 (part 2)	Am 131.2	Committee	RCV	Accepted	501	119	21	382	80.03%
Amendment 135 (part 2)	Am 135.2	Committee	RCV	Accepted	363	274	2	89	56.78%
Amendment 136 (part 2)	Am 136.2	Committee	RCV	Rejected	279	347	9	-68	44.57%
Amendment 266	Am 266	PPE	EV	Rejected	260	364	19	-104	41.73%
Amendment 389	Am 389	ECR	RCV	Rejected	157	473	14	-316	24.92%
Amendment 248	Am 248	S&D	RCV	Accepted	323	305	14	18	51.43%
Amendment 325	Am 325	MEPs	RCV	Rejected	180	440	19	-260	29.03%
Amendment 264	Am 264	PPE	RCV	Accepted	321	303	15	18	51.44%
Amendment 120	Am 120	Committee	RCV	Accepted	448	183	9	265	70.63%
Amendment 258	Am 258	PPE / S&D / Renew	EV	Accepted	399	233	9	166	63.13%

This table presents the voting distribution during the first legislative voting stage of the main EU ETS revision, including votes in favour, against, and abstentions. The results illustrate the level of political support and disagreement surrounding the proposed expansion and modification of the EU ETS framework within the European Parliament. The table supports the analysis of legislative conflict, amendment activity, and institutional bargaining dynamics connected to broader EU climate governance and emissions regulation under the Ordinary Legislative Procedure.

Table A3. 4

EU ETS MAIN REVISION SECOND VOTE	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Proposal rejection	Am 675	ID	RCV	Rejected	114	499	12	-385	18.26%
Amendment 423 (part 4)	Am 423.4	Committee	RCV	Accepted	463	144	24	319	73.36%
Amendment 446 (part 1)	Am 446.1	Committee	RCV	Accepted	576	52	4	524	91.14%
Amendment 456	Am 456	Committee	RCV	Accepted	450	169	13	281	71.20%
Amendment 463	Am 463	Committee	RCV	Accepted	441	182	7	259	69.00%
Amendment 508	Am 508	Committee	RCV	Accepted	436	176	14	260	69.65%
Amendment 526 (part 1)	Am 526.1	Committee	EV	Rejected	286	337	10	-51	45.77%
Amendment 531	Am 531	Committee	RCV	Accepted	438	180	14	258	69.30%
Amendment 559	Am 559	Committee	RCV	Accepted	415	199	17	216	65.77%
Amendment 561	Am 561	Committee	RCV	Accepted	499	97	35	402	79.08%
Amendment 620	Am 620	Committee	RCV	Accepted	360	264	7	96	56.84%
Amendment 622	Am 622	Committee	RCV	Accepted	460	158	13	302	72.93%
Amendment 660	Am 660	ID	RCV	Rejected	131	494	5	-363	20.79%
Amendment 661	Am 661	ID	RCV	Rejected	192	423	7	-231	30.87%
Amendment 667	Am 667	ID	RCV	Rejected	159	458	13	-299	25.24%
Amendment 633	Am 633	The Left	RCV	Rejected	184	437	8	-253	29.27%
Amendment 636	Am 636	The Left	RCV	Rejected	122	494	13	-372	19.40%
Amendment 532	Am 532	Committee	RCV	Accepted	453	152	24	301	72.02%
Amendment 672	Am 672	ID	RCV	Rejected	82	533	13	-451	13.06%
Amendment 650	Am 650	ECR	RCV	Rejected	114	477	42	-363	18.00%
Amendment 577	Am 577	Committee	RCV	Accepted	416	182	28	234	69.10%
Amendment 652	Am 652	ECR	RCV	Rejected	150	472	10	-322	23.72%
Amendment 674	Am 674	ECR / ID	RCV	Rejected	189	411	22	-222	30.39%
Amendment 643	Am 643	The Left	RCV	Rejected	126	502	4	-376	20.00%
Amendment 629	Am 629	The Left	RCV	Rejected	55	484	92	-429	8.72%
Amendment 658	Am 658	ID	RCV	Rejected	156	470	5	-314	24.72%

This table presents the voting distribution during the second legislative voting stage of the main EU ETS revision, including votes in favour, against, and abstentions following interinstitutional negotiations and legislative revisions.

Table A3.5

EU ETS MAIN REVISION FINAL STAGE VOTE	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Proposal rejection	Am 682	ID	RCV	Rejected	130	504	4	-374	20.38%
Provisional agreement	Am 680	Committee	RCV	Accepted	413	167	57	246	64.84%
Commission statement	Am 681	Committee	–	Accepted	–	–	–	–	–

This table presents the final voting distribution for the main EU ETS revision, including votes in favour, against, and abstentions during the concluding stage of the legislative process. The results illustrate the overall level of political support achieved following interinstitutional negotiations and compromise formation between the European Parliament, the Council, and the Commission.

Table A3.6

FIRST FINAL VOTE EU ETS	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Commission proposal	Proposal	Commission	RCV	Rejected	265	340	34	-75	41.47%

This table presents the voting distribution during the first final legislative vote related to the EU ETS revision, including votes in favour, against, and abstentions. The results illustrate the degree of political support achieved following negotiations and amendment activity during the earlier stages of the legislative process. The table supports the analysis of consensus formation, political disagreement, and institutional bargaining associated with the development of the revised EU ETS framework under the Ordinary Legislative Procedure.

Table A3.7

SECOND FINAL VOTE EU ETS	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Final vote (Commission proposal)	Proposal	Commission	RCV	Accepted	439	157	32	282	69.90%

This table presents the voting distribution during the second final legislative vote connected to the EU ETS revision, including votes in favour, against, and abstentions following additional negotiations and legislative adjustments. The results illustrate the final level of political agreement reached between institutional actors during the concluding stages of the policymaking process.

Table A3.8

EU ETS MAIN REVISION FINAL STAGE VOTE	Amendment	Author	Vote Type	Result	For	Against	Abstain	Margin	Agreement %
Proposal rejection	Am 682	ID	RCV	Rejected	130	504	4	-374	20.38%
Provisional agreement	Am 680	Committee	RCV	Accepted	413	167	57	246	64.84%
Commission statement	Am 681	Committee	–	Accepted	–	–	–	–	–

This table presents the final-stage voting distribution for the main EU ETS revision, including votes in favour, against, and abstentions during the concluding legislative phase of the policymaking process.

Appendix 4. Count Emission EU

This appendix presents supplementary material related to the CountEmissions EU legislative process. The appendix includes voting results, legislative timelines, amendment activity, and additional comparative material connected to the development of the proposal on the accounting of greenhouse gas emissions of transport services. The presented material provides further transparency regarding the progression of the proposal throughout the Ordinary Legislative Procedure, including institutional negotiations, legislative revisions, political disagreement, and voting behaviour during the policymaking process.

Table A4.1

Case CountEmission EI Amendment	Author	Result	For	Against	Abstain	Margin	Agreement %
Article 1 §1	115 PPE	Rejected	181	413	9	-232	30.02%
Article 2 §1	35 Committee	Accepted	334	242	28	92	55.30%
Article 4 §1	44 Committee	Accepted	339	231	45	108	55.12%
Recital 30	114 PPE	Rejected	260	352	4	-92	42.21%
Committee final vote (Final vote in joint committee	Approved	Accepted	81	16	4	65	80.20%

This table presents the voting distribution related to the main revision stage of the CountEmissions EU proposal, including votes in favour, against, and abstentions during the legislative process.

Table A4.2

Count Emission EU Timeline	Date	Institution	Event	Description	Outcome	Notes
Proposal	11/07/2023	European Commission	Legislative proposal publish	COM(2023)0441	Initiated	Start of procedure
Committee Stage (1st reading)	04/03/2024	European Parliament	Committee vote	Amendments voted in EN	Approved	Your amendment dataset
Plenary (1st reading)	10/04/2024	European Parliament	Parliament vote	Position adopted	Approved	349 / 243 / 12
Negotiation Phase	Dec-24	EP + Council	Interinstitutional negotiatio	Trilogue initiated	Ongoing	Informal bargaining
Political Agreement	03/12/2025	EP Committees	Agreement reached	Early 2nd reading agreem	Approved	Turning point
Council Stage	05/03/2026	Council of the EU	Council position adopted	Formal Council position	Approved	15614/2025
Committee Stage (2nd reading)	17/03/2026	European Parliament	Committee vote	Recommendation adopte	Approved	A10-0062/2026
Plenary (2nd reading)	Apr-26	European Parliament	Final vote	EP approves Council posit	Adopted	Final outcome
Finalisation	After vote	EP + Council	Signature & publication	Official Journal publicatio	Completed	Regulation enters into force

This table presents the legislative timeline for the CountEmissions EU proposal, illustrating the progression of the proposal through the main stages of the Ordinary Legislative Procedure.

Appendix 5. Cross Case Comparison

Appendix A5 contains the underlying tables used for the construction of the comparative graphs presented throughout the analysis of the AFIR, EU ETS, EU ETS Aviation, and CountEmissions EU cases. The appendix includes tabulated data related to amendment activity, voting distributions, legislative timelines, subsidiarity checks, reasoned opinions (ROs), and procedural development within the Ordinary Legislative Procedure.

The purpose of the appendix is to increase transparency and traceability by presenting the empirical data used to generate comparative visualizations included in the main analysis. By providing the underlying numerical and procedural data in table format, the appendix supports the interpretation of legislative development patterns, political disagreement, and institutional negotiation dynamics across the selected EU policy cases.

Table A5.1

Case	Amendments	Conflict Level	Outcome	Time to adoption
AFIR	1080	2	Adopted	1
Countemissions	349	1	Ongoing/Adopted	2
EU ETS	344	3	Adopted	2
Background EU ETS	2257	3	Adopted	3

This table illustrates the number of amendments submitted across the examined EU legislative proposals. The material highlights variations in legislative activity and political contestation between the cases, providing an indication of the relative complexity and negotiation intensity associated with each proposal during the policymaking process.

Table A5.2

Category	Time (Months)	Time (Years)	Interpretation
Fast	1 < 24 months	< 2 years	Early agreement, high priority, strong institutional alignment
Medium	2 24–48 months	2–4 years	Standard legislative process with moderate negotiation
Slow	3 > 48 months	> 4 years	Prolonged negotiations, high complexity or political sensitivity

This table presents the outcomes of subsidiarity checks conducted for the AFIR, CountEmissions EU, and EU ETS proposals within the framework of the Early Warning System. The material illustrates whether the examined cases triggered yellow or orange card procedures and provides a comparative interpretation of the level of perceived subsidiarity conflict associated with each proposal

Table A5.3

Case	Subsidiarity Check	Yellow Card	Orange Card	Interpretation
AFIR	Yes	No	No	No significant subsidiarity conflict; mainly technical/infrastructure-focused legislation
CountEmissions	Yes	No	No	Low political sensitivity at national level; conflict handled within EU institutions
EU ETS	Yes	No	No	High political conflict, but expressed through Parliament/Council negotiations, not subsidiarity mechanism

This table presents a comparative overview of subsidiarity checks conducted for the AFIR, CountEmissions EU, and EU ETS proposals within the Early Warning System framework. The material illustrates whether the proposals triggered yellow or orange card procedures and provides an interpretative assessment of the degree of political sensitivity and subsidiarity-related conflict associated with each case.

Table A5.4

Case	Reasoned Opinion
AFIR	2
CountEmissions	0
EU ETS	2
EU ETS Aviation	1

This table presents the number of reasoned opinions submitted by national parliaments for the AFIR, CountEmissions EU, EU ETS, and EU ETS Aviation proposals within the framework of the Early Warning System.

Table A5.5

Case	First Reading	Second Reading	Third Reading	Outcome
AFIR	1	0	0	Adopted
CountEmissions	1	1	0	Ongoing
ETS	1	1	0	Adopted

This table presents a comparative overview of the procedural stages reached by the AFIR, CountEmissions EU, and EU ETS proposals within the Ordinary Legislative Procedure. The material illustrates whether the proposals progressed through first, second, or third readings, as well as their current legislative outcomes.

Table A5.6

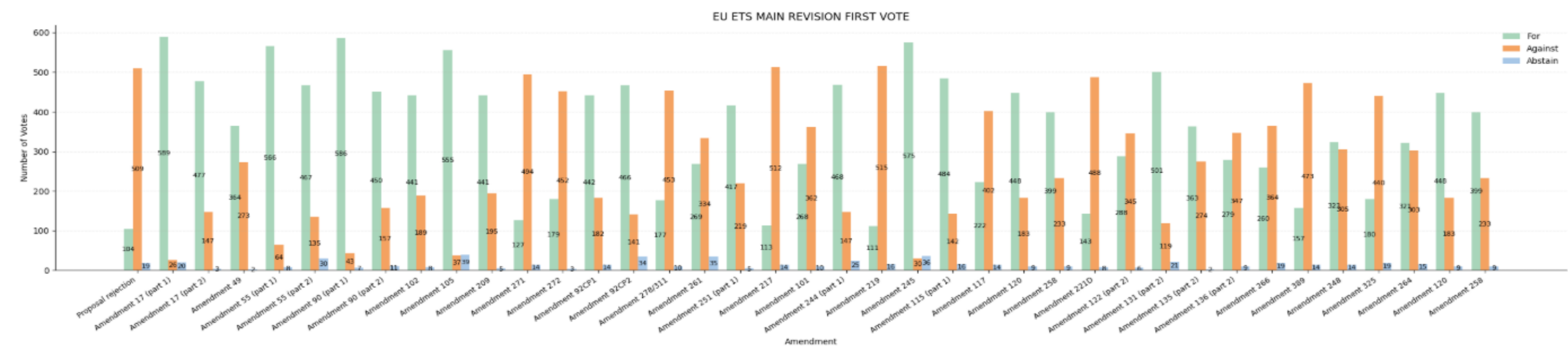
Case	Proposal Date	Adoption Date	Total Duration (months)	Negotiation Start	Negotiation End	Negotiation Duration (months)	Iterations	Intensity Level	Outcome
AFIR	14/07/2021	22/09/2023	24	19/10/2022	24/05/2023	7	Low	Medium	Adopted
CountEmissions	11/7/2023	28/04/2026	32	4/12/2024	3/12/2025	12	Low	High	Ongoing
EU ETS	14/07/2021	10/5/2023	22	22/06/2022	9/2/2023		High	Very high	Adopted
EU ETS Aviation	14/07/2021	10/5/2023	22	08/06/2022	9/2/2023		High	Very high	Adopted

This table presents the legislative timelines for the AFIR, CountEmissions EU, EU ETS, and EU ETS Aviation proposals, including proposal dates, adoption dates, total legislative duration, and the timing of interinstitutional negotiations. The material illustrates differences in procedural length, negotiation intensity, and legislative progression across the examined cases within the Ordinary Legislative Procedure.

Appendix 6. Voting results Graphs

This appendix presents supplementary voting result graphs related to the AFIR, EU ETS, and EU ETS Aviation legislative processes. The graphs were moved to the appendix in order to maintain readability and visual clarity within the main body of the report due to their size and level of detail. The presented material illustrates voting distributions across selected amendments and legislative stages, including votes for, against, and abstentions within the European Parliament. The graphs provide additional transparency regarding political support, opposition, and voting behaviour throughout the analysed policymaking processes.

Figure 15.
Voting distribution across amendment voting in the EU ETS main revision first vote

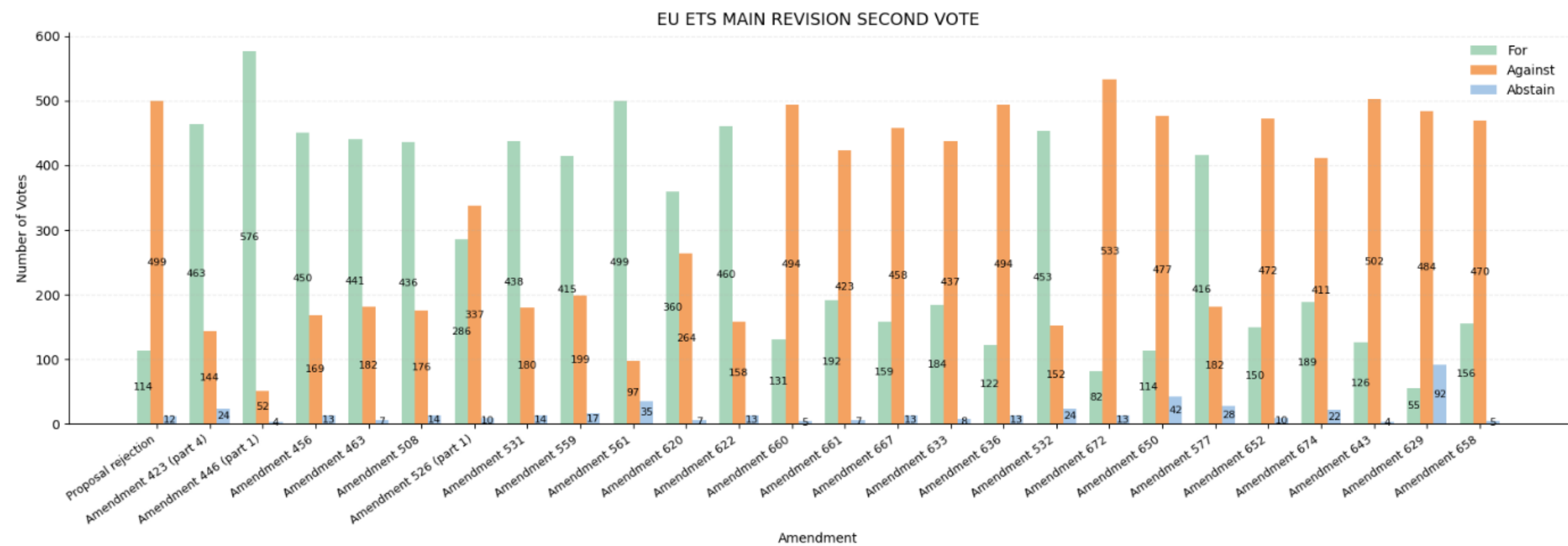


The figure illustrates the distribution of votes for, against, and abstentions across selected amendments during the EU ETS legislative process in the European Parliament. The voting patterns highlight varying levels of political support and opposition across different amendments within the legislative process.

Note: Own illustrat

Figure 16.

Voting distribution across amendments, measured by the number of votes for, against, and abstentions EU ETS main revision

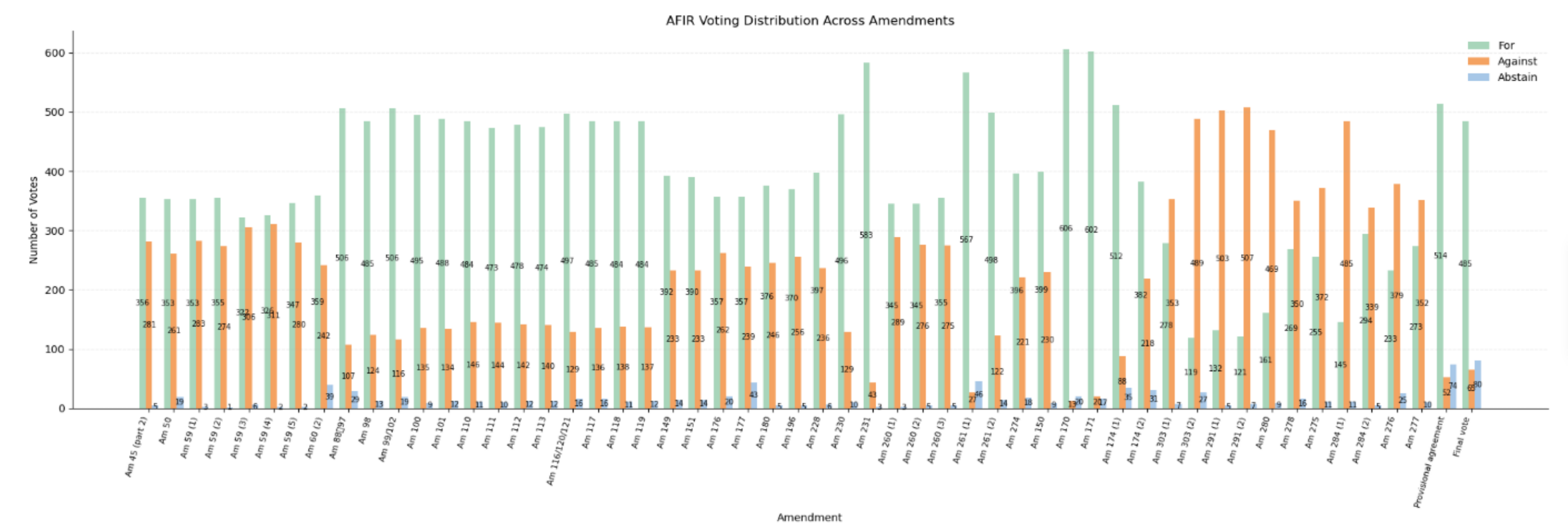


The figure illustrates the distribution of votes for, against, and abstentions across selected amendments during the EU ETS main revision second vote in the European Parliament. The voting patterns highlight varying levels of political support and opposition across different amendments within the legislative process.

Note : Own illustration.

Figure 17.

Voting distribution across amendments in the AFIR legislative process, measured by the number of votes for, against, and abstentions



The figure illustrates the distribution of votes for, against, and abstentions across selected amendments during the AFIR. The voting patterns highlight varying levels of political support and opposition across different amendments within the legislative process.

Note : Own illustration.



CHALMERS