



FRACKING BRUSSELS

A WHO'S WHO OF THE EU SHALE GAS LOBBY



Friends of
the Earth
Europe

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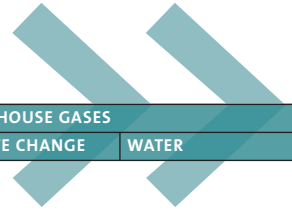
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Executive Summary



	EXTRACTION	HYDRAULIC FRACTURING	GREENHOUSE GASES	
MILLENNIUM DEVELOPMENT GOALS		EMISSIONS	CLIMATE CHANGE	WATER

Shale gas, and the controversial technology used to extract it, have ignited tensions across communities, nationally and within the European Union (EU). While industry promises a US-style cheap shale gas bonanza, communities and environmental groups warn of serious threats to water supplies, pollution risks and potential health impacts. Recognising these concerns, the debate at the EU level has focused on whether and how high-volume hydraulic fracturing – or ‘fracking’ – should be regulated.

Much is at stake. Industry players, who include many of the big oil and gas companies, have used their influence and financial power to ensure that the EU has not introduced new EU-wide regulations on fracking in 2013 and 2014. They have invested in an extensive lobby campaign, targeting the European institutions, national governments, and individual members of the European Parliament (MEPs), as well as recruiting academics and members of the public to support their efforts to capture the political process and block proposals to tighten the regulatory framework.

This report maps out this lobbying offensive by exposing the key players involved, their targets and the tactics employed. It examines the activities of the main shale gas lobby groups and individual companies, drawing on evidence of meetings and correspondence with five key departments in the European Commission, to reveal a web of lobbying activity, incorporating industry players from both sides of the Atlantic, industry lobby groups, professional lobby consultants, MEPs and even national governments.

It finds a distinct divide between the companies’ and lobby groups’ public rhetoric and the details of their policy demands. While the shale gas industry is eager to assure the public that it is committed to extracting shale gas in a safe, environmentally-friendly way, it is investing significant effort and money to convince policy-makers not to impose regulations and pushing to weaken environmental protection laws.

Through industry conferences, meetings, roundtables, dinner-debates and seminars, industry lobbyists have promoted their arguments to officials and politicians, presenting evidence from industry-funded academic studies to back up their case. Officials have been invited on fact-finding visits and to speaker tours to make sure they hear industry’s message, while industry-funded front groups have been deployed to generate “public” support.

Analysis of contact with key Commission directorates involved in the Commission’s impact assessment (DG Environment, Climate Action, Energy, Enterprise and Industry, and Trade) reveals the intensity of the lobby campaign: industry lobby groups sent at least 79 correspondences to the key DGs dealing with shale gas within less than a year. Also the imbalance in the interests represented at the EU level becomes very obvious: based on information obtained by access to documents’ requests, the European Commission met at least 68 times with industry representatives while only six meetings with civil society groups were mentioned. While environmental NGOs have struggled to make their concerns heard within the Commission, industry representatives, including some who are not officially registered in the Commission and Parliament’s joint transparency register for interest representatives, have invited top level officials to dinners and seminars while distorting the evidence to warn of dire consequences for the European economy if shale gas extraction is regulated.

The on-going free trade agreement negotiations for the Transatlantic Trade and Investment Partnership (TTIP) have been seized on as offering a backdoor for the US shale gas industry, keen to find a way around the EU's stricter environmental regulations. Fossil fuel, chemical and industrial equipment companies which have profited enormously from the largely unregulated US shale gas boom have targeted the TTIP negotiations as an opportunity to get rid of "barriers to trade" or "irritants" such as mandatory environmental impact assessments or requirements for community consent.

The report finds that despite blatant misrepresentation of evidence and distortion of facts, the shale gas lobby has clearly succeeded in influencing the Commission's decision-making processes. They have not only successfully deflected rules for stronger environmental impact assessments for shale gas projects, but they have also managed to stop a DG Environment proposal for an EU regulatory framework to address the risks of shale gas in relation to issues such as water pollution, chemical use, public participation. This raises questions about the European Union's ability to act in the interests of public safety and the environment.



Drilling pad in Bulgaria. Each pad requires almost 4 hectares to install all the necessary equipment for extraction.

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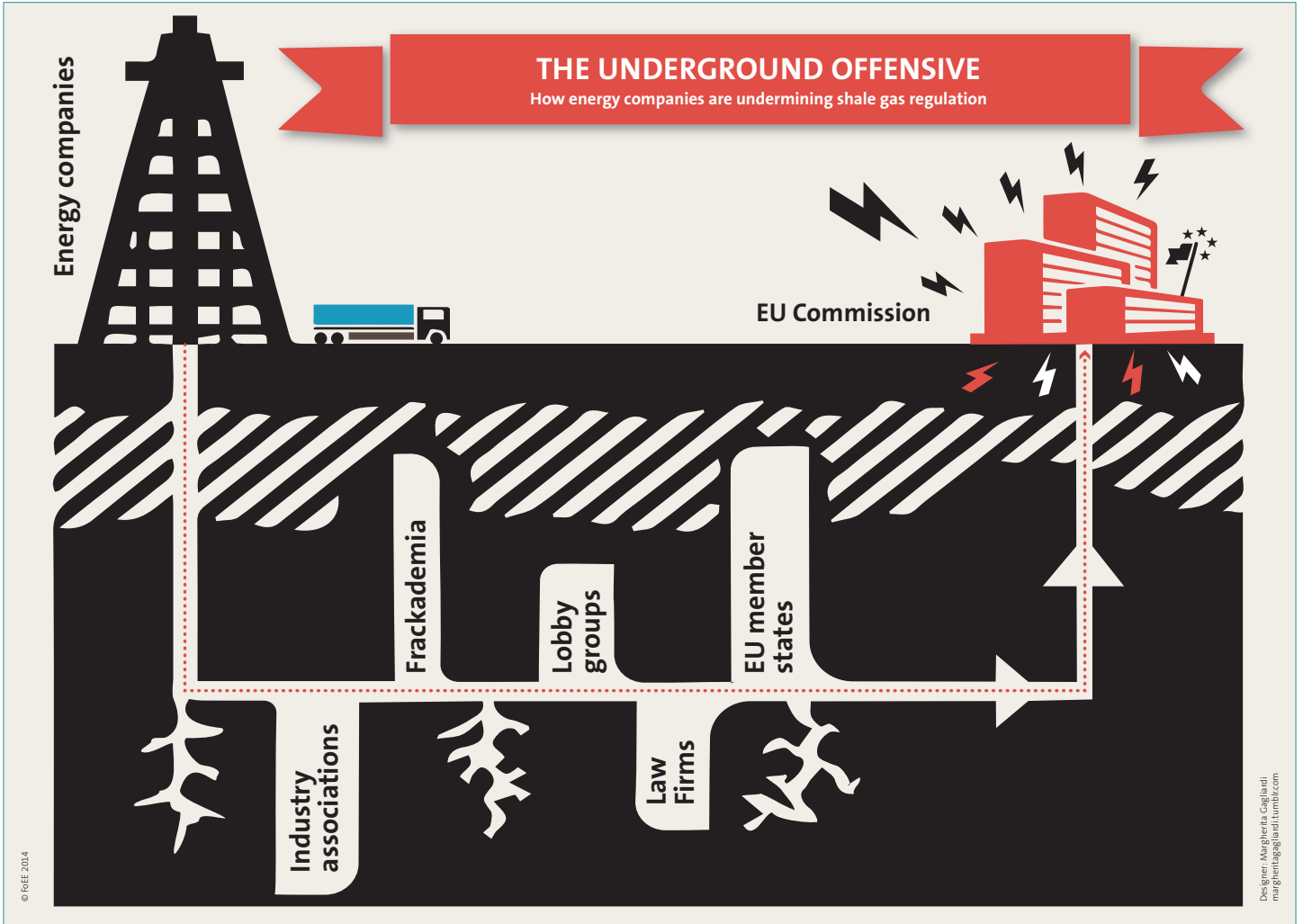
The shale gas lobby: who's who and what do they say?



A demonstration against shale gas developments in Romania.
© frack-off

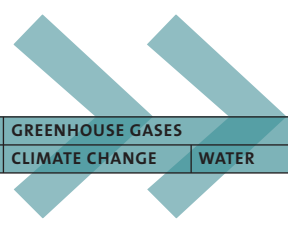
The shale gas industry has been involved in a concerted effort to influence the debate on shale gas at the EU level. But who are the key players and what are they saying? And how have EU member states been influential in the debate? We looked at who's who within the EU shale gas lobby, and examined the arguments and tactics used, uncovering a distinct divide between the public rhetoric used by companies and lobby groups and the details of their policy demands. While the shale gas industry wants to be seen as committed to extracting shale gas in a safe, environmentally-friendly way, it is lobbying to convince policy-makers not to regulate, and pushing for weaker environmental protection laws, with the backing of some key member states.

We looked at who's who within the EU shale gas lobby, and examined the arguments and tactics used, uncovering a distinct divide between the public rhetoric used by companies and lobby groups and the details of their policy demands.



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HYDRAULIC FRACTURING	GREENHOUSE GASES
EMISSIONS	CLIMATE CHANGE WATER

1.1 BusinessEurope

BusinessEurope is the main organisation representing employers in Europe, with 20 million company members in 35 countries. It describes itself as the “leading advocate for growth and competitiveness at European level, standing up for companies across the continent and campaigning on the issues that most influence their performance”.¹

*Members of BusinessEurope’s corporate advisory and support group include: TOTAL, Shell, Statoil, ExxonMobil, GDFSuez, General Electric, BP, LUKOIL.*²

What BusinessEurope says in public:

BusinessEurope argues that shale gas should be exploited “in a sustainable way”,³ and that European energy policy should “address the environmental impact of energy production and use through policies reflecting a sustainable development vision”.⁴

BusinessEurope corporate advisory group member Total says that “Total makes environmental criteria a central concern when deciding about the feasibility of future shale gas developments.”⁵

How BusinessEurope seeks to influence the debate:

BusinessEurope actively lobbied Members of the European Parliament (MEPs) ahead of key votes, as part of their battle to block regulation, urging them to vote against mandatory Environmental Impact Assessments (EIAs) for shale gas exploration for example, arguing that lengthy authorisation procedures for exploration were already “disproportionate”.⁶ This would mean companies would not have to consider how their operations might affect water supplies or increase pollution levels at the exploration stage, meaning that when EIAs were carried out at the exploitation stage, significant damage could already have been done. The message influenced MEPs in the European People’s Party (EPP) who argued for a split between exploration and commercial exploitation in the debate.

BusinessEurope also lobbied MEPs to vote against amendments which would require independent accredited experts to prepare environmental reports, saying this would pose “an unnecessary administrative burden” and that developers should be allowed to prepare the environmental reports themselves. They also argued that “global environmental aspects” such as biodiversity or climate change should not be included because of “legal uncertainties” and “costs and time impact”.

BusinessEurope was however happy to endorse⁷ a UK government’s Business Taskforce report, ‘Cut EU Red Tape’⁸ which argued that removing any requirement for written health and safety risk assessments could save businesses across the EU €2.7 billion, while “new specific and prescriptive legislation for shale gas would create additional cost for little benefit... [and] a risk of stifling innovation by regulating details while technology is still in flux”. Voluntary guidance on how existing EU legislation applies to shale gas exploitation was all that was required.

Shell, a prominent member of BusinessEurope’s corporate advisory group, say that they: “support government regulations [for shale gas]... designed to reduce risks to the environment and keep those living near operations safe.”⁹

The same report also called for the completion of “ambitious EU Free Trade Agreements (FTAs), including the Transatlantic Trade and Investment Partnership (TTIP)” and demanded action to address “the regulatory barriers that businesses say inhibit trade”. The TTIP is being seen as an opportunity to overwrite the EU’s environmental protection laws in the name of barriers to trade.¹⁰ The UK government Taskforce is made up of six chief executives from big business,¹¹ including a former non-executive director of shale gas proponent Centrica.¹²

The differences between the greenwash and the reality:

Despite public statements supporting “sustainable” exploitation of shale gas, and the importance of tackling the environmental impacts of energy production, BusinessEurope’s lobbying record reveals they are determined to allow shale gas exploitation to go ahead whatever the costs to the environment and that they are determined to weaken existing and halt new legislative safeguards.

1.2 The International Oil & Gas Producers Association (OGP)

The International Oil and Gas Producers Association (OGP) represents the interests of “oil & gas companies, industry associations and major upstream service companies”. According to OGP’s website, these members “produce more than half the world’s oil and about one third of its gas”.¹³

Members include: TOTAL, Chevron, Shell, Statoil, OMV, ExxonMobil, GDFSuez, BP, ConocoPhillips, DONG Energy, ENI, E.ON

What OGP says in public:

In public, OGP professes a “commitment to safe and environmentally responsible gas from shale development in Europe”,¹⁴ and argues that “with responsible operators and sound regulation, gas from shale can help meet [rising energy] demand.”¹⁵

“OGP and its members work within the effective implementation of existing regulations and recognise that this is an important factor in reducing risk for all gas operations.”¹⁶

OGP member ExxonMobil says: “Throughout the entire unconventional gas life cycle - from exploration to decommissioning - care is taken to minimize the disruption to the community and protect the environment.”¹⁷

How OGP seeks to influence the debate:

OGP has produced a series of factsheets which claim to provide “factual information about shale gas”,¹⁸ but which include blatant misinformation. For example one claims that: “there has been no case of hydraulic fracturing operations contaminating drinking water resources”, yet water contamination has been confirmed by numerous studies in areas where fracking is taking place,¹⁹ and by recent media investigations.²⁰ OGP refers to “comprehensive studies” that find no historical examples of fracking contaminating drinking water, citing a single five-year-old US Department of Energy paper,²¹ which in fact recognises the risk of groundwater contamination, and says more studies are needed to determine the risk from high-volume hydraulic fracturing. It suggests that the risks can be avoided when deep fracking through “appropriate well construction”.

OGP commissioned a report on the Macroeconomic Effects of European Shale Gas Production in 2013 which appears to have been very influential within the European Commission, despite being based on a number of disputable facts. The report claims that between 2020 and 2050, the total savings from pursuing shale gas exploitation in Europe could be between €245bn and €540bn,²² that shale gas will not affect growth of renewables, will reduce the amount of coal burnt in electricity generation

and will increase GDP and net job creation, provided there is “strong political will... to secure the level of support that will be required to achieve large scale production of shale gas in Europe.” This would seem to assume that efforts to improve energy efficiency, increase renewable capacity, and proposals to require gas-fired power stations to be fitted with carbon capture and storage by 2030 will have no impact on demand for gas.²³ It also includes optimistic figures on likely shale gas production, ignoring evidence from the US and the levels of opposition in some member states.²⁴

OGP member Chevron says: “Protecting land, water and communities is our highest priority. We share the public’s expectation that the energy we need will be produced safely and reliably. We know that permission to operate depends on our ability to do business responsibly.”²⁵

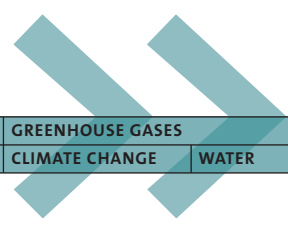
OGP, like many pro-shale lobbies, chooses to limit its definition of “hydraulic fracturing operations” to the process of injecting the fracking fluid underground and to exclude all of the related activities (exploration phase, seismic tests, building the drilling site, drilling, transporting chemicals, equipment, sands and water, truck traffic, building pipelines, transporting fracking fluid, treating and storing of fracking fluid, etc). Yet in many cases, it is these upstream and downstream activities that have resulted in water contamination.²⁶

Environmental NGO Food and Water Europe commented on OGP’s report, saying: “To put it mildly, OGP offers a very static view of an energy world in full transition.”²⁷

OGP’s FAQs also say it is industry best practice to sample water before and after drilling – but this refers to the production phase, so any pollution that occurs during the exploration phase will not be registered. According to the chemicals factsheet, any disclosure of the contents of the fracking fluids being used (and potentially contaminating water supplies and agricultural land) must protect the intellectual property rights of the manufacturers – meaning that details of the chemicals used and the strength of the solution is unlikely to be disclosed to the people who need to know as their health might be affected by them.²⁸

The differences between the greenwash and the reality:

Despite proclaiming to be committed to safe and environmentally responsible shale gas and to sound regulation, OGP (and its members) have distorted evidence and used misinformation to convince policy-makers of shale gas’ benefits.



1.3 Shale Gas Europe

Shale Gas Europe is an industry-funded lobby platform entirely focused on the promotion of the development of the shale gas industry in Europe. The platform is managed by a Brussels-based lobby and consulting firm, FTI Consulting.²⁹

Members include: TOTAL, Chevron, Shell, Statoil, Cuadrilla, Halliburton.

What Shale Gas Europe says in public:

Shale Gas Europe frequently refers to the merits of what it calls “Safe and responsible shale gas development”.³⁰ It also states that “shale gas development can take place within an adequate and responsible regulatory regime”.³¹

“Oil and gas companies welcome regulation based on responsible science and commit to putting their technical expertise at the disposal of policy-makers and regulators”.³²

Shale Gas Europe member Shell says: “We have implemented a number of environmental measures with the aim of protecting local biodiversity, keeping air and water clean, and reconstructing the land once drilling ends”.³³

How Shale Gas Europe is trying to influence the debate:

Shale Gas Europe has produced a series of ‘factsheets’ for policy-makers which it claims are a factual and balanced resource.³⁴ One of these affirms that “it can be conclusively demonstrated that none of the claims of environmental harm commonly levelled against hydraulic fracturing stand up to close scrutiny”.³⁵ Yet the evidence offered to demonstrate this seems contradictory at best. For example, while it claims that “as there is no pathway between the fractures and aquifers [...] hydraulic fracturing cannot contaminate groundwater”, the same factsheet acknowledges that “best practice well construction techniques protect drinking water from contaminations”, which would seem to imply that anything less than best practice may put drinking water at risk. Similarly it states that: “There is no intentional release of chemical additives to surface water, groundwater, land or air”, effectively acknowledging the possibility of unintentional release.

Shale Gas Europe member Statoil says: “We want to ensure that our presence has minimal negative impact.”

Another fact sheet repeats the claims made by OGP that “According to the US Environmental Protection Agency (EPA), there is no documented case of hydraulic fracturing contaminating groundwater to date.”³⁶ Shale Gas Europe backs up this claim with a link to a FOX news clip from May 2011 in which former EPA head, Lisa Jackson, is asked in the US Congress if there is any evidence that hydraulic fracturing can affect aquifers and water supplies. Jackson replies that “there is evidence that it can certainly affect them, though I am not aware of any proven case where the fracking process itself has affected water, though there are investigations ongoing”. The EPA is now in the process of a six-year ‘Study of Hydraulic Fracturing and Its Potential Impact on Drinking Water Resources’, following allegations that the EPA has failed to properly investigate allegations of ground water contamination³⁷ because of severe conflicts of interest.³⁸ The US government has also come under fire for covering up results of fracking contaminated water,³⁹ and Jackson, who has since left the Agency, was embroiled in a scandal about the cover up of ground water contamination in Dimock, Pennsylvania.⁴⁰ The EPA has reported that researchers have found that the disposal of contaminated waste water from fracking poses substantial potential risks of river and other water pollution.⁴¹

The differences between the greenwash and the reality:

Despite heralding safe and responsible shale gas, and saying that the industry welcomes “regulation based on responsible science”, Shale Gas Europe has misrepresented evidence in the ‘factsheets’ that it uses as lobby tools and which are misleading the public about the impacts of shale gas extraction.

1.4 European Energy Forum (EEF)

The European Energy Forum is an MEP-industry forum which provides industry representatives, mainly from the big energy companies, with access to members of the European Parliament⁴² at organised dinners and networking events.

Members include: TOTAL, Chevron, Shell, Statoil, OMV, PGNiG, GDFSuez, General Electric, BP, E.ON, ENEL, LUKOIL.

*EEF member Statoil says: "Statoil is committed to developing these resources in a transparent and responsible manner..."*⁴³

What EEF says in public:

According to its website, the European Energy Forum (EEF) "is non-partisan, supports neither political, nor economic interests and takes no decision or position." The group claims to be completely neutral, saying: "EEF activities must not favour any particular form of energy".⁴⁴

How EEF influences the debate:

EEF hosts industry funded dinner-debates, lunchtime discussions, briefings for MEPs' assistants and visits, providing representatives from the shale gas industry with opportunities to lobby for their cause. All events are held under the Chatham House Rule to provide anonymity to participants.⁴⁵ In October 2013, EEF members Shell and Westinghouse (who have interests in shale gas and nuclear respectively) sponsored an MEP visit to the US to discuss shale gas and nuclear issues, including visits to shale gas sites.⁴⁶ In November 2013, EEF hosted a Brussels dinner debate with the Polish coal and shale gas giant, PGNiG, entitled "Shale gas: opportunity for the competitiveness of the European industry; What is needed for the European shale gas strategy?"⁴⁷ According to the blurb, speakers would explain "how shale gas creates many market opportunities, has a positive economic impact and will make energy prices more competitive".

EEF member Total says: "We make no exceptions to our commitment to produce energy sources sustainably and in a manner compatible with environmental stewardship, regulatory requirements and local residents."



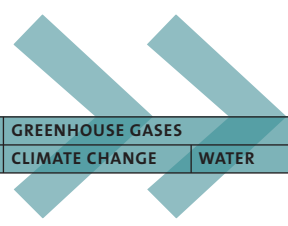
Pro-shale gas astrosurfing event organised at the European Parliament by the Citizens Coalition for Responsible Energy (CC-RE), sponsored by Polish gas companies.
© Greens/EFA

Event-sponsor PGNiG, a Polish gas company, has also funded a pro-shale gas 'astroturf' campaign⁴⁸ (i.e. faking the appearance of grassroots support) called the Citizens Coalition for Responsible Energy (CC-RE), which promotes the view that shale gas has no environmental risks and needs no further regulation. Before a key vote on shale gas, the group staged an exhibition for MEPs outside the plenary meeting room in the European Parliament,⁴⁹ despite clear rules that exhibitions should not advertise companies or have a commercial purpose.⁵⁰

MEP-industry forums are subject to no rules and little transparency, and have been labelled under-the-radar lobbying vehicles, providing industry with privileged access to high-level policy-makers.⁵¹

The difference between the greenwash and the reality:

EEF poses as a neutral "place for discussion and debate",⁵² but in reality it is used by big energy companies, including shale gas developers, to promote their interests to high-level policy-makers.



HYDRAULIC FRACTURING	GREENHOUSE GASES
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1.5 AmCham EU

The American Chamber of Commerce to the European Union (AmCham EU) lobbies on behalf of 140 US American companies doing business in Europe and has been described by the Economist as “the most effective lobbying force in town”.

Members include: Chevron, ExxonMobil, FTI Consulting, Goldman Sachs,⁵³ Albemarle Corporation

What AmCham EU says in public:

“Our members promote the highest standards and good practice for well bore construction, casing, cementing and completion and throughout the drilling and hydraulic fracturing process. They fully support the public disclosure of chemicals used in hydraulic fracturing in Europe, according to the REACH Regulation and posting on the Association of Oil and Gas Producers (OGP) disclosure website”.⁵⁴

AmCham EU has also argued that a free energy market will help promote security of supply, stating that: “energy supply security requires a regulatory environment that promotes a liberalised market framework. When the market functions efficiently, supplies move, innovation is encouraged, and competition drives down consumer costs. Mandating a specific energy mix will limit innovation and could result in higher costs and reduced reliability”.⁵⁸

The difference between the greenwash and the reality:

AmCham EU claims that it fully supports transparency and its members promote the highest standards and good practice, but it opposes environmental protection laws that would ensure those highest standards could be enforced, including legislative measures that would bring more transparency about the environmental impacts of fracking and the chemicals used.

AmCham EU member Chevron says: “Chevron is committed to responsible development. Keeping people safe and protecting the environment are core values”⁵⁵

How AmCham EU is seeking to influence the debate:

AmCham EU is an enthusiastic supporter of the free-trade agreement currently being negotiated between the EU and the US, known as the Transatlantic Trade and Investment Partnership (TTIP), and it is keen to ensure that shale gas development in Europe will be free from regulatory measures, which it identifies as “trade barriers” such as strict environmental and social protection laws, saying: “it will be important that there are no undue restrictions on the import of equipment and/or services into the EU”.⁵⁶

AmCham EU member ExxonMobil says: Safety of people, communities and the environment is the top priority for all responsible companies and authorities working to develop unconventional gas resources”⁵⁷

The role of national governments: shaping the shale gas debate



2.1 Poland, proud proponent of shale gas

The Polish government has been a vocal advocate for shale gas in the EU and has actively campaigned against shale gas regulation at the European level. According to their lobby strategy, revealed in leaked documents obtained by Friends of the Earth Europe,⁵⁹ their purpose has not only been to prevent new legislation, they have also sought to shift the focus of the debate from environmental impacts to questions over security of supply and the competitiveness of the EU economy:

“The purpose of PL is to prevent changes in EU law which could result in a significant decrease in economical profitability of exploration and extraction of gas from unconventional sources in Poland or the EU....

Action taken at the EU level should, on the one hand, minimize the need for introducing EU [shale gas] regulation... and prolong the process of analytical and conceptual works, while, on the other hand, moving the focus of the discussion from environmental aspects into the issues of the future of the internal market, security of supplies of raw materials within the EU and to the EU as well as competitiveness of the economy and foreign policy towards the main suppliers of raw materials.”

Polish Tactics

According to their strategy, the Polish government planned to use reports emphasizing the economic benefits of fracking and its contribution to energy security in Poland, “through the use of independent institutions of high repute”. It also sees a role for Polish citizens, Polish MPs and MEPs, local authorities, Polish think-tanks, organisations and associations, exploration companies, scientific research institutions, and other like-minded states to show their support for fracking in response to the European Commission’s consultation.

This included inviting DG Energy Commissioner Günther Oettinger and other policy makers on fact-finding visits so that companies could demonstrate the effectiveness of existing environmental regulations and the positive socio-economic results of shale gas.⁶⁰

Delaying tactics, including pushing for further analysis on the legal basis for shale gas regulation, insisting that a legislative proposal be postponed until member states had carried out a public information campaign, and calling for decisions to be delayed until after the publication of a US Environmental Protection Agency (EPA) report, were all part of Poland’s ‘maximum plan’ to prevent the Commission from proposing any form of legislation. Poland wanted to see nothing more than non-binding good practice guidelines. As a minimum, the strategy aimed to limit changes so that the profitability of fracking was not affected. Support and involvement from Polish MEPs was seen as crucial, but Poland also sought to enhance the involvement of Enterprise and Industry Commissioner Antonio Tajani.

Box 1: Support in the Parliament

Polish MEP and member of the European People’s Party (EPP) Bogdan Marcinkiewicz invited officials from DG Climate Action to a Round Table on Shale Gas in April 2013, apparently organised by Brussels lobby consultancy Hill & Knowlton, although their involvement was not explained to invitees.⁶¹ According to their entry in the European Commission and Parliament’s joint lobby Transparency Register, Hill & Knowlton’s clients include Talisman Energy, Marathon Oil and Nexen, all active in Poland at that time.⁶² According to his MEP declaration of interest, Marcinkiewicz used to chair two gas companies, CETUS Energetyka Gazowa and LNG-SILESIA.⁶³

Boguslaw Sonik, another Polish MEP, also did his bit for the government’s campaign, hosting a dinner debate⁶⁴ on shale gas, together with the business lobby group Lewiatan, the Polish Confederation of Private Employers, and Polish member of BusinessEurope on the eve of a key Parliamentary committee vote on shale gas regulation.⁶⁵ In an interview in November 2013, Sonik bemoaned the high cost of energy in Poland, and asserted that “shale gas technologies are harmless to the environment and public health”.⁶⁶ This was despite the conclusions of the European Parliament’s own-initiative report on the environmental impacts of this industry,⁶⁷ on which Sonik himself was the rapporteur.

Key arguments

The Polish government strategy emphasises the effectiveness of arguments that draw on the benefits of cheap shale gas in the US, and the threat to the competitiveness of EU energy-intensive industries. Poland should argue in favour of opening Europe up to imports of US LNG and making use of the EU's unconventional gas resources, emphasising that best practice and the latest technologies can minimise costs and environmental damage; and focusing on how shale has contributed to US GDP growth, how it can reduce dependence on Russian gas and on how gas is a low-carbon fuel.

Risks, Allies and Enemies

The leaked documents also identify possible threats to Poland's pro-shale gas agenda, including a "lack of sufficient quantitative arguments concerning environmental aspects", a "shifting of the discussion... only towards environmental aspects", the anti-shale lobby, and the "strong politicization of actions at EU" including greater involvement of the European Parliament in the decision-making process, which would involve "a significant risk of shifting from a substantive discussion to the level of emotion and the accomplishing interests of powerful anti-shale lobby in the EU".

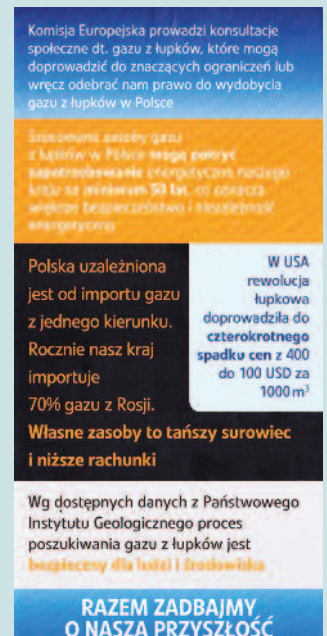
It sees potential allies in the Commission's DG Energy (DG Energy's Final Report on Unconventional Gas in Europe is seen as "favorable to Poland"), DG Enterprise and Industry and DG Competition, and the European Parliament's ITRE committee. Likely opponents are identified as DG Environment (DG Environment's report on the potential risks for the environment and human health fracking in Europe⁶⁸ is a "one-sided anti-shale approach to the subject") and the Parliament's ENVI Committee. DG CLIMA's position is seen as undecided/unclear.

External allies are seen as including "North American and European exploration companies operating in Poland and in Europe: Cuadrilla, Chevron, Talisman Energy, BNK Petroleum, San Leon Energy, Total, Eni and others" as well as the "chemical industry in Europe and its trade organizations". Other supportive EU member states are identified as Great Britain, Estonia, Romania (although it notes the public opposition), Lithuania, Spain, Sweden, the Netherlands, Hungary and Denmark. Opposing states are seen to be France, the Czech Republic and Bulgaria, with Germany listed as undecided but pivotal.

Box 2: PGNiG scaremongering for grassroots action

The European Commission launched a public consultation on unconventional fossil fuels (e.g. shale gas) in 2013 to assess public opinion and knowledge about the industry. PGNiG, the state-owned Polish gas company, which has 6.7m customers, used its position in the national market to organise a large-scale PR campaign aiming at pushing customers to participate in the consultation. PGNiG sent leaflets out with customers' bills, alerting them to the consultation and warning that it could lead to a ban on shale gas exploitation. It told customers: "Estimated reserves of shale gas can cover Polish energy needs for a minimum of 50 years, which means greater energy security and independence. According to the State Geological Institute the process of shale gas exploration is safe for people and the environment. The shale revolution in the USA led to a fourfold decrease in prices from 400 to 100 USD for 1000m³".

Out of the 22875 consultation responses received, 11714 came from Poland.



2.2 The United Kingdom of Fracking Inc

Identified as a key ally by Poland, Great Britain has also been lobbying for the shale gas industry, as revealed by a leaked exchange of letters between the UK government, the UK Permanent Representation to the EU (UKREP), and Commission President José Manuel Barroso.

Britain's voice in Brussels is through the office of the Permanent Representative (UKREP), former banker, Ivan Rogers.⁶⁹ In November 2013, Rogers wrote to the UK government detailing progress so far in blocking EU legislation to regulate shale gas, potential threats and the steps needed to ensure continued success. The letter reported that "Barroso has recently challenged Potočník to justify his proposed legislative approach... and has blocked (for now) the inter-service consultation on the legislative proposal". It warns however that: "the President's position is relatively fragile, and has been taken despite the strongly held views of the Environment Commissioner. There has also been strong pressure for legislation from the EP's Environment Committee and some Member States, such as Bulgaria, who consider a new EU framework might help them manage their domestic opposition to shale gas." According to the letter, the UK's main allies are Poland, Hungary, Slovakia and the Czech Republic but notes that this is not enough to form a blocking minority on legislation. According to the letter, the UK was seeking to broaden their alliance to include Ireland and the Netherlands.

The letter warns that Barroso's position is likely to come under attack from opponents, and that the UK will need to provide support, suggesting the Prime Minister should send a letter to Barroso and like-minded member states. One threat is identified as the Commission's own impact assessment as evidence, which the letter says supports the case for legislation. Like Poland, the UK's strategic preference is for guidance, rather than legislation, "shaped by the UK". The UK strategy includes "continued lobbying at official and ministerial level, using the recently agreed core script" and notes that "the recent visits by Katrina Williams and Duarte Figueira from DECC were also very helpful". Duarte Figueira, head of the UK's Office for Unconventional Gas and Oil in the Department for Energy and Climate Change (DECC) met with DG CLIMA to "discuss developments in the UK relating to unconventional gas but also developments with regards to a future EU framework for the sector".⁷⁰

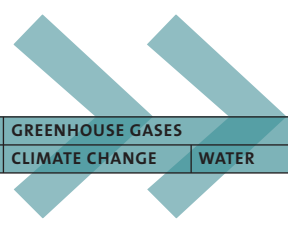
A week later, on 4 December 2013, the UK Prime Minister David Cameron duly sent a letter to Barroso stating that:

"I believe that the development of unconventional gas in the EU has the potential to improve energy security, provide jobs and growth, cut greenhouse gas emissions and apply downward pressure on energy prices. Our main competitors are already ahead of us in exploiting these resources...

...As you know, the shale industry is at a critical and early stage of its development in Europe. There is clearly merit in providing additional clarity on how the existing comprehensive EU legislative framework applies to shale gas. However, I am not in favour of new legislation where the lengthy time frames and significant uncertainty involved are major causes for concern. The industry in the UK has told us that new EU legislation would immediately delay imminent investment.

I believe the existing EU legislative framework and robust guidance is sufficient to ensure that shale gas activities can be regulated in a safe and sustainable manner."⁷¹

Cameron goes on to argue that the EU's renewable and energy efficiency targets should be scrapped and replaced with a simple GHG emissions reduction target, to enable the "least cost decarbonisation pathway" and to ensure "a level technology playing field". In other words, shifting the focus from investment in renewables to shale and the costly low carbon options of nuclear and carbon capture and storage (CCS).⁷²



UK government corporate links

Like the Polish government, the UK government's position is with the shale gas industry, with Cameron stating that "new EU legislation would immediately delay imminent investment". Corporate ties are an integral part of the picture for these pro-shale gas EU member states, with the UK's links with the industry running deep. For example:

- Lord John Browne, chairman of the shale gas company Cuadrilla and former Chief Executive of BP, works as a non-executive director of the Cabinet Office (the part of the UK government responsible for co-ordination across Government).
- Lord David Howell is the father-in-law of the Chancellor George Osborne and was until last year a Foreign Office minister with responsibility for energy policy. He is also President of the British Institute for Energy Economics, an oil and gas lobbying organisation which is funded by Shell and BP.⁷³
- Early 2014, Prime minister Cameron and his senior ministers had their cabinet meeting in Shell UK offices in Aberdeen, as he announced measures which aimed to make the most of remaining North Sea oil and gas reserves.⁷⁴

Fractures between UK government rhetoric and reality:

There is often a considerable gap between the public promises and lobbying scripts in support of shale, and the reality, and this is certainly true of the UK's rhetoric on legislative costs. While the UK government claims that EU legislation would delay investment, the European Commission's impact assessment shows that even with the most ambitious legislation annual compliance costs were estimated to amount to 1.4 to 1.6% of expected annual revenues, adding at most some 8% to the absolute costs of operations.⁷⁵ This is peanuts compared to the extra costs companies will face in Europe compared to the US. A KPMG report last year showed that because of Europe's geology, production would be three times more expensive than in the US and water costs would be 10 times higher.⁷⁶

2.3 Member states: the bigger picture

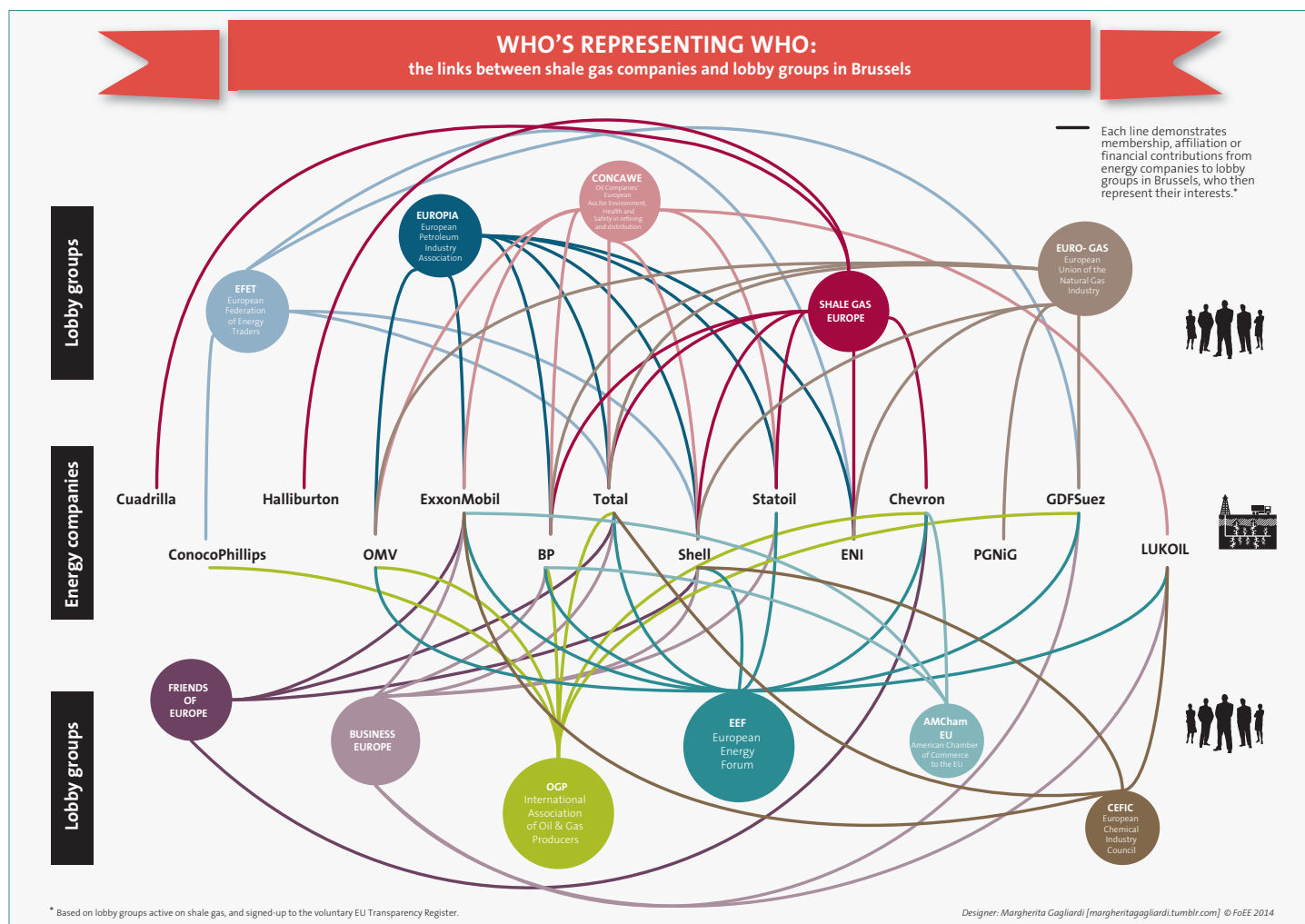
The UK and Poland have made their opposition to regulations for shale loud and clear, and their pro-industry, anti-environment stance can be seen to have had an effect on the EU block as a whole, with EU attempts to better regulate the industry failing to win support. A European Council vote in December 2013 on the Environmental Impact Assessment Directive (EIA) review shows that no member states really opposed the pro-shale gas lobby offensive organised by the UK and Poland. Leaked details of discussions on mandatory environmental impact assessments for all shale gas projects (exploration as well as commercial exploitation) between the Council, Commission and Parliament, reveal that while only seven of the 28 EU member states rejected mandatory EIAs (UK, Poland, Hungary, Czech Republic, Slovenia, Romania and Bulgaria), other states, including France, Germany, Belgium and Greece chose to remain passive on this issue, and no member state was prepared to actively support mandatory EIA for all shale gas projects.

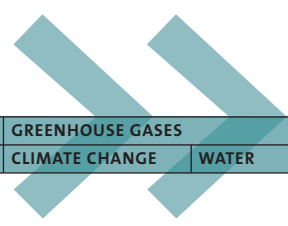
Targeting the decision makers: who, how and how much?



To obtain a better picture of the volume of lobbying on shale gas, including a sense of which stakeholders had most access to decision-makers, Friends of the Earth Europe made a series of access to documents requests to the European Commission directorates (DGs) which were involved in the review of the shale gas legislation impact assessment (ie the DGs for Environment, Climate Action, Energy, Enterprise and Industry, and Trade), asking for all stakeholder contacts in relation to unconventional fuels, particularly shale gas and fracking, as well as lists of all meetings with stakeholders on this topic.

As well as assessing the level of lobbying and the balance between different interest groups, we also examined how the different DGs were implementing their commitment to transparency, and in particular whether the stakeholders were signed up to the voluntary European Commission and Parliament's joint lobby Transparency Register.⁷⁷ Two DGs failed to release the requested list of meetings with stakeholders.⁷⁸





HYDRAULIC FRACTURING	GREENHOUSE GASES
EMISSIONS	CLIMATE CHANGE WATER

3.1 DG Environment

Stakeholder correspondence

The European Commission’s Directorate-General for the Environment (DG ENV) released approximately 62 separate sets of correspondence⁷⁹ with stakeholders in relation to shale gas and fracking, and a list of 29 meetings.

Of these, there were 30 sets of correspondence with industry from 23 different industry actors. These included individual energy companies, and lobby groups representing fossil fuels, the chemicals industry, energy industry, and big business. All were explicitly (or in one or two cases, implicitly) pro-shale gas. There were 14 sets of correspondence, including one meeting request, from four environmental non-governmental organisations (NGOs), all highly critical of shale gas.

The most extensive contact was with the International Oil and Gas Producers Association (OGP), including correspondence from ExxonMobil on behalf of OGP;⁸⁰ followed by Shale Gas Europe and the energy lobby, the CWC Group.

*OGP urged DG ENV not to adhere to the findings of a report it had commissioned into the health and environmental impacts of fracking, claiming that the “potential benefits of producing natural gas from shale are too important to the EU and its Member States to rush headlong into regulations that will most likely be misguided and inappropriate if based solely on the AEA report in its present form”.*⁸¹

Other correspondents included lobby consultants Kreab Gavin Anderson (whose clients include Arizona Chemical, Gasum and Linde Gas),⁸² and Business Bridge Europe (whose clients include GDF Suez, RTE and KIC InnoEnergy – representing LOTOS and PGNiG);⁸³ law firms lobbying for clients; and an academic research group funded by the energy industry. More than half of the industry contacts were invitations to attend or speak at conferences, roundtables and dinner debates, and there were also invitations to shale gas industry conferences.

*Nexen, one of the companies exploring shale in Poland, urged the European Commission “to consult with industry before the creation of new regulations to ensure that risk profiles are accurate, impacts are appropriately considered and that overlapping and/or conflicting regulations do not unnecessarily burden a nascent industry.”*⁸⁴

Of the 23 separate industry actors identified,⁸⁵ over half have not signed up to the Transparency Register, including unregistered lobby firms EU Public Affairs (writing on behalf of Nexen) and Newgate Communications (writing on behalf of the United Kingdom Onshore Operators Group, UKOOG), both of which sent thanks to DG ENV for meetings regarding shale gas.

Stakeholder meetings

DG ENV released a list of 29 meetings with companies, business/trade federations and NGOs between 1st January and 28 November 2013, including 23 meetings with industry groups with a vested interest in shale gas (oil and gas, chemicals, etc). These included five meetings with OGP, and two each with Shell, Chevron, BusinessEurope and Halliburton and one with CEFIC, PGNiG, the American Chamber of Commerce, Nexen and Dow Chemicals. There were five meetings with NGOs, including Food & Water Europe, Friends of the Earth Europe, WWF and the Environmental Defense Fund (EDF) - a US “environmental” group which has partnered with the oil and gas industry to promote shale gas and which is registered in the Transparency Register under its lobbying arm, the Environmental Defense Action Fund.⁸⁶ In the first seven months of 2013, DG Environment met just twice with NGOs, compared to 17 meetings with industry.

Meetings with correspondents of the shale gas industry: 23
Meetings with correspondents of civil society: 5

3.2 DG Energy

The European Commission's Directorate-General for Energy (DG ENER) released details of nearly 70 sets of correspondence, but failed to disclose a list of meetings with stakeholders.

Stakeholder correspondence

Of the correspondence released, there were 19 exchanges with industry lobby groups, featuring 22 separate industry actors, all implicitly or explicitly pro-shale gas.⁸⁷ These included oil and gas industry lobby OGP, fossil fuel companies Shell, Enagás, Wintershall Holding and Chevron, and Chevron's lobby consultants Edelman. Two sets of correspondence were with environmental NGOs, raising objections to fracking, 18 emails came from citizens expressing concerns about shale gas, and there were several from German mayors raising their concerns about fracking.

BusinessEurope contacted DG ENER to warn that the "discovery and development of large quantities of unconventional energy sources must be supported by the EU to encourage economic growth and re-industrialisation. Unreasonable or disproportionate regulatory restrictions on shale gas exploration and production based on unscientific application of the precautionary principle would leave Europe exposed to significantly higher energy costs and to higher dependence on foreign supplies than major competitors elsewhere in the world".⁸⁸

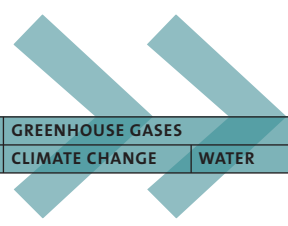
Over half of the industry actors were not signed up to the Transparency Register (12 absent, 10 present). These included the CWC Group who together with the European Energy Forum invited Energy Commissioner Oettinger to the industry-sponsored World Shale Oil & Gas Summit, featuring speakers from Statoil, Cheniere Energy, BP, Chevron, and Shell.⁸⁹ There were 17 industry requests for meetings or invitations to conferences, seminars, dinner debates or forums. Ten of these came from pro-shale gas industry actors not signed up to the Register.

Stakeholder meetings

Although DG ENER failed to disclose the requested list of meetings with stakeholders, Philip Lowe, the then Director General of DG Energy said he had attended 30 or more industry-led meetings on shale gas throughout 2013.⁹⁰ These meetings did not include any with environmental groups Friends of the Earth Europe or Food & Water Europe, or any representatives from the anti-fracking movement in Europe.

Meetings between Philip Lowe and correspondents of the shale gas industry: at least 30

Meetings between Philip Lowe and correspondents of civil society: 0



HYDRAULIC FRACTURING	GREENHOUSE GASES
EMISSIONS	CLIMATE CHANGE WATER

Box 3: Frackademia: Science for sale

One of the tactics used by the shale gas lobby in the US, now being applied in Europe, is the use of “frackademia” - academic studies which were commissioned, paid for, or otherwise influenced by the shale gas industry. In many cases the institutions fail to declare this conflict of interests when they publish their findings.

For example, in 2012 US NGO the Public Accountability Initiative (PAI) exposed a high profile, supposedly independent, University of Texas (UT) study which claimed that hydraulic fracturing had never been linked to groundwater contamination. The study was in fact led by Charles Groat, a gas industry insider who was a UT faculty member and, when the study was conducted, was sitting on the board of a shale gas company.⁹¹ He failed to disclose his position or his \$1.6 million stake in the company. Following the revelation, the UT commissioned an external review of the study and acknowledged there were weaknesses in the University’s ethics regulations.

An influential Massachusetts Institute of Technology (MIT) Energy Initiative study, which concluded that the environmental risks of fracking are “challenging, but manageable”, was also revealed in 2013 to have been authored, funded, and released by oil and gas industry insiders.⁹² The study’s chair (Ernest Moniz, now US Secretary of Energy) failed to disclose that he had joined the board of a consulting firm with oil and gas ties for a \$300,000 fee. The studies co-chair failed to disclose his involvement with Talisman Energy. Another study group member owned \$1.4 million in Cheniere Energy stock and sat on the board.

Shale-industry-funded science is also in evidence in the lobbying tactics being used in the EU. Several documents released by the various Commission DGs included invitations to shale gas events featuring Dr David Allen from the University of Texas. Chevron and OGP invited DG CLIMA to an OGP roundtable in October 2013 with Dr Allen, regarding the results of a study on methane emissions from natural gas production,⁹³ sponsored by fossil fuel companies with a vested interest in shale gas including Anadarko Petroleum, BG Group, Chevron, Encana, Talisman and ExxonMobil subsidiary XTO Energy, as well industry-linked pro-shale gas NGO EDF.⁹⁴

Dr Allen, “has served as a consultant for multiple companies, including Eastern Research Group and ExxonMobil”⁹⁵ and according to UT conflict of interest disclosure forms receives some industry compensation, including travel sponsored by ExxonMobil.⁹⁶ Study co-author Jennifer Miskimins was revealed to have failed to disclose a conflict of interest, having been employed since 2012 by petroleum engineering firm, Barree & Associates, which offers a range of consulting services related to fracking.⁹⁷

The invitations to the event came from a Brussels-based public affairs firm Weber Shandwick email address.⁹⁸ The consultancy’s Transparency Register entry lists OGP Europe as a client, along with Dow, the Technical Association of the European Natural Gas Industry, The European Gas Research Group (GERG), the European Union of the Natural Gas Industry (EUROGAS), Gas Infrastructure Europe, the International Gas Union, Statoil and Shell.⁹⁹ DG Environment were also invited to the roundtable and offered a “face-to-face meeting” with the lead author.¹⁰⁰ Dr Allen was also billed to speak at the IPCC’s “expert meeting” on fugitive emissions from fracking.¹⁰¹

Another academic linked to the shale gas industry is Richard Davies, Professor of Energy and Director of Durham University’s Energy Institute.¹⁰² Professor Davies invited DG Environment to a panel discussion to launch ReFINE (Researching Fracking in Europe), an “independent research consortium” which claims it will provide “comprehensive, unbiased, academic research into the issues around shale gas extraction.” In this case the “independent research” was funded by Shell, Total and Chevron, and the project is supported by the UK government and the Polish Institute of Geological Sciences.¹⁰³

Francis O’Sullivan, Executive Director of the Energy Sustainability Challenge programme at the MIT Energy Initiative, who appeared on a panel hosted by Enagás.¹⁰⁴ O’Sullivan was previously a consultant with McKinsey, working in the energy sector.¹⁰⁵ As noted above, MIT’s Energy Initiative was responsible for a fracking study authored, funded, and released by oil and gas industry insiders.

3.3 DG Climate Action

The European Commission's Directorate-General for Climate Action (DG CLIMA) released 44 sets of correspondence with stakeholders on shale gas (including four relating to the Transatlantic Trade and Investment Partnership and shale gas),¹⁰⁶ but failed to disclose a list of meetings with stakeholders.

Stakeholder correspondence

Some 20 of these exchanges were with industry stakeholders,¹⁰⁷ representing 12 different industry actors. All were pro-shale, with six different exchanges with the fossil fuel industry platform OGP, most of which included invites to events or requests to meetings. There were eight exchanges with NGOs, including Food & Water Europe, Friends of the Earth Europe and the US-based Environmental Defense Fund (EDF). Of the 12 industry actors, five were not in the Transparency Register.

The oil and gas industry service company Halliburton contacted DG CLIMA concerning two separate meetings, where Halliburton emphasised "the importance of adequately protecting confidential business information" in order to foster further innovation in shale gas extraction.¹⁰⁸

The plastics and petrochemicals industry platform EUPC invited DG CLIMA to the Inaugural European Shale Gas Development Conference, which promised to "enable European Governments to make the right decisions about their national energy policies". Exxon Mobil, Shell, Total and Halliburton all featured on the programme, as well as a session on "Shaping public attitude - what role should industry and government play?"¹⁰⁹

Newgate, a lobby firm whose Brussels office has chosen to remain out of the Transparency Register, contacted DG CLIMA twice on behalf UKOOG (representing the UK onshore oil and gas industry). They urged the Commission "not to overregulate the sector", and encouraged it to "develop the economic case for shale gas."¹¹⁰ UKOOG does not disclose its members on its website or in the Transparency Register (in breach of the rules). There was also an invitation from the UK Permanent Representation to the EU and from a Polish MEP.¹¹¹

Four exchanges relating to shale gas and the Transatlantic Trade and Investment Partnership (TTIP)¹¹² were also released, including from two pro-shale gas pro-TTIP cross-sectoral business lobbies, the American Chamber of Commerce and the Confederation of Danish industry (both in the Transparency Register), as well as from business-sustainability initiative the Prince of Wales's EU Corporate Leaders Group (EUCLG) (whose stance is unclear but whose members include fossil fuel giant Shell). EUCLG is not in the Transparency Register. One exchange was from Friends of the Earth Europe.

3.4 DG Enterprise

The European Commission's Directorate-General for Enterprise and Industry (DG ENTR) released just five documents relating to stakeholder contacts, together with a list of 16 meetings.

Stakeholder correspondence

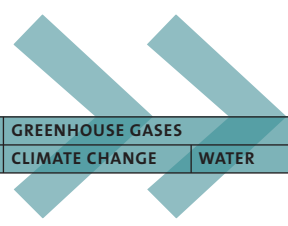
All the DG ENTR correspondence came from industry and supported shale gas. It included two exchanges with chemicals lobby group CEFIC, who warned against regulation and said that failure to promote shale gas in Europe would result in a "gradual petrochemical industry delocalisation from Europe to regions like the US and the Middle East" (because of the effect of shale gas on US gas prices).¹¹³

Stakeholder meetings

Fourteen of DG ENTR's 16 meetings were with pro-shale gas industry actors, including five with CEFIC, three with OGP, and two each with Shell and ExxonMobil. Two meetings included industry lobby groups that have not signed up to the Transparency Register: the European Council of Vinyl Manufacturers (ECVM) and Chemical Europe.

DG ENTR had one meeting with environmental NGOs Food & Water Europe and Friends of the Earth Europe,¹¹⁴ and one meeting with representatives from the University of Texas, home to Dr David Allen (see 'Frackademia: Science for sale').

Meetings with correspondents of the shale gas industry: 14
Meetings with correspondents of civil society: 1



HYDRAULIC FRACTURING	GREENHOUSE GASES
EMISSIONS	CLIMATE CHANGE WATER

3.5 DG Trade

The European Commission's Directorate-General for Trade (DG TRADE) released five documents related to contacts between DG Trade and external stakeholders about the link between TTIP and unconventional fuels (in particular shale gas and fracking).

Box 4: TTIP – a backdoor for shale

The ongoing Free Trade Agreement (FTA) negotiations for the Transatlantic Trade and Investment Partnership (TTIP), and for the Europe-Canada FTA (CETA) have been seized on by the US shale gas industry as a way to get around the EU's stricter environmental regulations. Fossil fuel, chemicals and industrial equipment companies which have profited enormously from the largely unregulated shale gas boom in the US are eager to use these free trade agreement negotiations to strike down "barriers to business" such as mandatory environmental impact assessments or requirements for community consent. They want to ensure that Europe's environmental and social protection rules are not allowed to get in the way of their profits.¹¹⁵

Stakeholder correspondence

All five documents came from industry, with three from fossil fuel company ExxonMobil and two from business lobby BusinessEurope.¹¹⁶ In their correspondence, both claim that environmentally-based amendments to the EU Fuel Quality Directive will have unintended effects, and potentially jeopardise, the EU-US trade negotiations. In other words, they are lobbying against the inclusion of environmental considerations, such as the right to recognise different greenhouse gas (GHG) emission values given to fuels from different sources or feed-stocks (e.g., unconventional vs conventional fossil fuels and different agrofuel feedstocks) or to require suppliers to reduce the GHG intensity of fuels.

Business as usual in the Brussels bubble: lobbying lawyers and revolving doors



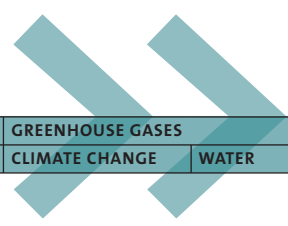
Some of the problems with the shale gas lobby reflect broader issues with the lack of transparency and accountability around industry lobbying in Brussels. A number of law firms have been actively lobbying for shale gas,¹¹⁷ but they are effectively allowed not to disclose who they are acting for. The revolving door between the European institutions and industry also means that there are often close connections between officials and lobbyists, creating opportunities for undue influence.

4.1 A law unto themselves

The European Commission and European Parliament's Transparency Register requires organisations involved in EU lobbying to declare their activities and clients, but it does not provide a full picture of lobbying in Brussels because registration is voluntary.¹¹⁸ In particular, many of the law firms offering lobbying services effectively boycott the Register, either by not registering, or by not disclosing who they lobby for. Complaints about this failure to disclose clients have tended to result in law firms either abandoning the Register, or simply refusing to comply with the rules. This appears to be tolerated by the officials who are responsible for the integrity of the Transparency Register.¹¹⁹

As an example, one of the law firms involved in the shale gas lobby, Baker & McKenzie, has registered, but refuses to disclose its lobby clients. Instead, it states that it "is not engaged in any lobbying-related activities which are remunerated by clients".¹²⁰ Although its declared interests do not appear to cover Energy, Chemicals or Climate, the firm asked DG Environment for more information regarding "legislation addressing hydraulic fracturing in the E.U. (Shale gas)".¹²¹ Its website claims that its "Belgian offices advise a wide range of clients, including some of the largest Belgian and multinational corporations such as... petrochemical, mining, chemical and other industrial manufacturers".¹²²

Covington & Burlington, also involved in lobbying on shale gas, has not signed up to the Transparency Register, despite claiming on its Brussels webpage that: "we have been one of the leading law firms in Brussels helping to ensure that industry's voice is heard in the EU legislative process and in administrative decision making." Covington & Burlington lobbyist and former European Parliament staffer Paul Adamson is on first name terms with European Commissioner for the Environment Janez Potočnik, inviting him to do a presentation on shale gas at a lunch seminar with energy company representatives. Discussions took place under the Chatham House rule.¹²³ Covington & Burlington also reportedly hosted an event at its Brussels office bringing lawyers and lobbyists together with executives from some of the world's largest oil companies, including Chevron and Statoil, and the Environment Commissioner's then Head of Cabinet, Kurt Vandenberghe, billed as helping shape the EU's policies on fracking. It is also reported to have organised an industry group to offer government officials suggestions in drafting the rules around fracking.¹²⁴



4.2 Revolving door, spinning for decades

Law firms and other lobbying practices also take advantage of Brussels' weak ethics rules. As the New York Times has reported, the rules allow "former government officials to begin exploiting their connections the day they leave office" and lobby groups to recruit "top officials at the European Commission, Parliament and Council, the three bodies that make up the government - with fat paychecks"¹²⁵ – a phenomenon also known as going through the revolving door. According to one European Commission official, law firm lobbyists get special treatment: "of course it makes a difference when you get a call, and it is a former colleague — and they want a bit of your time."¹²⁶

The cumulative effect of this trade in inside knowledge, know-how and contacts is the overlap of the public interest with the interests of private profit. Covington & Burlington's three Senior European Advisers are all non-lawyers who've gone through the revolving door. Paul Adamson is a former staff member at the European Parliament and a longtime Brussels lobbyist,¹²⁷ quoted as saying: "I'm a gun for hire".¹²⁸

Jean De Ruyt, Belgium's former Permanent Representative to the EU, and previously Director General for Political Affairs in the European Commission also is on the team,¹²⁹ as is Wim van Velzen, an EPP MEP for 10 years, serving as vice-president of the EPP Group, and vice-chair of the pro-shale European Energy Foundation (EEF).¹³⁰ According to the New York Times, the lobby team also now includes "a top energy official, who arrived in September [2013] with a copy of a draft fracking plan that has yet to be made public."¹³¹

Paul Adamson is a former staff member at the European Parliament and a longtime Brussels lobbyist, quoted as saying:
“I’m a gun for hire”.

Conclusion and recommendations



This report has mapped out some of the key lobbying players and tactics in the battle to stave off EU-wide regulation of the shale gas industry, showing how industry lobby groups, corporations and national governments have used a panoply of tactics to dismiss environmental and safety concerns and misleadingly argue that shale gas will provide a cheap supply of indigenous energy for industry, increasing competitiveness and providing a much-needed boost to European economies.

The shale gas industry has established crucial allies among member state governments prepared to support the case for fracking, regardless of the environmental cost. It has distorted evidence and misrepresented scientific research to achieve its goals; manipulating members of the public and paying for science.

After its successful lobby campaign to overturn European initiatives aiming at strengthening environmental legislation, the shale gas lobby has identified the on-going negotiations for a Transatlantic Trade and Investment Partnership (TTIP) as an opportunity to make shale gas operations in the EU more profitable. Fossil fuel, chemical and industrial equipment companies which have benefited from the largely unregulated shale gas boom in the US see the TTIP as an opportunity to get rid of “barriers to trade” such as mandatory environmental impact assessments or requirements for community consent.

The success of its endeavours raises key questions about the ability of EU decision makers to make informed and balanced decisions in the public interest when confronted with the regulation of controversial unconventional fossil fuels and risky technologies such as shale gas and fracking. It also calls into question the actions of some member states who appear responsive to public concerns at a national level, but fail to raise those concerns within the EU.

The debate on shale gas and fracking regulation clearly illustrates the risks that arise due to the absence of strong lobbying transparency and ethics rules at the EU level. Given the high levels of public concern about the environmental, health, climate, social and economic impacts of this industry, a proper public debate is needed, putting the safety and concerns of citizens and the protection of the environment above the profits of a handful of companies and lobby groups. Instead, it seems that excessive corporate influence over the decision-making process and conflicts of interest between the fossil fuel industry and key decision-makers are shaping the process, raising questions about the logic and validity of the European Commission’s decision not to introduce new legislation for fracking.

The body of peer-reviewed scientific studies warning about the inherent dangers of the unconventional fossil fuel industry has grown significantly over the last two years, reinforcing earlier evidence about the intractable and irreversible consequences of drilling and fracking operations, and the health risks for the citizens exposed. This new set of evidence illustrates clearly that the risks of fracking have neither been fully identified nor adequately assessed at the present time.¹³²

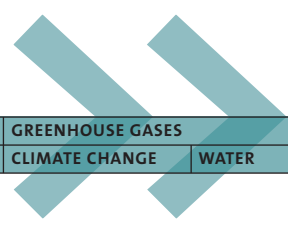
For these reasons and considering the rapid development of the fracking industry in Europe, Friends of the Earth Europe calls on the European Commission to:

- Re-open the discussions concerning the regulation of this industry;
- Ensure that the recently announced recommendations for European Member States become binding; and
- Declare at the very least a moratorium on the use of high-volume horizontal hydraulic fracturing while these crucial discussions take place.

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Green MEPs and anti-fracking activists pose with fracking flavoured water outside the European Parliament.
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EXTRACTION

HYDRAULIC FRACTURING

GREENHOUSE GASES

MILLENNIUM DEVELOPMENT GOALS

EMISSIONS

CLIMATE CHANGE

WATER

FRACKING BRUSSELS

A WHO'S WHO OF THE EU SHALE GAS LOBBY



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