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Participation, Lobbying and Transparency in the EU: A Comparative Perspective

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Participation, Lobbying and Transparency in the EU: A Comparative Perspective

Edited by Pier Luigi Petrillo and Andrea Fiorentino

With papers by Mustafa Mujkić, Rabab Khatib, Martina Alleva, Paolo Scozzi, Cristina Denaro, Antonia Ronzio, and Christian Maria Giannetti.

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Foreward

Lobbying is a cornerstone of democratic systems: it enables citizens and their organisations to take part in the shaping of policies and laws and to inform the decisions of public institutions. In the pluralist order of the European Union, where the looser structuring of political parties has widened the space for organised interests, this dialogue is not an anomaly but a condition of good government. It finds a legal anchor in Article 11 TEU, which recognises a genuine right of citizens and representative associations to be heard, and it is bounded by the principles of transparency (Articles 1 TEU and 15 TFEU) and good administration. Yet the very closeness of the bond between lobbying and democracy is what makes its regulation decisive. The quality of a democracy depends significantly on its capacity to govern both the "right to lobby" of interest groups and the "duty of being lobbied" of public decision-makers, so as to secure transparency in decision-making, the integrity and accountability of officials, and equal access to the political process. This need has become more acute at a time when the crisis of party mediation and the growing complexity of decision-making have increased the political weight of interest groups — and, with it, the risk of pathological distortions arising both from policymakers' growing informational dependence on such groups and from inequalities in their actual ability to shape policy outcomes. Both the legitimacy of democratic systems, eroded by opacity and corruption, and threatened by interference from hostile actors, are at stake.

It is against this background that the Jean Monnet Module "*Participation, Lobbying and Transparency in the EU Institutions*" [PLAT.EU], co-funded by the European Union from 2023 to 2026, set out to make lobbying an object of teaching, research and public debate. At its centre stood an Intensive Summer School held in Rome over three editions (2024, 2025 and 2026), which brought together students, young professionals, civil servants and researchers from around the world. The response was striking, and grew stronger with each edition: the three calls together drew nearly three hundred applications, their number rising sharply from one year to the next, from which twenty-five participants were admitted each year — seventy-five in all. Taken together, they

came from more than thirty countries across five continents: from Europe (Italy, France, Germany, Belgium, the Netherlands, Romania, Hungary, the Czech Republic, Bulgaria, Moldova, Ukraine and Bosnia and Herzegovina); from the Americas (the United States, Canada, Brazil, Argentina, Colombia, Peru and Guatemala); from Asia and the Middle East (India, Vietnam, Iran, Afghanistan, Saudi Arabia, Bahrain, the United Arab Emirates, Azerbaijan and Turkey); from Africa (Nigeria, Kenya and Tunisia); and from Oceania (Australia). This rising and increasingly global demand reflects a growing interest in a question that has become crucial for European democracy and far beyond it.

The method combined sixteen hours of online preparatory lectures with forty hours of intensive in-person teaching over five days, and was deliberately interactive throughout. Lectures by academics were interwoven with dialogues with practitioners — public affairs managers, corporate and institutional lobbyists, OECD analysts — and with senior representatives of the Italian institutions; participants tested what they had learned in a lobbying role-play built on a real case study and discussed before a professional audience.

All three editions also took participants inside the Italian Parliament, with guided visits to the Chamber of Deputies and the Senate of the Republic, where they took part in private meetings with the Vice-President of the Chamber, senior parliamentary officials and members of Parliament — the protagonists of the public decision-making process, the addressees of organised lobbying, and the very actors toward whom the challenge of regulating the transparency and openness of that activity is ultimately directed.

Global Perspectives on Culture, Politics, and Democracy is the Working Paper Series of the School of Advanced Studies in Cultures, Politics and Democracy of the University of Rome Unitelma Sapienza. Its first issue — *Participation, Lobbying and Transparency in the EU: A Comparative Perspective* — is the point of arrival of that three-year effort. It gathers a selection of contributions submitted by the School's participants in response to a call for papers and assessed through anonymous peer review. The call invited work in three forms — a critical analysis of the regulation of lobbying or participation in one or more countries; a theoretical, evidence-based study of a lobbying technique; and a

case study — and all three are represented in the essays gathered here.

This issue brings together the contributions of seven participants in the Summer School. Mustafa Mujkić reads the EU's supranational framework and selected Member-State regimes as a benchmark against which to measure, and remedy, the absence of any lobbying law in Bosnia and Herzegovina, tying regulation to the country's accession path. Rabab Khatib turns to measurement, proposing a reproducible method that couples the lobbying register of France's High Authority for Transparency in Public Life (HATVP) with open real-estate data to gauge the intensity and transparency of local land-use lobbying. Martina Alleva, writing from inside the process, reconstructs how industry shaped two Italian data-centre reforms and offers "regulatory co-production" as a way of understanding lobbying in highly technical sectors. Paolo Scozzi shows how the open-source-intelligence techniques of the intelligence cycle have migrated into professional lobbying, and how the EU Transparency Register remains silent on the analytical groundwork that precedes direct advocacy. Cristina Denaro examines the ambitions of technocratic and technology-driven lobbies through the lens of gender equality in Latin America, setting them against the European model of democratic participation. Antonia Ronzio traces the shift, within the Recovery and Resilience Facility, from transparency as administrative control towards transparency as public accountability, reading the Italian experience of ReGiS and open data as a possible model. Christian Maria Giannetti identifies a new blind spot — the AI-mediated reading of public consultations by the administration itself — and proposes an "interpretive transparency" obligation to make that step auditable under existing EU law.

Different as they are in object, method and geography — and it is precisely in this diversity that their value lies — these essays converge on a single question: how to regulate the relationship between public decision-makers and organised interests that is fundamental to every democratic system? Each of them, in its own register, treats transparency and equal access not as external constraints on that relationship but as the conditions of its legitimacy, whether by importing proven regulatory standards, by building independent tools to measure influence, by naming techniques and gaps that current rules do not reach, or by

extending transparency to new technological frontiers. Taken together, they offer scholars, practitioners and institutions a set of concrete, comparative starting points for a better-informed regulation of lobbying, and thus for a more transparent and more equal democratic participation. That is the contribution this Series hopes to begin.

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1. How the EU regulates lobbying? Lessons for Bosnia and Herzegovina - *Mustafa Mujkić*

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Abstract

Lobbying is integral to democratic decision-making, yet unregulated, it risks corruption and state capture. This paper examines European Union (EU) lobbying regulations to extract vital lessons for Bosnia and Herzegovina (BiH). First, it analyzes the EU's supranational approach, emphasizing the EU Transparency Register, Codes of Conduct, and institutional standards that promote integrity. It then explores comparative best practices from selected EU member states, illustrating how internal legislation – such as mandatory national transparency registers, cooling-off periods, and strict disclosure rules – effectively mitigates illicit influence. Conversely, BiH currently lacks a comprehensive legal framework for lobbying, leaving its legislative and executive processes highly vulnerable to informal, opaque interests. By juxtaposing EU standards with the legislative void in BiH, the work outlines a blueprint for a future BiH Lobbying Act. It argues that BiH must implement a mandatory, publicly accessible transparency register, define clear boundaries between legitimate advocacy and corruption, and establish an independent oversight body. Ultimately, the paper concludes that adopting lobbying regulations is not merely an internal anti-corruption necessity, but rather a critical benchmark for BiH's EU accession path, fulfilling rule-of-law criteria that are absolutely essential for European integration and the country's broader democratic consolidation.

Key words

Lobbying regulation, Transparency Register, Anti-corruption, EU accession, Public policy.

1.1 Introduction

The practice of influencing public policy is as old as organized government itself. In modern democratic systems, lobbying operates as an essential mechanism for representing diverse interests, while in developing or authoritarian regimes, it often mutates into highly personalized, undemocratic networks of privilege. The academic consensus reflects this duality, recognizing that lobbying shapes political outcomes across all industrialized societies regardless of their specific governance structures (Hrebendar & Morgan 2014: 89). However, when we look specifically at the European continent, the historical development of these practices took a radically different path compared to the heavily scrutinized American model.

For decades, European lobbying remained a fragmented, localized affair. It was only when the European integration process rapidly accelerated that the business sector realized it needed a coordinated, strategic approach toward Brussels (Suder 2011: 290). This is a crucial distinction. The European lobbying ecosystem was not born out of major corruption scandals or a sudden need to curb dark money. Instead, it emerged from an organic, systemic demand for the highly technical expertise necessary to construct and regulate the Single Market. This pragmatic origin story still defines how business gets done in Brussels today.

Because the foundations of the European public order were built heavily on the rule of law, the institutional culture that developed around it naturally demanded a different breed of political actor. The relationship between the state apparatus and external interest groups created an environment where aggressive political arm-twisting simply does not work. Instead, lobbyists in Europe are expected to act as constructive contributors who bring genuine value to the legislative table (Sadiković 2005: 15). From a critical perspective, this does not mean the European system is immune to corporate greed or undue influence. It simply means the methods of influence are far more refined. To get a seat at the table in Brussels, a representative must offer data, legal insight, and workable policy solutions rather than just raw political pressure or campaign threats.

The sheer scale of this machinery is difficult to overstate. Brussels now comfortably holds the title of the world's lobbying capital, acting as the ultimate magnet for corporate interests, civil society organizations, and even local and regional authorities seeking to shape legislation (Greenwood 2011: 438). Within this massive bureaucratic hub, the concept of transparency has evolved from a mere political buzzword into the core metric of democratic legitimacy. Transparency in the EU has taken on a specific, working definition that directly targets the accountability of lawmakers and the origins of the policies they write (Rekosh 2009: 1). We could argue that this is largely due to the political architecture of Europe itself. Washington D.C. operates on a brutal, winner-takes-all logic, which breeds aggressive lobbying tactics. In contrast, the proportional representation and coalition governments that dominate European politics force a different approach. Interest groups quickly learn that extreme positions fail, they are compelled to formulate their demands in a moderate, consensus-driven language that appeals to broad political coalitions (Hanegraaff et al. 2017: 461). Compromise is not a sign of weakness in European lobbying, it is the fundamental currency of success.

Understanding this sophisticated European interest relations is essential when looking at countries still struggling with basic democratic transitions. This paper breaks down the European Union's supranational regulatory frameworks and compares various theoretical models and member state practices to establish what actually works in regulating influence. The goal is to harshly juxtapose these established European standards against the glaring legislative void that currently paralyzes Bosnia and Herzegovina (BiH). The complete absence of lobbying rules in BiH is not an administrative oversight, it is a deliberate political choice that actively enables state capture. To fix this, the present work outlines a concrete legislative blueprint for a future BiH Lobbying Act.

The central argument is clear: adopting this legislation goes far beyond checking a box for domestic anti-corruption strategies. It is an absolute, non-negotiable benchmark. If BiH is serious about its EU integration path, it must urgently drag its shadow economy of political influence out into the open.

1.2 The EU Supranational Regulatory Framework

If we want to really grasp the sheer scale of the Brussels lobbying machine, we have to look back at how it was built. Historically speaking, the modern European state is basically a descendant of medieval alliances (Schulze 2002: 20). But the European Union didn't grow out of some grand political idealism, it started as a highly technical, economic project. Back in the days of the European Coal and Steel Community, making decisions was a closed-door affair. It was an exclusive club for national diplomats and a handful of bureaucrats, and nobody else was invited to the table. That all changed drastically in the mid-1980s. When the Single European Act was adopted, it completely transformed EU policymaking into a massive political arena, which naturally sparked an explosion in lobbying (Andersen & Burns 1996a: 233). From today's perspective, this was the point of no return. This shift toward what academics call "elite pluralism" gave big business a direct, legal bypass around their own national governments (Coen 1998: 97). Corporate headquarters realized they needed to be right in the middle of the action. Predictably, massive industries packed up and moved their strategic operations to Brussels, bringing along major foreign law firms eager to cash in on new EU competition laws (Avril 2018: 864). The era of the domestic lobbyist was over, the transnational power broker had arrived.

Trying to operate in this modern supranational space without serious tactical skills is a recipe for disaster. The European lobbying field is unlike any domestic parliament because it offers practically infinite ways to influence policy, with no rigid time limits, no set number of players, and certainly no single referee (Schendelen 2010: 140). It is essentially an endless game of three-dimensional chess. Because the institutions are so fragmented and complex, amateurism gets you completely ignored. The days of showing up with generic talking points are long gone. Today, you need highly specialized, tailor-made advocacy to even get a foot in the door (Schendelen 2010: 154). The whole system runs on a very specific, unspoken barter economy. The European Commission frankly lacks the political legitimacy and the sheer workforce needed to draft complex regulations on its own. So, what do they do? They trade access for free expertise (Pichler 2021: 39; Bouwen 2002: 368).

Within the so-called “Brussels Bubble”, professional lobbyists don’t just act like hired guns for corporations, they genuinely see themselves as active partners in writing the law (Barron 2011: 500; Michalowicz 2004: 157). This is where the danger lies, when private consultants start feeling like co-legislators, the line between public interest and private profit gets very blurry. Still, surviving here means playing by the rules. Gardner (1991: 131) nailed it years ago with six golden rules: keep a low profile, get straight to the point, build relationships early, step in before minds are made up, start at the bottom of the bureaucratic ladder, and never stop watching the room. Those rules are as accurate today as they were thirty years ago.

You would think an ecosystem this massive would be tightly bound by draconian laws, but paradoxically, that just isn’t the case. The EU is so dependent on external experts that it actively avoids passing aggressive lobbying legislation. In fact, European lawmakers still struggle to agree on a legal definition for lobbying, preferring the much softer, less threatening term “interest representation” (Poljanec 2014: 18). One can find it somewhat hypocritical that the EU demands strict anti-corruption frameworks from countries like Bosnia and Herzegovina, yet prefers soft law and internal staff regulations for its own halls. They do enforce cooling-off periods under Article 16 to stop former officials from cashing in immediately as private consultants. But the real heavy lifter is the EU Transparency Register. Back in 2011, the Parliament and Commission finally merged their separate databases into one unified system (EP 2015). Now, it runs on a very simple logic: no registration means no meeting. High-level EU officials are legally banned from holding official meetings with anyone not on that list, and every encounter has to be logged and publicized (Garde et al. 2025: 4). It is a clever workaround. They didn’t make lobbying illegal or heavily restricted; they just made invisibility impossible.

The sheer volume of money and manpower flowing through this system is hard to wrap your head around. If you look at the Transparency Register, there are around 17,000 active entities fighting for attention (Transparency Register 2021). Unsurprisingly, corporate money completely dominates the playing field. Big business makes up nearly 70% of the actors, and they collectively

dump anywhere between €1.5 and €2 billion into lobbying every single year (Lobby Monitor 2026). The tech sector alone is completely out of control, with giants dropping €5 to €7 million annually just to shape European policy (Richter 2019; Statista 2026). Why spend so much? Because of the “Brussels Effect”. Whatever the EU regulates, whether it is data privacy or environmental standards, forces the hand of global markets, meaning American and Chinese corporations have to lobby Brussels whether they want to or not (Andersen & Eliassen 1996b: 51; Christen et al. 2022: 63). There is a massive red flag here. When financial and organizational resources are this lopsided, the democratic process takes a heavy hit. It becomes heavily biased toward a handful of deep-pocketed corporate interests (Klüver 2012: 1131). Instead of an open democratic debate, you end up with closed networks of influence that erode public trust and ultimately undermine the rule of law (Schendelen 2010: 339-342). When money talks this loudly, the voice of the ordinary citizen barely registers in the halls of power.

1.3 Comparative Best Practices: EU Member States

It is one thing to set lofty transparency goals in Brussels, but it is an entirely different battle to actually enforce them back home in national parliaments. The reality of domestic politics in Europe is incredibly messy, and every country has its own historical baggage to deal with. While the EU constantly attempts to balance strict oversight with democratic freedoms at the supranational level (Barić & Acinger 2018: 1228), a closer look at individual member states reveals a completely fractured landscape. Legal scholars like Dijk (2011: 4) usually categorize these systems into weakly, moderately, and highly regulated models, depending on whether they rely on hard laws, soft law, mandatory registers, or independent audits. Practically, you can always find “soft law” to be little more than a convenient excuse for politicians to avoid real accountability. If a rule doesn't come with a strict financial penalty or a career-ending sanction, it is just a suggestion. True transparency requires hard laws and independent auditors who aren't afraid to step on the toes of the political elite.

When academics debate how to fix this, they usually end up contrasting the Anglo-American model with the Scandinavian

approach. The American playbook is famously aggressive, relying on extreme strictness, endless financial reporting, and heavy institutional oversight. Yet, as experts like Pollock (1927: 340) noted almost a century ago, even the strictest rules don't stop lobbyists from finding creative loopholes, they just force the industry to hire better lawyers. Contrast this with the Nordic countries, which feel almost utopian to anyone looking at them from the Balkans. The Scandinavian model achieves massive transparency without relying on severe lobbying-specific laws, simply because their entire society is built on a culture of absolute institutional openness and press freedom. As Yadav (2011: 29) rightly points out, when a country has high business lobbying but incredibly low corruption, you have to study the societal limiting factors that provide them with immunity against state capture. This kind of cultural immunity is fascinating to study, but to be entirely honest, it takes generations to build. You cannot simply copy-paste a Nordic mindset into a transitional, post-conflict democracy and expect the system to suddenly fix itself overnight. We need laws that reflect reality, not wishful thinking.

If we want realistic examples of how to engineer transparency in stubborn political environments, France and Germany are by far the most instructive case studies. Neither of these countries had a history of open, competitive lobbying. For decades, Germany relied heavily on institutionalized corporatism, meaning massive industrial associations and labor unions basically held a permanent, quasi-official seat at the government's negotiating table (Speth 2014: 9). France was arguably even more difficult to reform. Deeply influenced by its Jacobin tradition, the French political establishment harbored a deep, almost paranoid animosity toward any intermediary groups, viewing the centralized state as the absolute and sole bearer of the public interest (Iodice 2025: 1484). As a result, lobbying in both of these powerhouses developed informally, entirely out of the public eye. But eventually, the domestic scandals piled up and international bodies like the OECD started applying serious pressure. France finally caved and adopted the revolutionary Sapin II law in 2016, and Germany followed suit by enacting the rigorous Lobbyregistergesetz in 2021. This is a massive lesson for the rest of Europe. If Paris and Berlin can swallow their pride and dismantle

decades of deeply ingrained political habits, there is absolutely no excuse for smaller nations to drag their feet. It proves that political will, not historical tradition, is the only thing that actually matters when it comes to regulating influence.

Beyond the big players, a few other EU member states have quietly built what we can consider to be the best regulatory models on the continent. Ireland is a perfect example. Their Regulation of Lobbying Act of 2015 forces lobbyists to file highly detailed, publicly searchable returns multiple times a year, specifically naming the exact policy outcomes they are pushing for. Slovenia's Integrity and Prevention of Corruption Act from 2010 is the real masterpiece, especially for the Balkan region. Instead of just chasing the lobbyists, Slovenia completely shifted the paradigm by legally requiring public officials to actively report their lobbying contacts within three days. This creates a brilliant cross-verification mechanism that makes it exceptionally difficult, if not impossible, for unregistered lobbyists to operate in the shadows.

When you legally force both sides of the handshake to document the meeting, the backroom deals suddenly disappear. These nations have proven that treating lobbying as a legal, tightly regulated profession does not destroy a political system. On the contrary, it forces a level of institutional maturity and accountability that transitional democracies desperately need if they want to survive in the modern era.

1.4 The Legislative Void in Bosnia and Herzegovina

It is genuinely jarring to look at the legislative progress happening across the European Union and then turn your attention to the total paralysis in Bosnia and Herzegovina. We are now three decades past the Dayton Peace Agreement, yet the country remains frozen in time when it comes to regulating political influence. The harsh reality on the ground is that ethno-nationalist elites simply continued the conflicts of the 1990s through political and economic means, ensuring that any meaningful structural reforms are blocked before they even reach a parliamentary committee.

Political power here is not about state-building, it is pursued purely for the sake of ruling and resource extraction. Because of this

deliberate stagnation, lobbying isn't even legally recognized as a distinct profession. If you search the official state registries, the entire industry is buried vaguely under statistical classification 70.21, brushed off merely as “Public Relations and communication activities” (BHAS 2010). Consequently, everything related to institutional influence in the country operates entirely within a highly dangerous, unregulated gray zone. Allowing this shadow economy of favors to persist is not an accident or a symptom of incompetence. It is the exact mechanism that keeps the current political elite in power, and they know that writing a law to regulate lobbying would mean turning on the lights in a room they prefer to keep dark.

When you observe how the domestic political apparatus handles transparency, it is hard not to feel a deep sense of cynicism. The entire system perfectly exemplifies what Luigi Petrillo famously defined as the “creeping with schizophrenic behaviour” model of regulation. This is a framework characterized by a total absence of organic legislation, a meaningless flood of superficial rules, and the constant, deliberate non-application of those very transparency rules by the lawmakers who introduced them (Caranti 2019). The domestic approach to anti-corruption is essentially a theatrical performance designed for international observers. Take a look at the national Anti-Corruption Strategy for 2015-2019, which proudly announced the goal of drafting a comprehensive lobbying law (Jeleč 2018). Fast forward a full decade, and the latest iteration – the Anti-Corruption Strategy 2024-2028 – merely copies and pastes the exact same unfulfilled objective (APIK 2024). There are absolutely no outcome-level indicators, no deadlines, and no penalties for failure. It is a classic delay tactic. Lawmakers pretend they are working on regulations to appease foreign embassies, while simultaneously ensuring those regulations never see the light of day. It is a direct insult to the intelligence of the citizens they claim to represent.

This blatant disregard for the rule of law extends directly to how the state treats international mandates. For well over a decade, the Council of Europe's anti-corruption body, GRECO, has continuously begged and urged BiH to regulate the murky interactions between parliamentarians and third parties. The warnings were clear in the 2016, 2018, and 2020 reports, but the political elite

simply ignored them. By 2025, GRECO delivered an absolutely damning assessment, revealing that BiH had fully implemented a pathetic 2 out of 25 anti-corruption recommendations. Even worse, GRECO noted that BiH authorities actively attempt to manipulate the narrative, trying to pass off basic online public hearing portals, such as the “Javna Rasprava” website, as actual compliance with transparency requirements, flatly ignoring the core demand for mandatory registration (GRECO 2025). This kind of political gaslighting is embarrassing on an international scale. The OECD's 2026 Anti-Corruption and Integrity Outlook confirm the grim reality, stating that BiH fulfils exactly zero percent of the criteria regarding lobbying practice. The European Commission doesn't even bother writing new assessments anymore, their progress reports simply copy-paste the exact same condemnation year after year, noting that there is absolutely no legislation regulating lobbying (EC 2018; EC 2024). It is painfully obvious that the international community sees right through the facade, yet local politicians continue playing this ridiculous game of pretend.

The real-world consequences of this legislative void are devastating for the ordinary citizen. This lack of regulation actively facilitates massive, unchecked state capture through a few very specific, highly effective mechanisms. First, it creates hidden access channels where the public has absolutely no way to track who is whispering in the ears of decision-makers. Second, it generates severe information asymmetry, allowing politicians to quietly grant special privileges, tenders, and monopolies to their favored tycoons. Third, it completely normalizes informal, clientelist practices, making corruption the default operating system of the state. Finally, it destroys any semblance of accountability, because without public records of these meetings, prosecutors and journalists have no paper trail to follow. The statistical results of this systemic rot speak for themselves. Year after year, BiH continuously scores the lowest in the entire region on the Corruption Perceptions Index. In 2024, the country hit rock bottom, ranking 114th globally and tying with Belarus as the second most corrupt state in Europe (TI 2024). When you share a corruption ranking with a dictatorship, you can no longer claim to be a functioning democracy. The absence of lobbying laws isn't the only reason for this catastrophic ranking, but it is undoubtedly the

primary vehicle through which this corruption is legalized and normalized.

What is perhaps most tragic is how this internal legislative void completely cripples the country on the international stage. Because professional lobbying is not legally recognized or culturally understood as a legitimate tool, the state entirely fails to advocate for its own sovereign interests abroad. While neighbouring countries pour millions into professional firms in Washington D.C. and Brussels to secure investments and political backing, Sarajevo does absolutely nothing. The BiH Ambassador to the US recently went on national television and bluntly admitted that the state invests zero money in professional foreign lobbying, relying entirely on the so-called modest contributions and personal networking of individual diplomats (FTV 2025). This is an unbelievably amateurish approach to foreign policy. You cannot fight multi-million-dollar international advocacy campaigns with empty pockets and good intentions. Without building a domestic legal infrastructure that recognizes and professionalizes lobbying, BiH simply cannot compete on the global stage. The state is essentially fighting a modern diplomatic war with one hand tied behind its back, guaranteeing that its interests will always be sidelined by better-prepared, better-funded neighbors.

1.5 Blueprint for a BiH Lobbying Act

We cannot keep pretending that cosmetic changes and polite recommendations will fix a deeply broken political system. To actually break free from the current schizophrenic regulatory model, the state has to stop relying on voluntary codes of conduct that nobody reads or respects. Contemporary legal scholars are very clear on what needs to happen next if we want real results. There are three critical reform directions that must be taken: expanding the scope of regulation to catch all these hidden public affairs consultants, building centralized and easily searchable transparency platforms, and finally, establishing strong accountability backed by severe, deterrent sanctions (Worthy & Crepaz 2026). The lack of severe sanctions is the biggest joke in the current Bosnian system, as politicians are not afraid of minor administrative warnings. Based on proven EU best practices and strict OECD recommendations, BiH urgently requires a

comprehensive Lobbying Act that leaves zero room for creative interpretation. Passing this law is the only way to drag these backdoor deals out into the daylight where they belong.

The very first step in this legislative blueprint has to be a harsh reality check regarding our vocabulary. The state must legally define lobbying as a legitimate, highly regulated professional activity, decisively separating it from outright bribery, corruption, and generic public relations work. Right now, if you walk down the streets of Sarajevo and mention the word “lobbyist”, the average citizen immediately pictures a shady operative handing over an envelope full of cash in a dimly lit restaurant. That toxic perception exists entirely because the legal system allows it to exist. By legally defining what a lobbyist actually is and what they are allowed to do, we protect the integrity of the democratic process. It gives honest advocates a legal framework to operate within, while simultaneously giving prosecutors the exact legal definitions they need to put the corrupt actors behind bars.

Once we know who the lobbyists are, we need to know exactly what they are doing. This brings us to the second pillar of the reform: establishing a mandatory, publicly accessible digital transparency register. We shouldn't waste time trying to invent a domestic solution when we can just copy what already works perfectly in Europe. Drawing heavily on the highly successful Slovenian and Irish models, this Bosnian register must include mandatory dual-reporting mechanisms. Under this setup, lobbyists are legally required to file quarterly reports detailing their specific policy targets and how much money they spent. At the same time, public officials must log their lobbying contacts within a strictly defined timeframe, usually just a few days. The beauty of dual reporting is that it forces both sides to tell the truth. If a minister fails to report a meeting that a lobbyist claims happened, red flags immediately go up. It creates a self-policing environment that makes it incredibly difficult for dark money to change hands without leaving a digital footprint.

Of course, a register only works if people are actually forced to use it. Therefore, the third crucial element of this legislation must enshrine the fundamental EU principle of conditionality, which basically boils down to a strict “no registration, no meeting” policy.

If you aren't on the public list, you don't get through the front door of the parliament building. Furthermore, the law must implement strict “cooling-off periods” for former ministers, parliamentarians, and high-level civil servants. We desperately need to eliminate the “revolving door” phenomenon that plagues Bosnian politics. It is sickening to watch a government minister step down on a Friday and walk into a highly paid consulting job for a major corporation on a Monday, aggressively lobbying the exact same agency they used to run. Imposing a mandatory waiting period of at least two or three years before they can legally work as lobbyists cuts off this pipeline of legalized corruption. It forces public servants to actually serve the public, rather than just auditioning for their next corporate paycheck.

Finally, none of these rules matter if there is no one willing to enforce them. Independent oversight must be completely guaranteed, otherwise the entire Lobbying Act is just a useless piece of paper. The Agency for the Prevention of Corruption and Coordination of Special Data (APIK) must be granted the explicit legal authority, technical capacity, and financial independence to aggressively audit these register entries. They cannot remain a toothless advisory board that just writes reports nobody reads. APIK needs the power to investigate discrepancies on their own initiative and the absolute authority to levy substantial financial and operational penalties against violators. If a corporation is caught lobbying illegally, the fines need to be large enough to actually hurt their bottom line, not just act as a minor cost of doing business. Taking away their right to operate and hitting their bank accounts is the only language these actors truly understand. When the threat of financial ruin becomes real, compliance will quickly follow.

1.6 The EU Integration Imperative

People often make the mistake of viewing lobbying regulations purely as an internal administrative chore meant to clean up local corruption. In reality, implementing a robust lobbying framework is so much bigger than domestic politics; it is an absolute survival imperative for Bosnia and Herzegovina's foreign policy and its long-delayed European path. The truth is that you cannot expect to join a highly advanced supranational block while running your

government like a 19th-century fiefdom. Academic research consistently highlights that strict regulatory convergence and institutional integrity form the foundational pillars of the entire EU enlargement process (Christen et al. 2022: 63). If you want to sit at the table, you have to adopt their rulebook. Any state harboring the strategic goal of EU accession must rigorously prepare its public administration for professional, fact-based cooperation with Brussels (Djurović & Radović 2010: 224). Right now, Sarajevo is failing this basic test on almost every level. It keeps treating EU accession like some sort of political entitlement or a reward for past suffering, rather than a heavily bureaucratic grind. If we refuse to adopt the basic transparency tools of modern European governance, the doors to full membership will simply remain locked.

There is a direct and painful link between domestic chaos and the international irrelevance. If a government is completely incapable of regulating political influence within its own borders, it will be equally incapable of projecting any real influence externally. The European Union does not operate on emotional pleas or political grandstanding. It operates almost entirely on hard information, rapid communication, and highly structured strategic advocacy (Manolache 2014: 533; Malmborg 2022: 6). When you walk into the European Commission, you are going up against thousands of highly paid, deeply connected professionals who know exactly how to manipulate the system. Without a legally recognized, heavily professionalized domestic lobbying sector to train our own experts, BiH administrations routinely face severe disadvantages when attempting to communicate with EU institutions (Djurović & Radović 2010: 224). To successfully negotiate within that vast, unforgiving legislative apparatus and actually protect its sovereign interests, BiH must first construct the necessary internal legal infrastructure. It needs to figure out how to regulate and utilize professional advocacy at home before hope to weaponize it abroad. Until that finally happens, domestic politicians will just keep taking expensive flights to Brussels, posing for a few empty photo ops, and coming back home with absolutely nothing to show for it.

1.7 Conclusion

Whether someone likes it or not, the exchange of political influence is an undeniable reality of modern governance. It is necessary to stop treating lobbying as a dirty word and recognize it as a historically entrenched component of democratic policymaking that simply needs a leash. The European Union has shown everyone firsthand that while regulating this intricate exchange of power is incredibly difficult, it is entirely possible. Brussels successfully manages this chaos through rigorous transparency registers, binding codes of conduct, and strict conditionality rules that force politicians and corporate advocates to operate in plain sight. When you look at the recent experiences of member states like France, Germany, Ireland, and Slovenia, the takeaway is actually incredibly hopeful. These countries proved that even deeply stubborn, historically entrenched cultures of informal corporatism or centralized state dominance can be broken and completely transformed. If those massive bureaucracies can push through comprehensive legislation and enforce true public accountability, there is absolutely no excuse for smaller nations to claim the reform is too culturally difficult. Political culture is ultimately shaped by the law, not the other way around.

Unfortunately, Bosnia and Herzegovina stands as a textbook example of the devastating, systemic consequences of ignoring this phenomenon. By deliberately allowing lobbying to persist entirely within a legislative gray zone, domestic elites have actively normalized informal influence and engineered a system of near-total state capture. The endless cycle of adopting superficial rules without any real intent to enforce them, that frustratingly accurate schizophrenic model of governance, has practically destroyed whatever was left of public trust. It has brought the state to the absolute bottom of global anti-corruption indices and severely stalled the diplomatic capacities abroad. This isn't just administrative laziness, it is a calculated, intentional strategy designed to keep the public blind to who is actually writing the laws and spending their money. When a government stubbornly refuses to regulate how power is bought and sold, it essentially forfeits its right to be called a functioning democracy. The citizens

deserve to know exactly who is in the room when their future is being negotiated, and they deserve a system that punishes those who try to bypass the rules.

Adopting robust, modern lobbying regulations is an urgent existential necessity. Implementing mandatory registers, establishing fiercely independent oversight, and enforcing strict disclosure rules must happen immediately if the state wants to survive politically. Politicians have to view this as an absolute, non-negotiable benchmark for the country's EU accession path, primarily because Brussels will simply not accept a member state that operates entirely in the shadows. They can only fulfill the fundamental rule-of-law criteria by dragging this informal influence completely into the light, forcing every political middleman to register their name, their client, and their agenda. Ultimately, securing the broader democratic consolidation of the institutions depends entirely on this transparency. Without it, we are just pretending to build a European state, while the real decisions continue to be made in private, unregulated corners. The time for empty political promises has run out, they will either legislate the shadows, or remain permanently trapped in them.

Bibliography

Andersen, S. Svein i Burns, Tom (1996a). The European Union and the Erosion of Parliamentary Democracy: A Study of Post-parliamentary Governance. In Andersen, S. Svein i Eliassen, A. Kjell. *The European Union: How Democratic is it?* SAGE Publications, London.

Andersen, S. Svein i Eliassen, A. Kjell (1996b). EU-Lobbying Between Representativity and Effectiveness. In Andersen, S. Svein i Eliassen, A. Kjell. *The European Union: How Democratic is it?* SAGE Publications, London.

APIK (2024). *Strategija za borbu protiv korupcije 2024-2028 i Akcioni plan za provođenje Strategije za borbu protiv korupcije 2024-2028*. Agencija za prevenciju korupcije i koordinaciju borbe protiv korupcije, Sarajevo. Available at: <https://fzzpr.gov.ba/files/Strategije/Strategija%20za%20borbu%20protiv%20korupcije%202024-2028..pdf>.

Avril, Lola (2018). Lobbying and Advocacy. *Sociologický Časopis / Czech Sociological Review*. Vol. 54, no. 6, p. 859-880.

Barić, Sanja i Acinger, Ana (2018). Pravna regulacija položaja lobista u Europi. In *Zbornik Pravnog fakulteta Sveučilišta u Rijeci*. Vol. 39, no. 3, p. 1207-1236.

Barron, Andrew (2011). The Impact of National Business Cultures on Large Firm Lobbying in the European Union: Evidence from a Large-Scale Survey of Government Affairs Managers. *Journal of European Integration*. No. 33 (4), p. 487-505.

BHAS (2010). *Klasifikacija djelatnosti BiH 2010*. Agencija za statistiku Bosne i Hercegovine, Sarajevo. ISSN 1986-5376.

Bouwen, Pieter (2002). Corporate lobbying in the European Union: The logic of access. *Journal of European Public Policy*. No. 9 (3), p. 365-390.

Caranti, Niccolò (2019). *Lobbying in Italy and legislator schizophrenia*. Osservatorio Balcani e Caucaso Transeuropa. Available at: https://www.balcanicaucaso.org/en/cp_article/lobbying-in-italy-and-legislator-schizophrenia/.

Christen, E., Meyer, B., Oberhofer, H., Hinz, J., Kamin, K. i Wanner, J. (2022). *The Brussels Effect 2.0. How the EU Sets Global Standards with its Trade Policy*. The FIW - Research Centre International Economics. Report No. 7. Pristupljeno: 15/04/2026. Dostupno na: <https://www.econstor.eu/bitstream/10419/278200/1/1819336239.pdf>

Coen, David (1998). The European Business Interest and the Nation State: Large-Firm Lobbying in the European Union and Member States. *Journal of Public Policy*. Vol. 18, no. 1, p. 75-100.

Dijk, van Peter (2011). *Study on the Role of Extra-institutional Actors in a Democratic System*. European Commission for Democracy Through Law - Venice Commission. Study No. 590/2010. Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-DEM\(2011\)001-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-DEM(2011)001-e).

Djurović, Gordana i Radović, Milivoje (2010). Lobbying for a faster integration track for the western Balkans region. *SEER: Journal for Labour and Social Affairs in Eastern Europe*. Vol. 13, no. 2 (Policy responses to labour migration) p. 217-226.

EC (2018). *Bosnia and Herzegovina 2018 Report*. European Commission, Strasbourg. Available at: <https://enlargement.ec.europa.eu/system/files/2019-05/20180417-bosnia-and-herzegovina-report.pdf>.

EC (2024). *Bosnia and Herzegovina 2024 Communication on EU enlargement policy*. European Commission, SWD (2024) 691 final, Brussels. Available at: https://enlargement.ec.europa.eu/document/download/451db011-6779-40ea-b34b-a0eeda451746_en?filename=Bosnia%20and%20Herzegovina%20Report%202024.pdf.

EP (2015). *Briefing, December 2015: Transparency of lobbying at EU level*. European Parliament. Available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/572803/EPRS_BRI\(2015\)572803_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/572803/EPRS_BRI(2015)572803_EN.pdf).

FTV (2025). *Sven Alkalaj: BiH ne ulaže ništa u lobiranje*. Federalna televizija. Available at: <https://federalna.ba/sven-alkalaj-bih-ne-ulaze-nista-u-lobiranje-jgspk>.

Garde, A., Gokani, N., Perez-Llantada i C. J., Souter, J. (2025). Lobbying, transparency and trust: power imbalances and the failure to implement Europe's Beating Cancer Plan. *The Lancet Regional Health - Europe*. Vol. 51, p.1-5.

Gardner, N. James (1991). *Effective Lobbying in the European Community*. Kluwer Law and Taxation Publishers, Deventer.

GRECO (2016). *Corruption prevention in respect of members of parliament, judges and prosecutors: Evaluation Report Bosnia and Herzegovina*. Group of States against Corruption (GRECO) & Council of Europe, Strasbourg. Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806c4999>.

GRECO (2018). *Corruption prevention in respect of members of parliament, judges and prosecutors: Compliance Report Bosnia and Herzegovina*. Group of States against Corruption (GRECO) & Council of Europe, Strasbourg. Available at: <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/16808acd50>.

GRECO (2020). *Corruption prevention in respect of members of parliament, judges and prosecutors: Second Compliance Report Bosnia and Herzegovina*. Group of States against Corruption (GRECO) & Council of Europe, Strasbourg. Available at: <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/1680a0bb7e>.

GRECO (2025). *Corruption prevention in respect of members of parliament, judges and prosecutors: Third Interim Compliance Report Bosnia and Herzegovina*. Group of States against Corruption (GRECO) & Council of Europe, Strasbourg. Available at: <https://rm.coe.int/grecorc4-2024-12-final-eng-3rd-interim-bih-public/1680b47d21>.

Greenwood, Justin (2011). Actors of the Common Interest? The Brussels Offices of the Regions. *Journal of European Integration*. No. 33 (4), p. 437-451.

Hanegraaff, M., Poletti, A. i Beyers, J. (2017). Explaining varying lobbying styles across the Atlantic: An empirical test of the cultural

and institutional explanations. *Journal of Public Policy*. Vol. 37, no. 4, p. 459-486.

Hrebenar, J. Ronald i Morgan, B. (2014). Worldwide Perspective on Lobbying. In Handlin, Amy. *Dirty Deals? An Encyclopedia of Lobbying, Political Influence and Corruption (Volume 1: Essays)*. ABC-CLIO, Santa Barbara, California.

Iodice, Antonio (2025). The 'Palladium of prosperity': Lobbying between Marseilles and Paris from the revolution to the restoration (1789-1817). *Business History*. Vol. 67, no. 6, p. 1468–1489.

Jeleč Nihada (2018). *Propisi o lobiranju u evropskim državama. Parlamentarna skupština Bosne i Hercegovine*. Istraživački sektor, Sarajevo. Available at: <https://www.parlament.ba/Publication/Read/14275?title=propisi-o-lobiranju-u-evropskim-drzavama-&pageld=0>.

Klüver, Heike (2012). Biasing Politics? Interest Group Participation in EU Policy-Making. *West European Politics*. No. 35 (5), p. 1114-1133.

Lobby Monitor (2026). *Lobbying in Europe vs. the US: Spending, Strategies, and Success Rates Compared*. Democracy Centre for Transparency. Available at: <https://dctransparency.com/lobbying-in-europe-vs-the-us-spending-strategies-and-success-rates-compared/>.

Malmborg, von Fredrik (2022). Theorising member state lobbying on European Union policy on energy efficiency. *Energy Policy*. Vol. 167, p. 1-9.

Manolache, Madalina (2014). Europeanisation: A Conversion of the Local Adaptation vs. Standardization Dilemma within the European Public Space. *Procedia - Social and Behavioral Sciences*. Vol. 149, p. 530-536.

Michalowicz, Irina (2004). Analysing Structured Paths of Lobbying Behaviour: Why Discussing the Involvement of 'Civil Society' Does not Solve the EU's Democratic Deficit. *Journal of European Integration*. No. 26 (2), p. 145-173.

Pichler, Davorin (2021). Građanskopravno uređenje djelatnosti lobiranja. *Pravni vjesnik*. Vol. 37, no. 2, p. 35-60.

Poljanec, Kristijan (2014). Freedom to Provide Lobbying Services in the International Market: A Regulatory Challenge for EU Member States. *InterEULawEast: Journal for International and European Law, Economics and Market Integrations*. Vol. 1, no. 2, p. 1-20.

Pollock, K. James (1927). The Regulation of Lobbying. *The American Political Science Review*. Vol. 21, no. 2, p. 335-341.

Rekosh, Edwin (2009). In *the Public Eye: Parliamentary Transparency in Europe and North America*. International Human Rights Law Group, Washington D.C.

Richter, Felix (2019). *The Companies Spending the Most on EU Lobbying*. Statista. Available at: https://www.statista.com/chart/17837/companies-spending-the-most-on-eu-lobbying/?srsId=AfmBOoqDp_6AFjejBEt3i7DTcUge28nZTn5kjOBScv5ju98gBlsgVWGa.

Sadiković, Lada (2005). *Država u evropskom poretku*. Šahinpašić, Sarajevo.

Schendelen, Rinus (2010). *More Machiavelli in Brussels: The art of lobbying the EU*. Amsterdam University Press, Amsterdam.

Schulze, Hagen (2002). *Država i nacija u evropskoj istoriji*. Filip Višnjić, Beograd.

Speth, Rudolf (2014). *Lobbying in Germany*. Transparency International Deutschland. Available at: https://www.transparency.de/fileadmin/Redaktion/Publikationen/2014/Lobbying_in_Germany_TransparencyDeutschland_2014_EN.pdf.

Statista (2026). *Lobbying expenses of Google in the European Union (EU) from 2015 to 2023*. Statista. Available at: <https://www.statista.com/statistics/1321186/lobbying-expenses-of-alphabet-inc-eu/?srsId=AfmBOorAYldZZkaFuuVZnFAQeX2k3STxKUhBFq4ZaZNFo6kyiX9OJedy>.

Suder, Gabriele (2011). *Doing business in Europe*. SAGE Publications, London.

TI (2024). *Indeks percepcije korupcije 2024*. Transparency International. Available at: <https://ti-bih.org/indeks-percepcije-korupcije-cpi-2024/>.

Transparency Register 2021, *Transparency Register*, European Union.

Worthy, Ben i Crepaz, Michele (2026). *How do we solve a problem like lobbying?* Transparency International UK. Available at: <https://www.transparency.org.uk/news/how-do-we-solve-problem-lobbying>.

Yadav, Vineeta (2011). *Political parties, business groups, and corruption in developing countries*. Oxford University Press, New York.

2. Transparency and Land policy in French Municipalities: Insights from Real-estate Transactions - *Rabab Khatib*

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Abstract

Who shapes land-use regulation? And how can this influence be measured empirically? This paper investigates the relationship between corporate lobbying activity, participatory planning procedures, and observable economic outcomes in the context of large-scale commercial real estate and infrastructure development. Using a panel of municipalities in France, we combine two sources of data: lobbying disclosure registers from the *Haute Autorité pour la Transparence de la Vie Publique* (recording the identity, expenditure and policy targets of registered interest groups) and real-estate transactions from *Direction Générale des Finances Publiques'* DVF as proxies for local economic activity and land transformation. Exploiting variation in the timing and completeness of declarations of lobbying campaigns, we propose a Poisson pseudo-maximum-likelihood estimator to assess whether lobbying intensity predicts deviations between preferences formally expressed by a group of interest and final regulatory outcomes. The central hypothesis is that municipalities exposed to intense industry lobbying experience faster growth in development-relevant transactions and weaker effective transparency, with the gap largest where disclosure is delayed or incomplete. The paper contributes to debates on quantitative methodology to assess participatory democracy and regulatory capture by offering a reproducible, data-driven pipeline that bypasses reliance on self-reported compliance data, and argues for alternative data indicators as a reliable evaluation tool for the impact of participatory governance on public policy.

Keywords

Real-estate transactions, Public policy, Land use, Lobbying intensity indicator, French municipalities

2.1 Introduction

Even if land-use decisions are usually available through planning procedures, those most affected by them do not participate in the discussions with equal resources or timing. Large real-estate and infrastructure construction interests may intervene upstream of any visible regulatory outcome, while residents only get to observe the projects later, through consultation or local political debate. This paper treats this question as an empirical challenge and proposes a reproducible methodology to evaluate whether disclosed lobbying activity is associated with observable changes in local economic outcomes.

More precisely, we focus on French municipalities because of the richness of publicly available data. Indeed, for activities transparency it is possible to consult France's statutory lobbying register, le *répertoire des représentants d'intérêt*. The register is maintained by the *Haute Autorité pour la Transparence de la Vie Publique* (HATVP, "High Authority for Transparency in Public Life") and records lobbying actions aimed at representatives of the public function. Real-estate transactions data is available through the *Données de Valeur Foncière* dataset (DVF, "Land Value Data"), published by the *Direction Générale des Finances Publiques* (DGFIP, Directorate General of Public Finance).

Starting 2022, the HATVP register has, for the first time, required organisations leading lobbying activities targeting mayors, intercommunal agents and municipal cabinets to declare any activity, following the same standards of disclosure of campaigns aimed at ministries and Parliament and carried at the national level. The local extension of the register matters because land-use authority in France is deeply territorial, as municipalities and intercommunal bodies participate in planning, authorisation and implementation of urban policies.

The related literature suggests both the potential and the limits of this strategy. Schone, Koch and Baumont¹ discuss how local

¹ Schone, K., Koch, W. and Baumont, C. (2013). *Modeling local growth control decisions in a multi-city case: Do spatial interactions and lobbying efforts matter?* Public Choice 154, 95–117 <https://doi.org/10.1007/s11127-011-9811-1>

growth-control decisions in France are considered to be the outcome of political struggle between voters and organised lobbies, which can only influence French local-regulation design. Large scale local datasets, which best allow to test for competing theories of land-use politics, have allowed to demonstrate that the most powerful stakeholder in New York urban politics are home-voters². For the models literature, Parkhomenko³ develops a model of endogenous land-use regulation driven by voting and lobbying, whereas Hirvola⁴ emphasises that professional lobbying in urban planning is rather tightly linked to publicity management and transparency. Finally, Been and Lemar⁵ stress that public participation is central to land-use law, but it still remains hard to observe empirically. The literature motivates a methodological design that relies on administrative traces rather than self-reported compliance alone.

Methodologically, this paper combines the different data sources into a municipality x quarter panel, starting 1 July 2022 up to July 2025. It uses the date of the first lobbying activity adjacent to urban planning as the picket to define treatment timing, which allows to measure lobbying intensity through cumulative disclosure. Transparency indicators are built from data about the publication delay or incompleteness of disclosure forms. Then, the main estimator is Poisson pseudo-maximum likelihood, with municipality and quarter fixed effects, complemented by an event-study model. These steps constitute a reproducible pipeline for evaluation whether disclosure intensity and market outcomes move together in a way that is visible in administrative data.

² Been, V., Madar, J. and McDonnell, S. (2014). *Urban Land-Use Regulation: Are Homevoters Overtaking the Growth Machine?* Journal of Empirical Legal Studies, 11: 227-265. [10.1111/jels.12040](https://doi.org/10.1111/jels.12040)

³ Parkhomenko, A. (2023). *Local causes and aggregate implications of land use regulation*. Journal of Urban Economics, Elsevier, vol. 138(C). [10.1016/j.jue.2023.103605](https://doi.org/10.1016/j.jue.2023.103605)

⁴ Hirvola, A. (2022). *Professional Lobbying in Urban Planning: Publicity Management and Transparency Discourse on a Collision Course?* Planning Theory & Practice, 23, issue 2, p. 175-193. [10.1080/14649357.2022.2034922](https://doi.org/10.1080/14649357.2022.2034922)

⁵ Lemar, A., Been, V. (2023). *Assessing the Law's Effects on Public Participation in Land Use Decisions*. A Research Agenda for US Land Use and Planning Law (Edward Elgar), Forthcoming, Yale Law & Economics Research Paper. <https://ssrn.com/abstract=4509291>

2.2 Institutional context and Temporal scope

The HATVP's lobbying register was created through *Loi Sapin II* (Article 25, *Loi n. 2016-1691*)⁶ and came into force on 1 July 2017. Initially, this register only covered national-level stakeholders: government ministries, members of Parliament, as well as their staff, and other national administrative authorities. It was not until 1 July 2022 that *Loi 3DS*⁷ extended the register's coverage to local functionaries, as mayors and members of municipal and intercommunal collectivities. This date will act as a hard constraint for this local-level study: even though lobbying was well present before⁸, it would not be methodologically sound to construct a larger panel pre-2022, as of that time there was no legal obligation of disclosure.

Public real-estate transaction disclosure is published through the DVF database by the DGFIP. This database was disclosed starting May 2019, following the *Décret n. 2018-1350*, that states the objective of “enabling public scrutiny of land and property markets”⁹. This database is maintained as a rolling five-year window: at any point in time, only the preceding five years of transactions are available. The DVF is not a fixed historical archive then, and at the time of writing it allows access to transactions information from 2021 to 2025. The available DVF data window overlaps with the HVATP's lobbying register one, with one full year (mid-2021 to mid-2022) prior to the local-level extension usable as a baseline period for comparison-group matching.

⁶ France. (2016). *Loi n° 2016-1691 du 9 décembre 2016 relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique* (art. 25). Légifrance. https://www.legifrance.gouv.fr/jorf/article_jo/JORFARTI000033558541

⁷ France. (2022). *Loi n° 2022-217 du 21 février 2022 relative à la différenciation, la décentralisation, la déconcentration et portant diverses mesures de simplification de l'action publique locale* (loi « 3DS »). Journal officiel de la République française, n° 44, 22 février 2022. <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000045197395>

⁸ Portelli, H. (1996). *Les lobbies au niveau local*. Pouvoirs, 79, 88–97. <https://revue-pouvoirs.fr/les-lobbies-au-niveau-local/>

⁹ France. (2018). *Loi n° 2018-727 du 10 août 2018 pour un État au service d'une société de confiance*. Légifrance. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000037884472/> (“[...] afin de concourir à la transparence des marchés fonciers et immobiliers [...]”, consulté le 13 juillet 2026)

2.3 Data sources

2.3.1 Lobbying declarations

The register is available on the AGORA open data platform by the HATVP under two formats: “separated views” (“*vues séparées*”), as fifteen normalised relational tables, and “merged views” (“*vues fusionnées*”), as two flat pre-joined tables. This last export option, and specifically its action-level table, allow to avoid a large scale multi-table join (2 295 266 observations and 52 columns). The retrieved file provides information about organisation identifiers, publication dates, declared domains of intervention, targeted public officials and beneficiaries, action types, as well as concerned decisions. We restrict the declarations to those with:

- a publication date posterior to 1 July 2022,
- a planning-adjacent domain (urban planning, spatial planning, construction, housing, real estate...),
- an identifiable local authority as the target of the action (mayor, municipality, metropolis, “collectivité territoriale”...), that can be matched to a French commune code.

From the filtered table, for each targeted authority, we extract three fields relevant for our transparency study:

- the date of the first declaration post-2022 extension,
- the publication status, indicating whether the declaration has been fully delivered or is still ongoing,
- the delay between the filing and publication date.

2.3.2 Real estate transactions

Real estate transactions data is available through the geo-def dataset, distributed as one CSV per commune per year. The file provides sale dates, commune identifiers, transaction values, built surfaces, land surfaces and property types. This dataset is published at lot or parcel level, not at a mutation (single transaction) one: one sale (corresponding to one mutation id) can span several rows, for instance when a residence is sold with a parking space or another dependency, with each of these goods being recorded as its own row, sharing the mutation identifier.

Simply aggregating the row counts would then overstate the number of actual transactions, so our pipeline rather groups rows by mutation id before building the outcome variables.

Furthermore, the DGFIP publishes data following the standard French cadastral system, however in French two exceptions stand to this legislation: Alsace-Moselle (departments 57, 67 and 68) and Mayotte (976), which operate under the *livre foncier* land-registration system. These departments are absent from the DVF database and are then excluded from the study, across other datasets as well, to ensure avoiding coverage-driven imbalance, uncorrelated with lobbying exposure.

Same as for the lobbying register, the transactions dataset is filtered for mutations in a municipality x quarter, involving at least one of the following criteria:

- commercial, industrial or assimilated usage ("*local industriel, commercial ou assimilé*"),
- developable land label,
- positive terrain surface

These criteria also allow to take into consideration whether agricultural, natural or vacant land was legally converted to urban use, as this information is not directly stated by the DVF.

2.4 Methodology

To allow for comparison and to match covariates, we draw communes information from INSEE's annual population dataset ("*populations de référence*") and enrich it with density information from Eurostat ("*grille communale de densité*").

2.4.1 Processing

For each municipality, treatment timing is defined by the first (urban planning) lobbying action in the study window: a municipality is considered treated from the quarter corresponding to this first action onward. Lobbying intensity is then measured as the cumulative number of retained actions up to each quarter. As larger municipalities might be more targeted, the lobbying

intensity undergoes a logarithmic transformation to balance skewness.

From the transactions dataset, the main dependent variable is a count, modelled with a Poisson pseudo-maximum-likelihood with population as an exposure offset: cities or agglomerations with larger populations would be expected to have a higher number of transactions. Another dependant variable would be the logarithmic transformation of the same count, estimated by OLS with fixed effects as a robustness check. Combining these two models allows to handle zeros and count-like outcomes through Poisson and to use the OLS model for easier diagnosis and comparison.

Taking the three key parameters (first publication date, declaration status and publication delay), a municipality would be classified as low-transparency if its median publication delay is above the sample medial or if it has incomplete or unpublished declarations.

2.4.2 Econometric model

Let i index municipalities and t index quarters.

Let Y_{it} be the number of DVF mutations relevant to development. Let L_{it} be lobbying exposure, equal to one from the first planning-adjacent local lobbying action onward, or, alternatively, equal to the log cumulative number of such actions. The baseline model is expressed as:

$$E[Y_{it} | X_{it}, \alpha_i, \delta_t] = \exp(\beta L_{it} + \gamma X_{it} + \alpha_i + \delta_t + \log(Pop_i))$$

Here, α_i are the municipality fixed effects, δ_t the quarter fixed effects and $\log(pop_i)$ the exposure offset, accounting for the differences in population across municipalities. Municipality fixed effects absorb time-invariant local characteristics, such as geography, long-run planning culture or baseline density. Quarter fixed effects will absorb national shocks, such as inflation of construction costs or changes in the real-estate cycle.

The heterogeneity model tests whether lobbying association is larger in lower-transparency municipalities:

$$E[Y_{it}] = \exp(\beta_1 L_{it} + \beta_2 LowTransparency_i + \beta_3 L_{it} \times LowTransparency_i + \alpha_i + \delta_t + \log(Pop_i))$$

As *LowTransparency_i* is a time-invariant variable, its main effect is absorbed by municipality fixed effects. Consequently, the coefficient of interest is β_3 , the one associated to lobbying exposure: a positive coefficient would be consistent with the hypothesis that lobbying is more strongly associated with development transactions in areas where disclosure is slower or less complete.

Finally, the event-study version of the model estimates coefficients by event time:

$$Y_{it} = \sum_{k \neq -1} \theta_k 1[t - T_i = k] + \alpha_i + \delta_t + \varepsilon_{it}$$

The omitted category is the quarter before the first disclosed lobbying activity. The pre-treatment coefficients test whether treated municipalities were already on different trajectories. If the estimated coefficients (θ_k) for $k < 0$ (pre-treatment) are flat and near zero, while post-treatment coefficients rise, then we can assess an even stronger model. However, if pre-trends are already large, then it would mean that the causal interpretation between the studied factors is weakened.

2.5 Discussion

2.5.1 Limits

The data sources of this paper are rich in information, but remain incomplete: for instance, lobbying registers do not observe all forms of influence, but only the ones legally required to disclose their activities. Many beneficiaries may be indirect and this methodology does not currently capture the full chain of affiliated entities that may gain from the same policy shift. Furthermore, lobbying also exists through undeclared movements, such as social media campaigns, that are hard to capture with administrative data.

The HATVP action file allows to measure the disclosure quality, but does not bring to light formal citizen participation. Formal participation can only be studied if local consultation (“enquêtes publiques”) data is collected and published consistently. Currently this information is fragmented across different records, as those from the *Commission Nationale du Débat Public* (CNDP, National

Public Debate Commission) or private register platforms and local open-data portals. Adding local consultation datasets would be a meaningful extension to this paper, in order to take into account citizen voice.

2.5.2 Perspectives

This study could be extended scaling the analysis beyond France and applying the same empirical methodology to other countries with different levels of institutional transparency. Such a comparative extensions would particularly be interesting in countries where land-use decisions are decentralised but lobbying transparency remains centralised (or weakly enforced).

The scale could also be deepened, not only expanded, by looking at project-level transactions, rather than grouping them by municipality. This approach gives would allow to better identify the beneficiaries of land-use change, especially indirect ones, such as firms that do not lobby directly but that benefit from sectoral associations or infrastructure investments and regulatory changes promoted by others.

The model itself could be enriched to account for more variables, such as population growth, density, housing prices, local tax revenues, unemployment rates, building permits, proximity to transport infrastructure, land availability, protected-areas coverage or municipal political affiliations. The integration of this variables could also be controls or as terms in interaction with lobbying exposure, especially to test whether lobbying matters more in areas where development pressure is already high.

2.5.3 Conclusion

This paper has proposed a reproducible methodology for studying the relationship between lobbying, transparency and land-use outcomes in French municipalities. Its contribution is not to claim a definitive causal effect of lobbying on land conversion, but to show how administrative data can be assembled into a transparent empirical pipeline that then allows to test for such a question. By combining the HATVP lobbying register with the DVF

real-estate transaction data, the paper links disclosed interest declarations to observable local market activity. This approach allows to integrate quantifiable and independent measurement to the transparency procedure, avoiding to solely rely on self-reported compliance.

The main methodological insight from the paper is that lobbying disclosure can be treated as a measurable exposure, thanks to timing and completeness of declarations that provide a basis to build a lobbying intensity indicator. The paper also presents a methodology to build a municipality x quarter panel, with a clear treatment group and a full-year as a baseline observation window. Finally, the pipeline includes fixed effects and event-study specifications in order to try and separate lobbying patterns from broader market trends, although these steps cannot eliminate all selection concerns.

Indeed, lobbying registers do not capture all influence and the real-estate transactions dataset does not provide information about legal zoning decisions, which keeps formal citizen participation hard to measure at scale. The current administrative records bridle the development of a broader framework for a quantitative observation of participatory democracy.

The broader value of the paper lies in its reproducible methodology and transferable design: the same framework can be adapted to other countries, registers and land-use systems, as long as disclosure and transaction data are available. In that sense, this article contributes less to a single substantive estimate than to a general research strategy: use administrative traces to measure often overlooked political processes, through an extensible and comparable framework.

Bibliography

Schone, K., Koch, W. and Baumont, C. (2013). *Modeling local growth control decisions in a multi-city case: Do spatial interactions and lobbying efforts matter?* Public Choice 154, 95–117 <https://doi.org/10.1007/s11127-011-9811-1>

Been, V., Madar, J. and McDonnell, S. (2014). *Urban Land-Use Regulation: Are Homevoters Overtaking the Growth Machine?* Journal of Empirical Legal Studies, 11: 227–265. [10.1111/jels.12040](https://doi.org/10.1111/jels.12040)

Parkhomenko, A. (2023). *Local causes and aggregate implications of land use regulation.* Journal of Urban Economics, Elsevier, vol. 138(C). [10.1016/j.jue.2023.103605](https://doi.org/10.1016/j.jue.2023.103605)

Hirvola, A. (2022). *Professional Lobbying in Urban Planning: Publicity Management and Transparency Discourse on a Collision Course?* Planning Theory & Practice, 23, issue 2, p. 175–193. [10.1080/14649357.2022.2034922](https://doi.org/10.1080/14649357.2022.2034922)

Lemar, A., Been, V. (2023). *Assessing the Law's Effects on Public Participation in Land Use Decisions.* A Research Agenda for US Land Use and Planning Law (Edward Elgar), Forthcoming, Yale Law & Economics Research Paper. <https://ssrn.com/abstract=4509291>

France. (2016). *Loi n° 2016-1691 du 9 décembre 2016 relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique* (art. 25). Légifrance.

https://www.legifrance.gouv.fr/jorf/article_jo/JORFARTI000033558541

France. (2022). *Loi n° 2022-217 du 21 février 2022 relative à la différenciation, la décentralisation, la déconcentration et portant diverses mesures de simplification de l'action publique locale* (loi « 3DS »). Journal officiel de la République française, n° 44, 22 février 2022.

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000045197395>

Portelli, H. (1996). *Les lobbies au niveau local.* Pouvoirs, 79, 88–97. <https://revue-pouvoirs.fr/les-lobbies-au-niveau-local/>

France. (2018). *Loi n° 2018-727 du 10 août 2018 pour un État au service d'une société de confiance*. Légifrance. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000037884472/>

HATVP (2024). *Rapport annuel sur le répertoire des représentants d'intérêts*. Haute Autorité pour la transparence de la vie publique.
Direction Générale des Finances Publiques (2019). *Demandes de valeurs foncières : données ouvertes*. Ministère de l'Économie et des Finances.

3. Regulatory Co-production and Lobbying in Italian Data Center Governance - *Martina Alleva*

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Abstract

Italy is becoming a strategic hub among Europe, Africa, and Asia due to its geographic location and the growing demand for AI-driven digital infrastructure. Data centers are no longer seen only as technical facilities. They are now strategic infrastructure for economic growth, technological development, and geopolitical competitiveness. Although investment is rapidly increasing, the regulatory framework remains fragmented and does not fully support timely development.

This paper examines how a digital infrastructure company and a trade association influence two regulatory reforms: the national single authorization procedure for data centers introduced by the Bollette Decree-law and the Lombardy regional law on data center siting, authorization, and monitoring.

It adopts a qualitative study based on process tracing, combining document analysis, participant observation, and reconstruction of the policymaking process. Sources include draft laws, parliamentary records, amendments, regional legislation, and institutional documents. Participant observation stems from the author's direct involvement in lobbying activities. Evidence was triangulated with documentary sources to reduce interpretative bias.

The findings show that lobbying extends beyond providing information. Industry actors helped define regulatory problems, develop policy solutions, and improve implementation. This paper highlights that lobbying in highly technical sectors is better understood as a process of regulatory co-production, in which public authorities and industry jointly develop regulatory solutions through technical expertise and ongoing interaction.

Keywords

Data centers; lobbying; regulatory co-production; multilevel governance; digital infrastructure regulation.

3.1 The Italian Data Center Landscape

The rapid expansion of artificial intelligence, cloud computing, and data-intensive digital services has made data center into essential infrastructures for businesses, public administrations, and contemporary society. They are no longer considered as merely technical facilities; data center are now drivers of economic development and digital transformation. They now play a strategic role in industrial competitiveness, technological sovereignty, and public policies. As a result, governments across Europe are paying increasingly attention to their development.

In this evolving landscape, Italy is consolidating its role as a strategic destination for hyperscale and colocation data center investments. Major tech companies and infrastructure operators are choosing Italy as a destination for their investments. Italy benefits from a strategic geographical position between Europe, Africa, Asia, and the Mediterranean basin. It also offers important digital and energy systems, together with submarine cable landings, fibre optic networks, Internet Exchange Points (IXPs), and a high-voltage electricity grid.¹⁰ In addition, the presence of industrial districts further strengthen the country's attractiveness.

Between 2023 and 2025, approximately 7.1 billion was invested in the construction and deployment of data centers. In addition, 83 new projects were announced for the 2026–2028 period, with a potential value of 25.4 billion.

Against this background of rapid expansion, regulatory frameworks have become a central determinant of sector development outcomes. In response, the Italian government has introduced several policy measures aimed at supporting investment. These include strategic designation of investment areas¹¹; recognition of large foreign investment projects over 1 billion as projects of national strategic interest¹²; fast-track

¹⁰ Ministry of Enterprises, Strategy for Attracting Foreign Investment in Data Centers, Rome, 2025.

¹¹ Art. 32 of Decree- Law No. 115/2022, *Urgent measures regarding energy, the water crisis, and social and industrial policies*.

¹² Art. 13 of decree -Law No. 104/2023, *Urgent Provisions for the Protection of Consumers in the Areas of Economic and Financial Activities and Strategic Investments*.

procedure for EIA review¹³ for national strategic projects; introduction of a dedicated ATECO classification¹⁴; adoption of guidelines for environmental evaluation¹⁵; renewable energy incentives¹⁶.

However, despite these policy initiatives, the regulatory framework remains one of the main obstacles to the sector's development. Authorization procedures differ across national and regional levels, generating uncertainty for investors and public administrations.

This paper investigates how regulatory outcomes in the data center sector can be shaped not only through formal legislation, but also through structures interactions between public authorities and private sector actors. In particular, the paper looks how lobbying can act as a process of regulatory co-production. It analysis how technical know-how, industry insight, and involvement at multiple levels contribute to shaping regulatory processes at national and regional levels.

3.2 Theoretical Framework: From legislative subsidy to regulatory Co-production

Traditional lobbying theories conceptualize interest representation as either a form of exchange or persuasion. A more influential approach is the legislative subsidy model¹⁷, which defines lobbying as “*primarily a form of legislative subsidy – a*

¹³ Art. 1 of Decree-Law No. 153/2024, *Urgent measures for the country's environmental protection, the streamlining of environmental assessment and authorization procedures, the promotion of the circular economy, and the implementation of measures related to the remediation of contaminated sites and hydrogeological instability.*

¹⁴ Ministry of Enterprises, Strategy for Attracting Foreign Investment in Data Centers, Rome, 2025, p. 19.

¹⁵ Ministry of Environment decree No. 257/2024, *Guidelines for Environmental Assessment Procedures for Data Centers*

¹⁶ Ministry of Environment Decree No. 30/2024, *Transitional Support Mechanism for Renewable Energy Facilities with Generation Costs Close to Market Competitiveness*; Art. 11 of Decree-Law No. 21/2026, *Urgent measures to reduce the cost of electricity and natural gas for households and businesses, to enhance business competitiveness and promote the decarbonization of industries, as well as urgent provisions to address virtual grid congestion and integrate data centers into the electric grid*

¹⁷ Richard L. Hall and Alan V. Deardorff, *Lobbying as legislative subsidy*, American Political Science Review, 2006

matching grant of costly policy information, political intelligence, and labor to the enterprises of strategically selected legislators”¹⁸.

Under this framework, lobbying does not seek to change legislators’ preferences over policies, but rather reduces policymakers’ informational and analytical costs. Accordingly, to this model, legislators focus more on some issues than on others, prioritizing issues that match their own interests and those of their constituents when allocating time and resources (e.g., Hall 1996, Sinclair 1989). Lobbyists, on the other hand, are specialists compared to legislators (Esterling 2004). They focus on relatively few issues, accumulating greater issue-relevant experience, expertise, and time to invest in assisting legislators.

Lobbyists, therefore, might offer professional support as “adjuncts” to staff. They provide technical expertise, information, and analysis specific to their sector. These resources reduce the costs associated with policy design and implementation. From this perspective, lobbying can be viewed as a mechanism through which policymakers gain access to the specialized resources needed to address complex regulatory challenges.

However, this model has its limitations in complex, technical, and rapidly evolving sectors such as the data center industry. Here, regulatory issues are not fully defined in advance, and policy solutions develop over time. In industries like data centers, which experience rapid technological change, short innovation cycles, high technical complexity, and limited knowledge within public administrations, the private sector can play an active role. This includes identifying regulatory problems, assessing policy options, and creating regulatory solutions. Therefore, lobbying can be viewed as a process of co-creating regulations. This process involves collaboration between public authorities and private-sector actors, not only to share information, but also to define issues, develop policies, and determine how to implement them. From this viewpoint, lobbying acts as a dynamic governance tool rather than just a one-way influence.

¹⁸ Ivi, p.69

3.3 Methodology: research design and process tracing approach

This study uses a qualitative case study design based on process tracing. Process tracing helps to reconstruct the causal link between lobbying activities and regulatory outcomes. Data collection relies on multiple sources. First, documentary analysis of legislative and administrative documents (draft laws, parliamentary documents, amendments, and regional legislations); second, internal advocacy materials, including working documents and position papers; and finally, participant observation derived from the author's involvement in lobbying activities (stakeholders' mapping and engagement, technical meetings with the clients, institutional interactions). This approach allowed for direct observation of the interactions between industry representatives and public authorities. To reduce the risks of interpretive bias from the author's perspective, the observational evidence has been cross-checked with documentary and institutional sources and systematically compared with formal policy outputs.

3.4 Multi-level regulatory development in the Italian data center sector

The study examines two interconnected cases: a national -level regulatory reform and a regional-level legislative process in Lombardy. Both address the same policy problem: the authorization framework for data center infrastructure. These cases are analytically linked because they represent different governance levels within a shared regulatory domain. The underlying regulatory problem was characterized by:

- fragmented responsibilities across governance levels;
- overlapping permitting procedures (environmental, urban planning, energy, construction);
- long and uncertain authorization timelines (18-36+ months);
- Administrative capacity constrains relative to investment growth.

These conditions created a policy window for regulatory intervention at both national and regional levels.

3.4.1 Case Study I: National Regulatory Reform

At the national level, the issue entered the policy agenda within the broader digital infrastructure debate, reinforced by the National Recovery and Resilience Plan (NRRP). In September 2025, the Italian government proposed a dedicated authorization framework through Article 8 of Decree Law 21/2026 ("DL Bollette"), which introduced a single authorization procedure for data centers' construction and expansion across the national territory. The case is analytically relevant because it points to a multi-stage mechanism of regulatory co-production between public institutions and industry actors. Company and trade association's representatives actively contributed both in the definition of the policy problem and to the design of the regulatory solution.

During the problem-definition stage, representatives from the company and the trade association collaborated closely with national authorities. They explained the operational and administrative challenges of data center development. During high-level meetings and technical discussions with the relevant departments of the Ministry of the Environment, they highlighted the practical difficulties encountered by operators during the authorization process. These included the fragmentation of authorization procedures, uncertainty regarding the competent authorities, and inconsistencies in administrative requirements. At this stage, this interaction helped policymakers identify and define the regulatory issue. The industry's role involved providing technical and sector-specific knowledge to reduce information gaps between regulators and market participants.

The second stage involved the formulation of policy responses. During the parliamentary discussion of the draft law, representatives of both the company and the trade association participated in official parliamentary hearings, where technical expertise was translated into concrete legislative proposals. In addition to that, they also engaged directly with relevant parliamentary stakeholders participating in the legislative process. Through these interactions, they managed to deliver a number of

suggested changes in order to improve the existing legal act through pointing at its deficiencies, and hence the legal certainty and practical operability of the new authorization framework. The proposed amendments focused , among other things, on the exclusion of the commissioning phase from the procedural scope; the need for the developers to have all the documents related to grid connection in place before applying for authorization; the lack of procedural stages definition; lack of statutory deadlines for completion of the procedure; the exclusion of some building permits from the procedural scope; the lack of standardized documentation, and the uncertainty about the applicability of the new scheme to the ongoing projects¹⁹.

The outcome of these two stages is reflected in the final wording of Article 8 which incorporates the following issues raised during consultations: *“the authorization for the construction, expansion, and operation of data center, together with their associated connection networks, regardless of voltage level, shall be issued under a single authorization procedure by the authority responsible for granting the Integrated Environmental Authorization.”* Furthermore, paragraph 1-bis establishes that *“for the purposes of paragraph 1, the project documentation initially includes only a temporary medium -voltage grid connection solution, without prejudice to the obligation to supplement it with the final connection solution in accordance with the procedures established by the competent authority referred to in paragraph 1.”*²⁰

Overall, the evidence indicates that industry participation extended beyond the provision of information. Through this process, technical knowledge was transformed into an institutional proposal capable of addressing regulatory uncertainty while preserving administrative oversight. By influencing both the content and the procedural architecture of

¹⁹ Company and trade association, hearing and documents submitted to Parliament, 2025

²⁰ Art. 8, Decree -Law No. 21/2026, *Urgent measures to reduce the cost of electricity and natural gas for households and businesses, to enhance business competitiveness and promote the decarbonization of industries, as well as urgent provisions to address virtual grid congestion and integrated data centers into the electric grid*

the new authorization regime, industry actors contributed directly to the structuring of the regulatory instrument itself.

3.4.2 Case Study II: Lombardy's Regional Legislation

Lombardy represents the core of the Italian data center market. In 2025, Milan reached 414 of installed IT capacity, corresponding to approximately 68% of the national installed capacity, while accounting for around 23% of announced European investments. The city is expected to exceed 1 GW by 2028²¹. In response to this rapid expansion, the regional government first adopted the *Guidelines for the Development of Physical Infrastructures Hosting Data Processing Equipment and Services for IT Resource Management*²², providing non-binding technical guidance for the management of authorization procedures. This initiative was followed by the proposal of the first regional law specifically dedicated to data centers: Draft Law No. 150 – Provisions on the Settlement of Data Centers.

The engagement strategy was similar to that observed at the national level, although with a different institutional setting. The interaction evolved through an iterative process of regulatory co-production. During institutional discussions and parliamentary hearings, representatives of the company and the trade association identified the main regulatory and administrative bottlenecks affecting the sector. They also circulated explanatory memoranda among the key institutional stakeholders involved in the legislative process. These exchanges were complemented by technical consultations with representatives of regional administrations and on-site inspections of those data center facilities that have been put into operation. In combination with all this documentation and discussions, the documents outlined the operational implications of the suggested regulation, emphasized the need for harmonization between the regional and new

²¹ TEHA Group, *Italy's Data Centers: Energy, Efficiency, and Sustainability for the Digital Transition*, Position Paper, Cernobbio, 2025; data from the Digital Innovation Observatory at the Politecnico di Milano

²² Lombardy Region, Regional Council Resolution No. 2629/2024, *Guidelines for the Construction in Lombardy of Physical Infrastructure Housing IT Resource Management Equipment and Services—Data Centers*

national legislation and outlined legislative initiatives to achieve greater clarity and certainty.

Among the principal issues raised were the absence of a clear regulatory definition of data centers and their associated electrical infrastructure; lengthy and uncertain permitting procedures, particularly for brownfield developments; unclear criteria for site selection and incentive mechanisms; limited technological neutrality regarding decarbonized energy sources; insufficient involvement of operators in coordination mechanisms; the risk of inconsistent interpretation across municipalities; and uncertainties surrounding the transitional provision applicable to ongoing projects²³.

Several of the proposed amendments were incorporated into the final version of the regional legislation. In particular, the adopted text introduced stronger requirements regarding energy efficiency, namely, prioritizing carbon-free energy sources, requiring the assessment of renewable energy solutions, recovering and recycling energy from waste heat via district heating, and setting up energy reporting requirements for new projects²⁴. Additionally, the text clarified the scheme of incentives insofar as it allowed municipal authorities to introduce simplification schemes and additional planning incentives for projects that comply with energy and environmental goals²⁵. Lastly, the text updated the transitional measures in a way that differentiated between new applications and existing authorization procedures, thereby decreasing the level of legal uncertainty for ongoing projects²⁶.

Overall, the Lombardy case also confirms the same mechanism observed at the national level. Technical expertise was progressively translated into institutional proposals. Industry actors contributed not only to refining the substantive provisions

²³ Company and trade association, hearing and documents submitted to Lombardy Region, 2026

²⁴ Article 2, paragraph 2, letters b) and c), Lombardy Region Draft Law No. 150/2026, *Provisions on the Settlement of Data Centers*

²⁵ Art. 3, paragraph 3, Lombardy Region Draft Law No. 150/2026, *Provisions on the Settlement of Data Centers*

²⁶ Art. 9, Lombardy Region Draft Law No. 150/2026, *Provisions on the Settlement of Data Centers*

of the regional law but also to shaping the governance framework through which the Region seeks to regulate the environmental sustainability, territorial integration, and administrative management of data center development.

3.5 Rethinking lobbying in highly technical policy sectors

The results suggest that the legislative subsidy model is not sufficient to fully explain the dynamics observed in the regulation of the data center sector. Although the model effectively captures the role of private actors as providers of technical information to policymakers, the empirical data indicate that their involvement extends far beyond the mere provision of information. Industry stakeholders have actively participated in defining regulatory issues, proposing policy solutions, co-designing regulatory instruments, and identifying implementation challenges.

This pattern emerged consistently across all cases examined, at both the national and regional levels. Rather than merely providing technical expertise, industry representatives contributed to the development of authorization procedures, drafted regulatory proposals, and advocated for the design of more efficient implementation mechanisms. Their involvement thus spanned various stages of the policy process, including agenda-setting, policy design, and implementation.

The cases also reveal that the interaction between public authorities and private actors has been continuous and iterative. Regulatory issues and policy solutions have been progressively refined through repeated exchanges, with technical expertise being integrated into the regulatory design process. As a result, the distinction between providing information and formulating policies becomes increasingly blurred.

These findings suggest that lobbying in highly technical policy areas is best understood as a process of regulatory co-production. Rather than representing merely an external source of political influence, lobbying constitutes a form of participation in governance in which public authorities and private actors jointly shape regulatory frameworks through constant interaction, a shared definition of problems, and the integration of specialized expertise. Although the “legislative subsidy” model remains useful for explaining the informational dimension of lobbying, the cases

analyzed point to the need for a broader conceptualization that captures the collaborative and co-productive nature of regulatory governance in the data center sector.

3.6 Conclusion

This paper examined how lobbying contributed to the development of the regulatory framework for data centers in Italy through two interconnected cases at the national and regional levels. By reconstructing the policymaking process, it showed how technical expertise and institutional interaction supported the design of new regulatory arrangements in a highly specialized policy domain. The study contributes to the literature by proposing regulatory co-production as a useful perspective for analyzing lobbying in a sector characterized by rapid technological change and high regulatory complexity. This perspective emphasizes the collaborative dimension of policymaking and highlights the role of technical expertise in supporting regulatory capacity when public administrations face complex and evolving policy challenges.

This analysis should be understood with regard to the scope of the study, whose results are obtained using two cases from one country only, as well as from a qualitative approach. In order to continue researching the subject matter in future, one could look at whether there are similar patterns in other digital infrastructure industries or in different countries/institutions. Comparative studies would help identify when co-production of regulation emerges and what consequences this has for policy efficiency, the legitimacy of regulation, and democratic governance.

In times when the digital infrastructure becomes an increasingly important factor for economic success and technological autonomy, regulation of such sectors becomes more topical for academic research. This paper shows how important it can be to analyze the interactions between state authorities and private sector in order to understand the decision-making process in technical industries.

Bibliography

Decree-Law No. 115/2022, *Urgent measures regarding energy, the water crisis, and social and industrial policies*, Art. 32.

Decree-Law No. 104/2023, *Urgent Provisions for the Protection of Consumers in the Areas of Economic and Financial Activities and Strategic Investments*, Art. 13.

Decree-Law No. 153/2024, *Urgent measures for the country's environmental protection, the streamlining of environmental assessment and authorization procedures, the promotion of the circular economy, and the implementation of measures related to the remediation of contaminated sites and hydrogeological instability*, Art. 1.

Decree-Law No. 21/2026, *Urgent measures to reduce the cost of electricity and natural gas for households and businesses, to enhance business competitiveness and promote the decarbonization of industries, as well as urgent provisions to address virtual grid congestion and integrate data centers into the electric grid*, Art. 8 and Art. 11.

Hall, R.L., Deardorff, A.V., 'Lobbying as legislative subsidy', *American Political Science Review*, 2006.

Lombardy Region, Regional Council Resolution No. 2629/2024, *Guidelines for the Construction in Lombardy of Physical Infrastructure Housing IT Resource Management Equipment and Services—Data Centers*.

Lombardy Region, Draft Law No. 150/2026, *Provisions on the Settlement of Data Centers*, Art. 2, para. 2, letters b) and c); Art. 3, para. 3; Art. 9.

Ministry of Enterprises, *Strategy for Attracting Foreign Investment in Data Centers*, Rome, 2025.

Ministry of Environment Decree No. 30/2024, *Transitional Support Mechanism for Renewable Energy Facilities with Generation Costs Close to Market Competitiveness*.

Ministry of Environment Decree No. 257/2024, *Guidelines for Environmental Assessment Procedures for Data Centers*.

TEHA Group, *Italy's Data Centers: Energy, Efficiency, and Sustainability for the Digital Transition*, Position Paper, Cernobbio, 2025 (con dati dell'Osservatorio Digital Innovation del Politecnico di Milano).

4. OSINT in Intelligence and EU Lobbying: A Comparative Analysis - *Paolo Scozzi*

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Abstract

This paper examines Open Source Intelligence (OSINT) as a methodological lens connecting intelligence practice and professional lobbying, with particular attention to lobbying within EU institutional contexts. While OSINT has been extensively studied in intelligence literature, its systematic adoption by lobbying professionals has received comparatively little academic attention. The paper develops a comparative framework analysing how OSINT techniques are operationalised across both domains, showing that stakeholder mapping, decision-maker profiling, legislative monitoring, and the production of structured analytical outputs display functional similarities with core phases of the intelligence cycle. It also highlights critical divergences in institutional oversight, ethical constraints, and accountability: unlike intelligence agencies, lobbying actors operate in a regulatory environment where systematic information-gathering practices remain largely unaddressed by transparency frameworks, including the EU Mandatory Transparency Register established under the 2021 Interinstitutional Agreement. The paper concludes that existing transparency tools inadequately capture the informational sophistication of contemporary influence activities, with implications for the future regulation of lobbying in the EU.

Keywords

Open Source Intelligence (OSINT); lobbying techniques; EU Transparency Register; information asymmetry; public affairs.

4.1 Introduction

Scholarship on national security intelligence and on democratic interest representation has historically developed along parallel, non-intersecting tracks. Intelligence studies have concentrated on the state apparatus and how security agencies collect, process, and disseminate information. Lobbying and public affairs studies have focused on the pluralistic dynamics of policy-making and how organised private interests gain access to public decision-makers. This divide has obscured an operational convergence: the emergence of comparable OSINT methodologies across both state intelligence and professional lobbying practices.

In complex, multi-level governance systems such as the European Union, information serves as the primary currency of political exchange. Pieter Bouwen conceptualised interest representation in the EU as a structured exchange governed by the 'logic of access': EU institutions depend on external private actors for the specialised information – or 'access goods' – needed to formulate effective and legitimate legislation²⁷. What Bouwen's framework left underexplored is the increasingly sophisticated methodology through which these access goods are produced. Rather than relying on *ad hoc* gathering or purely relational networks, contemporary lobbying professionals systematically monitor, collect, process, and analyse publicly available data using techniques functionally analogous to those of the intelligence cycle.

This paper examines OSINT as a shared methodological framework between intelligence practice and professional lobbying in the EU context. Although now widely diffused across public and private sectors, many contemporary OSINT analytical practices were extensively developed and systematised within intelligence communities, whose operational logics they still carry. It analyses how these techniques are operationalised across both fields, identifying convergences, divergences, and regulatory implications. Section 2 sets out the theoretical framework; Section 3 examines its application in EU lobbying; Section 4 provides the

²⁷ Bouwen, P., 'Corporate lobbying in the European Union: the logic of access', *Journal of European Public Policy*, vol. 9, no. 1, 2002, pp. 365–390.

comparison; Section 5 discusses regulatory implications; Section 6 concludes.

Methodologically, the paper adopts a qualitative comparative approach, examining core OSINT practices across intelligence and lobbying contexts, with particular attention to operational similarities and institutional differences.

4.2 OSINT in intelligence: theoretical framework

The concept of Open Source Intelligence has a longer institutional history than is commonly assumed. As Ludo Block has shown, methodical efforts to collect and exploit publicly available information predate the BBC Monitoring Service (1939) and the US Foreign Broadcast Monitoring Service (1941), conventionally cited as the origins of modern OSINT²⁸. It has since been transformed by the Internet, social media, the growth in publicly accessible data, and, recently, the integration of artificial intelligence into OSINT workflows²⁹.

Its definition remains debated, but a core distinction holds: OSINT is not the passive consultation of public sources but the purposeful, methodical collection and exploitation of public information to fulfil a specific intelligence requirement. What defines it is not the source – open by definition – but the structured method applied to it. The *NATO Open Source Intelligence Handbook* codified this by distinguishing four categories: Open Source Data (OSD), raw elements such as satellite imagery or unfiltered social media feeds; Open Source Information (OSIF), data that has undergone initial processing, such as media reports; OSINT proper, the product generated through the deliberate discovery, discrimination, and synthesis of such material; and Validated OSINT (OSINT-V), information of very high certainty, derived from an all-source professional or validated through an assured source beyond question³⁰. The transition from raw data to intelligence thus requires deliberate analytical intervention.

²⁸ Block, L., 'The long history of OSINT', *Journal of Intelligence History*, vol. 23, no. 1, 2023, pp. 95–109.

²⁹ On the integration of AI into OSINT and its governance, ethical, legal, and social implications, see Ghioni, R., Taddeo, M., Floridi, L., 'Open source intelligence and AI: a systematic review of the GELSI literature', *AI & Society*, vol. 39, no. 4, 2024, pp. 1827–1842.

³⁰ NATO, *NATO Open Source Intelligence Handbook*, Norfolk, VA: SACLAN, 2001, pp. 2–3.

This transformation is conventionally modelled as the intelligence cycle – Planning and Direction, Collection, Processing, Analysis and Production, Dissemination. Mark Lowenthal, however, cautions against an overly linear reading: the process is simultaneously linear, circular, and open-ended, since at any stage new issues – further collection needs, processing uncertainties, changing requirements – trigger new iterations. The model is better understood as multilayered than as a sequence of discrete steps³¹. Applied to OSINT, the RAND Corporation's study refines it into four operations: collection, processing, exploitation, and production³². This underscores the centrality of method: OSINT's value lies not in the accessibility of its sources but in the rigour of the process converting public data into actionable knowledge.

A further essential dimension is OSINT's institutional positioning, long ambivalent. As Lowenthal observes, parts of the intelligence establishment have undervalued OSINT, equating the difficulty of obtaining information with its analytical value, a bias privileging clandestine collection³³. Robert David Steele offered a more expansive vision: OSINT is the only discipline whose reliance on strictly legal and public methods allows it to be shared across all stakeholders, from government to civil society³⁴. Steele's argument is noteworthy as it emphasised, at an early stage, the potential portability of OSINT methodologies beyond state intelligence institutions.

The institutional infrastructure surrounding OSINT provides a further benchmark. From the creation of the US Open Source Center in 2005 to the Intelligence Community OSINT Strategy 2024–2026, the trajectory has been one of progressive institutionalisation and governance of open source exploitation³⁵. That much of this apparatus originates in the United States reflects the historical reality that the modern formalisation of OSINT emerged primarily within the Anglo-American tradition; its

³¹ Lowenthal, M.M., *Intelligence: From Secrets to Policy*, 4th ed., CQ Press, Washington D.C., 2009, ch. 4.

³² Williams, H.J., Blum, I., *Defining Second Generation Open Source Intelligence (OSINT) for the Defense Enterprise*, RAND Corporation, RR-1964, 2018, pp. 12–20.

³³ Lowenthal, *op. cit.*, ch. 5.

³⁴ Steele, R.D., 'Open Source Intelligence', in Johnson, L. (ed.), *Strategic Intelligence: The Intelligence Cycle*, Praeger, Westport CT, 2007, pp. 96–122.

³⁵ US Department of Defense, *OSINT Strategy 2024–2028*, 2023; ODNI and CIA, *Intelligence Community OSINT Strategy 2024–2026*, 2024.

conceptual framework, however, has been adopted well beyond that context. At the multinational level, NATO doctrine – notably through Allied Joint Publications on intelligence and Joint Intelligence, Surveillance and Reconnaissance (JISR) – increasingly recognises OSINT as an integral component of the contemporary intelligence architecture, incorporating open-source collection within broader intelligence support processes³⁶. This embedding – dedicated collectors and standardised procedures – contrasts markedly with the adoption of OSINT in other domains, where comparable governance is largely absent.

The operational power of this framework was demonstrated during the Russian invasion of Ukraine in early 2022, when a distributed network of civilian analysts – including Bellingcat and the Centre for Information Resilience – used commercial satellite imagery, social media monitoring, video geolocation, and metadata analysis to track troop movements and debunk staged operations in real time, producing analytical outputs that in some cases were comparable in accuracy and timeliness to those of state intelligence organisations³⁷. The significance of this civilian ecosystem is confirmed by the counter-offensive that state actors have mounted against it: as Colley and Dylan show, governments have deployed both direct methods, such as the harassment of practitioners, and indirect ones, such as restricting access to commercial data, to neutralise its transparency capacity³⁸. The development of sophisticated OSINT practices beyond the state – into civil society, investigative journalism, and, as the next section argues, professional lobbying – is the central phenomenon this paper examines.

4.3 OSINT in professional lobbying

While the theoretical origins of OSINT lie within the intelligence community, its operational logic has increasingly found functional equivalents within professional lobbying and public affairs

³⁶ On NATO's evolving OSINT posture, see Minniti, F., Pili, G., 'NATO's Evolving Landscape in Open Source Intelligence', *The RUSI Journal*, vol. 170, no. 6–7, 2025.

³⁷ Higgins, E., *We Are Bellingcat: An Intelligence Agency for the People*, Bloomsbury, London, 2021; Centre for Information Resilience, *Eyes on Russia*, 2022.

³⁸ Colley, T., Dylan, H., 'The War on Open-Source Intelligence', *The Washington Quarterly*, 48, no. 3, 2025, pp. 147–162.

practices. This is pronounced in the EU, where multi-level governance, multiple decision-making venues, and institutional openness to external inputs favour the systematic use of open source techniques.

The operational structure of professional lobbying mirrors the logic of the intelligence cycle. As Pier Luigi Petrillo has systematised³⁹, the lobbying process unfolds across three phases: back-office, front-office, and recall. The back-office phase is its analytical core: the definition of the interest to be represented, the continuous monitoring of the decision-making process, and the preparation of information sheets (*schede informative*) profiling both the interest at stake and the relevant public decision-makers. This profiling extends beyond formal office-holders to those who may influence their decisions – parliamentary assistants, heads of cabinet, chiefs of staff – and is functionally comparable to intelligence practice. Tellingly, in Petrillo's account this phase absorbs roughly 80 per cent of the lobbyist's overall activity, and only upon its completion does the practitioner move to the front-office phase of direct engagement and, finally, the recall phase. The implication is significant: most professional lobbying consists not of direct persuasion but of information gathering, mapping, and structured profiling – in practice, a form of analytical and investigative work. This is reinforced, from a managerial perspective, by Cattaneo and Zanetto, who frame public affairs as a strategic discipline rooted in the analysis of the competitive environment⁴⁰. A firm's success, they argue, depends increasingly on its competitiveness in the 'pre-market' – the social, political, and legal factors that influence markets from the outside – its 'new competitive advantages' deriving not only from innovation but from its ability to adapt to, and influence, those contexts. Winning this 'game of influence' requires scenario analysis encompassing the external environment, the sector, and the mapping of influences – functions that, in intelligence, define the collection and analysis phases of the OSINT cycle. The centrality of information is further confirmed by Zetter's practitioner-oriented account, which devotes a section to what he terms 'monitoring and intelligence',

³⁹ Petrillo, P.L., *Teorie e tecniche del lobbying. Regole, casi, procedure*, Il Mulino, Bologna, 2019, pp. 235–285.

⁴⁰ Cattaneo, A., Zanetto, P., *Fare lobby. Manuale di public affairs*, Etas – RCS Libri, Milano, 2007, pp. 17–124.

framing the systematic gathering of political intelligence as a key tool of effective lobbying⁴¹. Indeed, 'policy intelligence' and 'political intelligence' now feature as explicitly labelled services offered by public affairs firms, a market recognition of monitoring as a professional function in its own right.

Within the EU, this information-gathering relies on a rich ecosystem of public sources that constitutes, in OSINT terms, a dense and constantly updated 'open source environment'. Legislative tracking is performed through Eur-Lex and the European Parliament's Legislative Observatory; decision-maker profiling draws on MEP voting records, committee membership, parliamentary questions, and hearings. The EU Transparency Register itself – designed as a transparency instrument – also operates as a competitive intelligence source: registered organisations can be analysed by sector, expenditure, declared meetings with Commissioners and their cabinets, and self-reported legislative interests, enabling professionals to map adversarial coalitions, identify allies, and assess the resources of competitors⁴².

The sophistication of these practices is well illustrated by the corporate lobbying campaign surrounding the EU Artificial Intelligence Act, a high-intensity dossier that offers a clear instance of the pattern. Proposed by the Commission in April 2021, the Act aimed to establish a risk-based regulatory framework for AI. As Corporate Europe Observatory documented, major US technology companies deployed intensive information-gathering and targeting strategies: data from European Parliament records up to mid-January 2023 showed 1,012 lobby meetings on AI with 551 lobbyists, with industry and trade associations accounting for 56 per cent of them and Google alone holding 28⁴³. Available evidence suggests that these actors systematically monitored statements, hearings, and draft amendments to identify key decision-makers, while promoting arguments that regulation of general-purpose AI

⁴¹ Zetter, L., *Lobbying: The Art of Political Persuasion*, Harriman House, Petersfield, 2008, Part Three, §3.1.

⁴² European Parliament, Council, Commission, *Interinstitutional Agreement on a Mandatory Transparency Register*, OJ L 207, 11.6.2021.

⁴³ Corporate Europe Observatory, *The Lobbying Ghost in the Machine: Big Tech's Covert Defanging of Europe's AI Act*, 2023, p. 6; the Act was adopted as Regulation (EU) 2024/1689.

at the developer level would harm European innovation and SMEs. This enabled them to adapt their advocacy strategies as the treatment of general-purpose AI models evolved during the legislative process⁴⁴.

This case illustrates a broader pattern. The methodology deployed – collection of public institutional data, systematic processing, analytical exploitation to identify targets, and production of tailored outputs for specific decision-makers – replicates, in its essential structure, the four-phase OSINT cycle of the RAND framework. The convergence appears to be not merely analogical but also functional: in both contexts, raw public data is transformed through a structured analytical process into actionable knowledge supporting a strategic objective.

4.4 Comparative analysis: convergences and divergences

This section compares the two domains, identifying the convergences that justify treating lobbying-driven information gathering as functionally comparable to OSINT practices in intelligence, and the divergences in purpose, institutional embedding, and accountability.

4.4.1 Methodological convergences

The principal convergence lies in the operational workflow. The intelligence OSINT cycle proceeds through collection, processing, exploitation, and production; in lobbying, as systematised by Petrillo, the back-office phase follows an analogous trajectory: definition of the interest, continuous monitoring, profiling of decision-makers and their networks, and elaboration of a strategic position. In both, the practitioner begins with a defined informational requirement, collects data from public sources, processes it analytically, and produces a tailored output – an intelligence report in one case, a '*scheda informativa*' or stakeholder map in the other. The centrality of information to lobbying has also been emphasised by Caligiuri, who framed it as a dimension of public communication in which the structured acquisition and processing of information is the decisive factor of

⁴⁴ *Ibid.*

advocacy effectiveness – an analysis that, though not framed in intelligence terms, resonates with the convergence examined here⁴⁵.

The convergence extends to specific techniques. Stakeholder mapping – in intelligence, identifying the capabilities, intentions, and relationships of a target – finds its equivalent in mapping allied and opposing interests, identifying the committees and rapporteurs relevant to a dossier, and profiling MEP voting patterns. Decision-maker profiling is replicated through the systematic analysis of parliamentary questions, hearing interventions, public statements, and declared meetings from the Transparency Register. Civilian OSINT organisations offer a useful benchmark: European collectives such as Bellingcat have shown how structured analysis of public data can produce intelligence of notable precision, as in their reconstruction of the 2018 Salisbury poisoning, which identified the suspects and their links to the Russian military intelligence service (GRU)⁴⁶. The corporate techniques deployed in the EU – harvesting parliamentary records, cross-referencing Register entries with meeting logs, tracking amendment metadata – are methodologically congruent with these practices, though the objective differs.

4.4.2 Structural and institutional divergences

Despite these convergences, the two domains diverge along three dimensions. The first is purpose: intelligence OSINT supports public decision-making in security, defence, and foreign policy, its beneficiary being, in principle, the state and the public interest, whereas OSINT-like analytical practices in lobbying advance the private interests of a specific client – a distinction shaping the entire incentive structure of the activity.

The second is institutional embedding. Intelligence OSINT operates within a formalised infrastructure of dedicated units, standardised procedures, and oversight. In lobbying no comparable architecture exists: information gathering is conducted by private consultancies and corporate affairs departments outside any formalised oversight. The relevant self-

⁴⁵ Caligiuri, M., 'Le lobbies: queste "conosciute"', in Caligiuri, M. (ed.), *Le lobbies: queste "conosciute"*, Rubbettino, Soveria Mannelli, 2011, §6.

⁴⁶ Higgins, E., *op. cit.*

regulatory frameworks – the codes of conduct of the European Public Affairs Consultancies Association (EPACA) and the Society of European Affairs Professionals (SEAP) – address direct interactions with decision-makers, requiring lobbyists to identify themselves and refrain from disseminating false information, but remain silent on the systematic collection and analytical exploitation of public data at the core of the OSINT methodology⁴⁷. The third is accountability. Within the intelligence community, OSINT is increasingly subject to legal constraints protecting fundamental rights. In the European context, the European Court of Human Rights has progressively defined the boundaries of lawful collection: in *Big Brother Watch and Others v. the United Kingdom* (2021), the Grand Chamber held that intelligence-gathering regimes affecting privacy must be subject to 'end-to-end safeguards', including independent authorisation and *ex post facto* review, to comply with Article 8 of the European Convention on Human Rights⁴⁸. In lobbying, no equivalent constraints apply to the systematic profiling of public data concerning decision-makers, their staff, or competing organisations. The General Data Protection Regulation provides a general framework, but its application to sophisticated analytical processing of publicly available information in the public affairs sector remains relatively underexplored in both regulatory practice and case law⁴⁹. These divergences can be summarised as follows:

DIMENSION	INTELLIGENCE PRACTICE	LOBBYING PRACTICE
<i>Purpose</i>	Support public decision-making (national security, defence, foreign policy)	Influence public decision-making in favour of private interests
<i>Object of analysis</i>	Adversaries, threats, scenarios	Decision-makers, stakeholders, competing coalitions
<i>Open sources</i>	Press, social media, public records, geospatial data	Eur-Lex, EP voting records, Transparency Register, hearings

⁴⁷ EPACA, *Code of Conduct*, 2017; SEAP, *Code of Conduct*, 2024.

⁴⁸ ECtHR (Grand Chamber), *Big Brother Watch and Others v. the United Kingdom*, nos. 58170/13, 62322/14, 24960/15, 25 May 2021.

⁴⁹ Regulation (EU) 2016/679 (GDPR), OJ L 119, 4.5.2016. See also Wetzling, T., Dietrich, C., *Disproportionate Use of Commercially and Publicly Available Data*, Stiftung Neue Verantwortung, 2022.

<i>Output</i>	Intelligence reports, briefings	Position papers, stakeholder maps <i>schede informative</i>
<i>Institutional embedding</i>	Dedicated units, standardised doctrine	Private consultancies, corporate affairs departments
<i>Accountability</i>	Statutory law, oversight bodies, Art. 8 ECHR safeguards	Voluntary codes of conduct, registration requirements

4.5 Implications for EU lobbying regulation

The comparative analysis carries significant implications for the regulation of lobbying in the European Union. If professional lobbying increasingly relies on OSINT analytical practices, the question is whether existing transparency instruments capture this dimension of contemporary influence.

The core of the EU's transparency architecture is the Mandatory Transparency Register, established under the 2021 Interinstitutional Agreement⁵⁰. It requires organisations influencing EU policy-making to disclose their identity, interests, expenditure, and target dossiers, while senior EU officials must publish their meetings with lobbyists; the EPACA and SEAP codes complement it. These instruments, however, were designed to regulate a model of lobbying centred on access – the direct interaction between lobbyist and decision-maker – rather than the analytical infrastructure that precedes it. The Register captures who lobbies, on what dossier, and with what declared expenditure, but is structurally silent on the systematic collection, processing, and analytical exploitation of public data that, as this paper has argued, forms the methodological backbone of contemporary advocacy. The operations enabling a firm to profile a rapporteur's voting history, map a committee's relationships, and calibrate its engagement – replicating the core of the OSINT cycle – fall outside any existing disclosure or oversight mechanism.

The practical consequence is an informational asymmetry among competing actors. The systematic exploitation of open sources requires capacity, tools, and resources unevenly distributed: well-resourced corporate actors are far better positioned than civil society, SMEs, or unions – an imbalance illustrated by the intensity of corporate participation observed in the AI Act legislative

⁵⁰ Interinstitutional Agreement on a Mandatory Transparency Register, *op. cit.*

process, where industry accounted for the majority of recorded meetings with MEPs. Civil society organisations have partially addressed this gap by repurposing transparency data as an open-source intelligence resource: platforms such as LobbyFacts.eu and IntegrityWatch.eu aggregate and cross-reference data from the Register, Commission meeting logs, and Parliament records to map lobbying networks and access patterns⁵¹. Yet these tools also reveal the limits of the underlying data: self-reported figures are inconsistent, registration remains incomplete despite its mandatory character, and significant activities – informal contacts, digital monitoring, coalition-building through intermediaries – fall outside the Register's scope.

This challenge has been identified, in broader terms, by the OECD. Its 2021 report *Lobbying in the 21st Century* observed that transparency frameworks remain focused on a limited set of disclosable activities, and that further light must be shed on the many ways it is now possible to influence policy-making. The more recent *Anti-Corruption and Integrity Outlook 2026* noted that registers provide only limited effective transparency and that frameworks must keep pace with evolving influence tactics, including what it describes as 'algorithmically amplified lobbying campaigns'⁵². This confirms, from an authoritative source, the relevance of the convergence examined here.

The findings therefore suggest the need for a conceptual shift in how lobbying transparency is understood. Current frameworks assume that the primary object of transparency is the interaction between lobbyist and decision-maker; the growing convergence between lobbying and OSINT methodologies indicates that the informational process preceding that interaction has become an equally significant – and currently unregulated – component of influence. A possible direction for future debate would be to consider whether transparency disclosures might extend to the systematic use of automated monitoring and analytical tools

⁵¹ See LobbyFacts.eu (Corporate Europe Observatory, LobbyControl) and IntegrityWatch.eu (Transparency International EU); Transparency International EU, *Lobby Transparency in the EU*, Briefing, 2024; and European Court of Auditors, *Special Report 05/2024: EU Transparency Register*, confirming persistent data-quality and enforcement limitations.

⁵² OECD, *Lobbying in the 21st Century*, OECD Publishing, Paris, 2021, ch. 2; and *Anti-Corruption and Integrity Outlook 2026*, OECD Publishing, Paris, 2026, ch. 3.

targeting institutional data, rendering visible a dimension of influence that currently escapes scrutiny. Such proposals, however, raise questions of feasibility, proportionality, and fundamental rights that lie beyond this paper and fall properly to the political process and to further inquiry. The aim here is more limited: to identify the regulatory blind spot and establish its analytical significance.

4.6 Conclusions

This paper has examined OSINT as a shared methodological framework between intelligence practice and professional lobbying in the EU. It has identified an operational convergence: the core OSINT cycle – the collection, processing, exploitation, and production of publicly available data – is functionally replicated in the back-office practices of contemporary EU lobbying, from stakeholder mapping and the profiling of decision-makers and their networks to legislative monitoring and the production of targeted advocacy outputs. In both domains, raw open source data is transformed, through systematic analysis, into actionable knowledge supporting a strategic objective.

At the same time, the analysis has highlighted critical divergences. Intelligence OSINT operates within an institutional architecture of statutory mandates, dedicated units, and formal oversight, including the fundamental-rights safeguards progressively defined by European courts. OSINT-like practices in lobbying, by contrast, operate as market-driven, proprietary activities subject to no comparable governance. The EU's transparency instruments were designed to regulate the direct interaction between lobbyist and decision-maker, not the analytical groundwork that precedes and enables it. This regulatory blind spot, and the informational asymmetry it sustains, represents the principal critical issue identified by this study.

Beyond the regulatory reflection these findings invite, they also open two avenues for further inquiry. The first is empirical: a systematic mapping of the OSINT tools deployed by EU public affairs practitioners would provide the basis for a more granular assessment of the regulatory gap. The second, and broader, is comparative: extending the analysis beyond OSINT to other intelligence methodologies – structured analytical techniques,

scenario analysis, competitive intelligence – would contribute to a fuller understanding of intelligence and lobbying as cognate, information-driven disciplines. The convergence examined here is only the most visible point of a wider, largely unexplored relationship between the craft of intelligence and the practice of influence – which this paper offers as a first step toward a more extensive line of research.

Bibliography

Block, L., 'The long history of OSINT', *Journal of Intelligence History*, vol. 23, no. 1, 2023, pp. 95–109.

Bouwen, P., 'Corporate lobbying in the European Union: the logic of access', *Journal of European Public Policy*, vol. 9, no. 1, 2002, pp. 365–390.

Caligiuri, M., 'Le lobbies: queste "conosciute"', in Caligiuri, M. (ed.), *Le lobbies: queste "conosciute"*, Rubbettino, Soveria Mannelli, 2011, §6.

Cattaneo, A., Zanetto, P., *Fare lobby. Manuale di public affairs*, Etas – RCS Libri, Milano, 2007, pp. 17–124.

Centre for Information Resilience, *Eyes on Russia*, 2022.

Colley, T., Dylan, H., 'The War on Open-Source Intelligence', *The Washington Quarterly*, vol. 48, no. 3, 2025, pp. 147–162.

Corporate Europe Observatory, *The Lobbying Ghost in the Machine: Big Tech's Covert Defanging of Europe's AI Act*, 2023.

European Court of Auditors, *Special Report 05/2024: EU Transparency Register*.

European Court of Human Rights (Grand Chamber), *Big Brother Watch and Others v. the United Kingdom*, nos. 58170/13, 62322/14, 24960/15, 25 May 2021.

European Parliament, Council, Commission, *Interinstitutional Agreement on a Mandatory Transparency Register*, OJ L 207, 11.6.2021.

European Political Academy on Corporate Advocacy (EPACA), *Code of Conduct*, 2017.

Ghioni, R., Taddeo, M., Floridi, L., 'Open source intelligence and AI: a systematic review of the GELSI literature', *AI & Society*, vol. 39, no. 4, 2024, pp. 1827–1842.

Higgins, E., *We Are Bellingcat: An Intelligence Agency for the People*, Bloomsbury, London, 2021.

Lowenthal, M.M., *Intelligence: From Secrets to Policy*, 4th ed., CQ Press, Washington D.C., 2009.

Minniti, F., Pili, G., 'NATO's Evolving Landscape in Open Source Intelligence', *The RUSI Journal*, vol. 170, no. 6–7, 2025.

NATO, *Open Source Intelligence Handbook*, Norfolk, VA: SACLANT, 2001, pp. 2–3.

OECD, *Lobbying in the 21st Century*, OECD Publishing, Paris, 2021.

OECD, *Anti-Corruption and Integrity Outlook 2026*, OECD Publishing, Paris, 2026.

Office of the Director of National Intelligence (ODNI) and Central Intelligence Agency (CIA), *Intelligence Community OSINT Strategy 2024–2026*, 2024.

Petrillo, P.L., *Teorie e tecniche del lobbying. Regole, casi, procedure*, Il Mulino, Bologna, 2019, pp. 235–285.

Regulation (EU) 2016/679 (General Data Protection Regulation, GDPR), OJ L 119, 4.5.2016.

Regulation (EU) 2024/1689 (Artificial Intelligence Act).

SEAP (Society of European Affairs Professionals), *Code of Conduct*, 2024.

Steele, R.D., 'Open Source Intelligence', in Johnson, L. (ed.), *Strategic Intelligence: The Intelligence Cycle*, Praeger, Westport CT, 2007, pp. 96–122.

Transparency International EU, *Lobby Transparency in the EU*, Briefing, 2024.

US Department of Defense, *OSINT Strategy 2024–2028*, 2023.

Wetzling, T., Dietrich, C., *Disproportionate Use of Commercially and Publicly Available Data*, Stiftung Neue Verantwortung, 2022.

Williams, H.J., Blum, I., *Defining Second Generation Open Source Intelligence (OSINT) for the Defense Enterprise*, RAND Corporation, RR-1964, 2018, pp. 12–20.

Zetter, L., *Lobbying: The Art of Political Persuasion*, Harriman House, Petersfield, 2008, Part Three, §3.1.

5. Rethinking AI Technocracy: A Gender Equality Perspective in Latin America - *Cristina Denaro*

Cristina Denaro, currently completing the Legal Clinic in Gender Equality at Linnaeus University which includes study-visits and practical legal research with the UN WGDAWG on actionable remedies relating to the Artificial Intelligence regulation.

Abstract

Since 2024, through AI Kallipolis and the New Bretton Woods project, the technocratic lobbies are demanding countermeasures to address the social instability and the global debt crisis from a long-term perspective, at the international level. In their view, elected politicians must be replaced by scientists who advocate for an “objective” reallocation of resources for the benefit of the entire society, beyond the right-left ideology. In 1971, after the downfall of the classical Bretton Woods system due to the monetary expansion of the US in the late 1960s, the technocratic elites represented an obstacle to the democratisation process, especially in Latin America where economic reforms may help in repositioning the policymaking process and its adherence to the demands of women. By 1985, more than three-fourths of Latin American countries had ratified the CEDAW Convention, even if there remained concerns about a backlash against woman-friendly reforms. Despite the numerous legal reforms to ease women’s access to positions of leadership, women’s government agencies remain marginalised and unable to negotiate effectively and build a real lobby for feminist economic analysis. In this context, practical recommendations for future generations are essential to face the upcoming deconstruction of the UN human rights-based framework and the disruption of the financial system after the 2008 crisis, by rebuilding a strong new European model of democracy against technocrats’ narrative.

Keywords

AI Kallipolis, technocratic lobbies, women, democracy, Latin America.

5.1 Introduction

This century hasn't been very prosperous for the global economy, especially between 2008 and 2019: it has been characterised by repression, regression, political instability and the global debt has reached unprecedented levels exposing citizens all over the world to systemic injustices. Generally, in *polycrisis* scenarios, unemployment, poverty, and wars are precursor of the reconstruction of a new system subsequently to financial and climate shocks, lack of strong leaderships and effective measures which exacerbates uncertainty inequality and existing internal conflicts in the Global South.

Turning back to 1933 the Technocracy movement has unveiled the real scope of his mission when Howard Scott to arrange a solid system based on abundance, social stability and fairness through science and technology, along with extended boundaries as a way of reestablishing a new form of religion of State to legitimise the rise of the Technates power in a unified and centralised North America and part of Venezuela and Colombia, as well as in the rest of the world.

Professor Kevin Gallagher of Global Development Policy at the Frederick S. Pardee School of Global Studies at Boston University, after underlining that there is no peace without prosperity, has lay down five pillars which include: markets and the concept of State are come to an end because of the lack of inclusivity in the global economy system; take bigger responsibility than the past under a multifaceted approach; no pursue of a country must be pursued with the failure of another country or group of states; private markets are very volatile so policymakers have to take into account gender policies, sustainable and advanced education for future generations

As theorised by Varoufakis the modern capitalist economy is strictly correlated to the major technology enterprises, more than ever before: beyond his broaden perspectives on the future of AI advancement in health, alternative energy solutions, neurotechnology, and aerospace, Musk has reflected the personification of the space conquer who has gradually increased the influence of Technofeudal ideology on a global scale by adopting quasi-feudal roles in this unreliable financial system

which is going to reconcile with failure cascades and systemic meltdown.

Against this backdrop, the EU has tentatively faced the US Big Tech influence through the regulation the private sector, contractors and partnerships with public agencies. As final frontier, legitimising technological research in such highly debated fields has undermined the democratic infrastructure made of ethical standards and the human-centred approach.

5.2 The Rise of Technocracy Movement

Since its foundation the US has experimented migration waves: the financial and technological power as justification of capitalism prevalence of USA. A society in which the different groups blend together to form a single culture. By the way, the original identity of migrants has been gradually modified in the past decades through the Americanisation process, deeply intricated in the common sense and transferred in the subsequently government policies. Individuals no longer belonged to the minority groups from which they came, are incorporated in a new society, linked to an Anglo-Protestant culture. American identity continues to be founded on a strong universalist ethos.⁵³ Since the Wilsonian era, democracy has been seen as an extension of the founding principles of the United States.⁵⁴ Multiculturalism in the United States is not a linear phenomenon, but rather the result of a long historical process intertwined with constitutional evolution and national identity. There has been a gradual shift from the assimilationist melting pot phase, based on an Anglo-Protestant

⁵³ Brown v. Board of Education, 347 U.S. 483 (1954). <https://tile.loc.gov/storage-services/service/ll/usrep/usrep347/usrep347483/usrep347483.pdf>: Kenyon believed that using the Equal Protection Clause to secure women's rights, rather than the Equal Rights Amendment, would permit a case-by-case method that would enable the eradication of sex-discriminatory laws in jury service, education, and women's access to public facilities, while still preserving protective labour policies. This in turn led to her model of equal protection litigation that in the wake of Brown v. Board of Education hinged on the linkage of race discrimination and sex discrimination.

⁵⁴ Canen, Ana, and Michael A. Peters (2005). "Issues and Dilemmas of Multicultural Education: Theories, Policies and Practices." *Policy Futures in Education*. 3 (4). doi: 10.2304/pfie.2005.3.4.309 309; UNESCO. *Perspectives of Multiculturalism. Western and Transitional Countries*. 2004.

cultural model and predominantly formal equality, towards a more complex conception of inclusion.⁵⁵

Therefore, the 1930s' Technocratic movement was an educational and research organisation that advocated for a fundamental reorganisation of political, social and economic structures in the US and Canada. Technocracy bottom line the prioritization of data-driven, science, engineering, and objective efficiency over popular opinion and political debate. In 1963, the founder of Technocracy Incorporated, Howard Scott, reaffirmed the supremacy of data and reasonable politics on the internal divisions and economic instability caused by divergences between political parties and representatives.⁵⁶ After WWII economists establish a new global economic system in Bretton Woods, New Hampshire. In August 1971 the classical Bretton Woods system collapsed because of the absence of a truly effective mechanism for multilateral surveillance.⁵⁷

⁵⁵ *Reed v. Reed*, 404 U.S. 71 (1971). <https://supreme.justia.com/cases/federal/us/404/71/>; *Frontiero v. Richardson*, 411 U.S. 677 (1973). <https://www.govinfo.gov/app/details/USREPORTS-411/USREPORTS-411-677>; Through a series of cases including *Reed v. Reed*, *Frontiero v. Richardson*, *Kahn v. Shevin*, and *Weinberger v. Wiesenfeld*, Ruth Bader Ginsburg developed the argument that sex-based classifications are constitutionally suspect because they rest on stereotypical assumptions about the roles and abilities of men and women rather than on individual merit. Therefore, the Equal Protection Clause requires that individuals be treated as persons rather than as members of a gender-defined class. She maintained that sex is an immutable characteristic determined by birth and generally unrelated to a person's capacity to contribute to society, because women had historically been subjected to legal and social discrimination, governmental distinctions based on sex required heightened judicial scrutiny. Ginsburg further argued that gender stereotypes harm both women and men by restricting individual opportunities and imposing predetermined social roles; *Kahn v. Shevin*, 416 U.S. 351 (1974). <https://supreme.justia.com/cases/federal/us/416/351/>; *Weinberger v. Wiesenfeld*, 420 U.S. 636 (1975).

⁵⁶ Basen, I. (2021, June 28). *In science we trust: Technocracy Incorporated and Elon Musk*. CBC News. <https://newsinteractives.cbc.ca/longform/technocracy-incorporated-elon-musk/>

⁵⁷ Elastos, AI Kallipolis: Building the New Bretton Woods in the Age of Bitcoin and AI (NBW Foundation-era), Elastos, 2024, <https://blog.elastos.net/news/ai-kallipolis-bitcoin-new-bretton-woods/>: Firstly, it was destroyed, on the most general level, because of insufficient flexibility in the system. Exchange rates had hardened, a discussion of alteration had become impossible outside of the dramatic circumstances of a major crisis, and other sorts of adjustment were too contentious politically. Secondly, the immediate disturbance that destroyed the system had a particular cause, the monetary expansion of the United States in the late 1960s associated with the Vietnam war, and a very loose approach to monetary policy in the face of an exchange crisis in 1971; see also Gelb, A., & Sina,

The post-2001 redefinition of multiculturalism, under the George W. Bush administration, particularly following 11 September 2001, saw the rhetoric of spreading democracy accompanied by a security-driven redefinition of domestic priorities. In this context, the attack on the Twin Towers had a profound impact on a social level and surveillance policies fuelling stigmatisation of Muslim and Arab-American communities.

5.3 Palantir's Manifesto and the Renewal of Gaza Technocratic Governance

In 2024, the Harvard Innovation Labs to ensure global financial stability, transaction security and a long-term decentralised financial system enable to empower users, this initiative comes at a crucial time to address the ongoing 300 trillion of global debt⁵⁸, thus as Nixon stated, "*the economic power will be the key to other kinds of power.*"⁵⁹

In 2025, Palantir's Manifesto drafted in 22-points highlighted the benefits of AI in a technocratic society and a novel form of deterrence, strongly reinforced by the US emerging technocrats' power. Given the company's posture, the manifesto represents something without precedent in the global debate on digital governance and even in the political-corporate conduct of American companies. From other sectors have participated in and sustained dictatorships across Latin America, but now it is going to begin a corporate identity. Musk and his SpaceX company validated the idea that digital infrastructures and connectivity are not a merely essential good for citizens and enterprises, but rather a strategic geopolitical tool. After all, as theorised by Yanis Varoufakis the Technofeudalism consists in the synchronised use of political power, technology and economic influence.⁶⁰

G., How Should Oil Exporters Spend Their Rents, *Center for Global Development*, 2010, p. 21. <https://www.cgdev.org/publication/how-should-oil-exporters-spend-their-rents-working-paper-221>.

⁵⁸ Elastos, Launch of the New Bretton Woods Project, 2024.

⁵⁹ James, H. (1996). "CHAPTER 8 The End of Bretton Woods?". In *International Monetary Cooperation Since Bretton Woods*. USA: Oxford University Press. Retrieved Jul 5, 2026, from <https://doi.org/10.5089/9781475506969.071.ch008>

⁶⁰ Yüksel, Ç. (2025). Technofeudal Lord: Elon Musk and the Rise of a New Digital Empire. TRT World Research Centre. Retrieved from <https://researchcentre.trtworld.com/publications/discussion-paper/technofeudal-lord-elon-musk-and-the-rise-of-a-new-digital-empire/>

Palantir spent years lobbying for contracts in Switzerland: recently, the magazine *Republik* revealed that the Swiss Army rejected Palantir's systems because of their disreputability with data Swiss sovereignty. The European Federation of Journalists has considered that the company seems to be an alternative vehicle for building its digital sovereignty and shape defence and digital sovereignty policies without democratic responsibility, a strategy for silencing public participation. For instance, political scientist criticized the Palantir manifesto for promoting a fusion between state power and Silicon Valley technology without accountability.⁶¹ In sum, maintaining contracts with a technological company committed in the defence of the United States or another specific Nation is a contradiction that undermines democracies all around the world and the credibility of any digital sovereignty agenda.

At the same time, according to Brazilians it normally corresponds to an act of espionage in American soil, given that in August 2024, Palantir's Vice-President for Latin America stated that the company's system "now powers many of Brazil's most important organizations, from government public health and education agencies." Besides modernization of public administration in Brazilian territory, Silicon Valley has an affirmative obligation to participate in the defence of United States of America, after all "*the question is not whether A.I. weapons will be built; it is who will build them and for what purpose*".⁶²

While the world's attention in the Middle East is focused on Tehran and the events of the next few hours, Special Envoy Steve Witkoff

⁶¹ Görgen J. (2026, April 6), *Palantir's 'Manifesto' and the Digital Sovereignty of Other Nations*, Tech Policy Press. <https://www.techpolicy.press/palantirs-manifesto-and-the-digital-sovereignty-of-other-nations/>: Later, Switzerland reached the conclusion that Palantir's product was potentially structurally incompatible with its sovereignty, consequently Swiss army rejected it over data sovereignty risks, that cannot be justified considering the country's commitments to the protection of its citizens' data; see also Karp A. C. & Zamiska N.W. (2025), *The Technological Republic: Hard Power, Soft Belief, and the Future of the West*, Random House. 320: «some cultures have produced vital advances; others remain dysfunctional and regressive».

⁶² Davies P. (April 22, 2026), *'Ramblings of a supervillain': Palantir 'manifesto' claims AI weapons and cultural inferiority*, Euronews. <https://www.euronews.com/next/2026/04/22/ramblings-of-a-supervillain-palantir-manifesto-claims-ai-weapons-and-cultural-inferiority>: «The atomic age is ending and that a new era of deterrence built on AI is about to begin.» [...] "Some cultures have produced vital advances" while "others remain dysfunctional and regressive».

officially announced the launch of phase 2 of US President Donald Trump's 20-point plan to end the war in Gaza. Witkoff stated that the new post-conflict phase will involve "evolving from a ceasefire to demilitarising the area, establishing technocratic governance, and reconstructing Gaza". The US administration formally approved the establishment of a National Committee for the Administration of Gaza, responsible for managing day-to-day activities within the Strip, including sanitation, utilities, and education.⁶³

5.4 Saudi Arabia Vision: The New Technocratic Middle Class

In the US Technocratic lobbies perspective, the expertise comes first: the foundations of its naissance advocate of the AI world community beyond borders and Nations for an "*objectively*" reallocation of resources for the benefit of the entire society, for this reason elected politicians must be experts in science and engineering, well-known as Technocrats, without the permit of the left or right wings to achieve a state of optimal efficiency and fairness.⁶⁴ In February 2025 before announcing plans for a Dubai Loop project in line with his work in the Boring Company, which is digging tunnels in Las Vegas to speed transit, Musk said: "*We really have here rule of the bureaucracy as opposed to rule of the people, democracy*".⁶⁵

In this context, Dubai economic plan has been structured in free zones zero corporate and streamlined bureaucracy incentives for start-up and businesses immersed in a growing environment, by making Dubai "*the fastest, safest and most connected city in the world*." This is because Saudi Vision 2030 is connected to the upcoming stewardship of Crown Prince Muhammed Bin Salman and the leadership is acutely aware that the long-term global decarbonization strategy, if left unaddressed, will leave them

⁶³ Legnani M. (15 Gennaio 2026) *Gli Usa fanno un governo a Gaza con 15 tecnocrati e senza Hamas*. Libero Quotidiano. <https://www.liberoquotidiano.it/news/esteri/45848837/usa-governo-gaza-15-tecnocrati-senza-hamas/>

⁶⁴ See also Technocracy Inc. <https://technocracyinc.org/about-technocracy/>

⁶⁵ Gambrell J. (February 13, 2025), *Elon Musk Calls For The U.S. to 'Delete Entire Agencies' From Federal Government*. PBS News. <https://www.pbs.org/newshour/politics/elon-musk-calls-for-the-u-s-to-delete-entire-agencies-from-federal-government>

vulnerable. Since its 2016 launch, Vision 2030 has received considerable attention due to its sheer ambition coupled with a social liberalisation agenda.

The three pillars of the vision are directed at creating a “*thriving economy, vibrant society and ambitious nation*.” Saudi Arabia is reconfiguring its social contract away from a distributive rentier state centric model by gradually altering its traditional approaches to governance. The impact is tangible at both the elite and public levels: adjustments to education, employment, national identity, and socio-economic expectations are slowly broadening the levels of public participation in the functioning of the state and in the creation of a new social contract. This process is strengthening the role and responsibility of a new technocratic middle class who is directly benefitting from their countries’ visions. Recruited into operational and management positions, a new generation of technocrats drawn from the national workforce is supporting the nascent social contract and its development process, which provides them a role and responsibility in the success, or failures, of these plans.⁶⁶

A sense of purpose is clearly on display in the renewed commitment to deliver key performance indicators (KPIs) and meet objectives through transparent measures of accountability. A visible sense of pride in the changes underway is also creating an improved culture of work and responsibility. Taken together, the Vision has sought to revitalize bonds between the Saudi middle class and the political establishment.⁶⁷

5.5 Gender Equality Backlash in Latin America

Evidence demonstrates that the technocratic elites have represented an obstacle to the democratisation process in Latin America, where economics reforms may help in the reposition of the policymaking process and its adherence to the demands of women, precisely gender backlash woman-friendly reforms. The

⁶⁶ Vakil, S. (May 26, 2022). *Visions, technocrats, and the shifting social contract in the Gulf countries*. Italian Institute for International Political Studies (ISPI). <https://www.ispionline.it/en/publication/visions-technocrats-and-shifting-social-contract-gulf-countries-35194>

⁶⁷ Fabiani K. (June 4, 2025). *How Dubai is becoming a global technology powerhouse*. TechUK. <https://www.techuk.org/resource/how-dubai-is-becoming-a-global-technology-powerhouse.html>

introduction of gender equity plans has been criticised for reinforcing gender stereotypes by “*shifting the women’s shoulders*” the task of social provisions. Gender-focused measures have been influenced also by international policies: by 1985 more than three-fourths of Latin American countries ratified the CEDAW Convention.⁶⁸

Montecinos argues that the enormous influence exerted by technocratic elites in the democratization process in Latin America has represented an obstacle to the improvement of women’s status in the region.⁶⁹ Gender-biased assumptions and practices have been only partially addressed, in part because the policy-making process is under the control of economists, a professional group with a particularly unfriendly stand towards gendered analysis. It is suggested that reforms within economics may help in the task of making democracy more responsive to the demands of women.⁷⁰

Since 1975 during the first World Conference for Women in Mexico City representatives for dismantling male-biases on the

⁶⁸ Committee on the Elimination of Discrimination against Women. (2017). *General recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19* (CEDAW/C/GC/35). <https://www.ngocedaw.org/wp-content/uploads/2022/05/GR-35-re-GBV.pdf>:

«Gender-based violence affects women throughout their life cycle¹⁷ and accordingly references to women in this document include girls. This violence takes multiple forms, including acts or omissions intended or likely to cause or result in death¹⁸ or physical, sexual, psychological or economic harm or suffering to women, threats of such acts, harassment, coercion and arbitrary deprivation of liberty.¹⁹ Gender-based violence against women is affected and often exacerbated by cultural, economic, ideological, technological, political, religious, social and environmental factors, as evidenced, among others, in the contexts of displacement, migration, increased globalization of economic activities including global supply chains, extractive and offshoring industry, militarisation, foreign occupation, armed conflict, violent extremism and terrorism. Gender-based violence against women is also affected by political, economic and social crises, civil unrest, humanitarian emergencies, natural disasters, destruction or degradation of natural resources. Harmful practices²⁰ and crimes against women human rights defenders, politicians, activists or journalists are also forms of gender-based violence against women affected by such cultural, ideological and political factors».

⁶⁹ Montecinos, V. (2001), *Feminists and Technocrats in the Democratization of Latin America: A Prolegomenon*, *International Journal of Politics Culture and Society*, 15(1), 175–199. <https://doi.org/10.1023/a:1011180103117>

⁷⁰ Michelle R. M. and Kandpal E. (2026), *Where Are the Women? Gender and Technocracy among Economic Advisers in Latin America and the Caribbean*. Center for Global Development. <https://www.cgdev.org/blog/where-are-women-gender-and-technocracy-among-economic-advisers-latin-america-and-caribbean>

socioeconomic and political side with an integration of the international legislation which could be more adherent to the needs of women and girls. Besides, the implementation of gender equality policies at the international level based on the slogan “democracy in the country and in the home”, the societal system has constantly underestimated and undermined the visibility of gender-integrated policies by augmenting exponentially the systemic psychical violence of women and girls depicted as showgirls since their birth and childhood in the public life and AI-generated content. Rather it is profoundly offensive the misrepresentation of the 50% of the population of the world, even if it appears as an advanced democratic system.

In occasion of the Blue Origin Launch, on April 14, 2025, our concept of feminism has radically changed, given though the whole crew has been meticulously arranged with female representatives of the US, Aisha Bowe, an aerospace engineer, and Amanda Nguyen. The self-presentation and promotion of the flight, a civil rights entrepreneur whose past work with NASA, has leaned on a vision of women’s empowerment that is light on substance and heavy on a childlike, girlish silliness.⁷¹

Decades of State interventionism, high inflationism, budget deficits, growing unemployment and poverty began to be dismantled through targeted social policies more technical-minded, even if with political liberalisation, ancestry ideological paradigms still remain ossified. The increased phenomenon of gender-based violence has pushed for the realisation of non-

⁷¹ Donegan M. (April 15, 2025). *The Blue Origin flight showcased the utter defeat of American feminism.* The Guardian. <https://www.theguardian.com/commentisfree/2025/apr/15/blue-origin-flight-american-feminism>: «Is this the future that awaits women in AI kallipolis: one where the only way to achievement is through sexual desirability, the only way to status as an ornamental attachment on a man who really counts, the only subject on which we are qualified to speak is whether lash extensions will stay in place? If this is the future, count me out. On the other hand, the notion of being launched off of such a grim and sexist Earth is looking more and more appealing. [...] It is misogynist of them to so forcefully associate womanhood with cosmetics and looks, rather than with any of the more noble and human aspirations to which space travel might acquaint them, curiosity, inquiry, discovery, exploration, a sense of their own mortality. These women, who have placed themselves as representatives for all women with their promotion of the flight, positioning themselves as aspirational models of femininity, have presented a profoundly antifeminist vision of what womankind’s future is dependent on men, confined to triviality, and deeply, deeply silly».

discriminatory system in access to work, education, social protection, health and scientific progress as AI systems are integrated into core public service.⁷²

Through the intensifying of the decentralisation of government structures together with the public financing of electoral campaigns, quotas, and practice of democracy, women's needs and interests begun more forceful even accelerating the deconstruction of gender roles in society through the pervasive impact of gender stratification in public institutions and care work of everyday life in order to avoid the exclusion in leadership functions. In technocratic governments women advancement in economics has always represented the prelude to the eradication of unequal treatments and exclusionary practices, with the adoption of gender-sensitive programs capable of destroy barriers and traditional roles without any kind of democratic vision.⁷³

5.6 The European Model of Democracy against Technocrats Narrative

Against US emergent technocratic ideology after 2022 the escalation outside European borders the European strategy for a better regulation of outer space (IRIS² Satellite Constellation), cybersecurity, dual-use technologies and military defence has been implemented.⁷⁴ China partnership with the European Union to enhance military capabilities, in line with the White Paper on European Defence Strategy for the development of AI tools.⁷⁵

⁷² Consejo de Derechos Humanos de las Naciones Unidas. (2023). *La obligación de los hombres de rendir cuentas en materia de igualdad de género: Informe del Grupo de Trabajo sobre la cuestión de la discriminación contra las mujeres y las niñas* (A/HRC/WG.11/37/1). <https://docs.un.org/A/HRC/WG.11/37/1>: «La masculinidad se ha definido como las múltiples posiciones del hombre en el orden de género, caracterizadas en gran medida por el dominio y el control sobre la mujer e integradas y normalizadas mediante la interacción con los niños y los hombres».

⁷³ Montecinos, 2001, p.192; Chiel, D. (2003). *Mona Lisa Smile*. Onyx.: «The roles you were born to fill. Lived by her own definition and would not compromise that. [...] new walls to breakdown and new ideas to replace them with. Especially not those who seek truth beyond tradition, beyond definition... beyond the image».

⁷⁴ Yüksel, 2025, p. 11.

⁷⁵ European Commission. (2025). *ReArm Europe Plan/Readiness 2030*. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/769566/EPRS_BRI\(2025\)769566_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/769566/EPRS_BRI(2025)769566_EN.pdf)

Coherently, with the European strategy it's relevant to see the multi-faceted approach involving the digital sovereignty, safety and cybersecurity to cover digital dead zones in remote areas as well as outside the European Union borders.⁷⁶ Many times the European public opinion has experimented multiple tentative of internal destabilisation through harmful and AI-generated content in social media and contrivance journalism, that refers to the unethical practice where reporters artificially create, or heavily manipulate a situation, event, or interview to generate a sensational or predetermined news story in violation of core ethics and moral rules by prioritising sensational content for the public instead of the truth and facts.

For instance, rights holders must be entitled to submit any information, analyses and opinions directly to the relevant public authority, either electronically or in paper form even if opportunities to provide comments must be free of charge and easily accessible without excessive formalities. Depending on local circumstances the participation may be supplemented with online tools in a way that persons with disabilities and older persons can exercise their fundamental rights. Appropriate data collection and management system for collecting, deleting and archiving inputs received both online and offline must be developed in light of the prohibition of intersectional discrimination art. 14 ECHR.⁷⁷

Before the decision-making process the relevant public authorities must adopt transparent and inclusive criteria and processes for the representation of members of disadvantaged groups. Rights

⁷⁶ European Union Agency for the Space Programme (2025). IRIS². European Union Agency for the Space Programme. <https://www.euspa.europa.eu/eu-space-programme/secure-satcom/iris2>; see also European Commission, IRIS²: the new EU Secure Satellite Constellation. European Commission. Retrieved from https://defence-industry-space.ec.europa.eu/eu-space/iris2-secure-connectivity_en; see also British Institute of International and Comparative Law. (2025). *Bridging the justice gap*. British Institute of International and Comparative Law.

⁷⁷ Bartoletti, I., and Xenidis, R. (2023). *Study on the impact of artificial intelligence systems, their potential for promoting equality, including gender equality, and the risks they may cause in relation to non-discrimination*. Council of Europe, p. 7. <https://edoc.coe.int/en/artificial-intelligence/11649-study-on-the-impact-of-artificial-intelligence-systems-their-potential-for-promoting-equality-including-gender-equality-and-the-risks-they-may-cause-in-relation-to-non-discrimination.html>

holders must be included in the relevant discussions the opportunity to participate in shaping the policymakers' agenda: it must contain clear, realistic and practical goals to manage timelines for participation of rights holders, and sufficient opportunities to submit constructive contributions by aspiring to the substantive equality and anti-discrimination by design.⁷⁸

After decision-making process to allow meaningful participation in assessing the decision-making process, States must provide information on the process including disaggregated data on those participating with due regard to personal data protection, and reasonable measures. Access to information policies must be in line with international human rights law and accessible through governance mechanisms such as soft law tools for coordination and compliance monitoring, advisory committees open to stakeholders, resolutions or international forums. Maybe, the Europeans should observe the prophetic gentle invitation by Deng Xiaoping who call to observe calmly, secure its position respond with composure, "hide your capabilities, bide your time" (韬光养晦, taoguang yanghui).⁷⁹

Accordingly, Professor Nick Bostrom in a futuristic perspective, artificial intelligence systems will be able to solve the control problem, in fact it could represent a huge strategic advantage in governments or international organisations.⁸⁰ Hence, Professor Ettore Majorana in his 1930 article, *The Value of Statistical Laws in Physics and Social Science* stated that: some of the statistical laws are eventually reinterpreted in terms of more fundamental and deterministic laws even if in quantum mechanics it seems to be impossible.⁸¹

⁷⁸ Bartoletti & Xenidis, 2023, pp. 72-73

⁷⁹ Sullivan, J., & Wang, W. (2022). China's "Wolf Warrior Diplomacy": the interaction of formal diplomacy and Cyber-Nationalism. *Journal of Current Chinese Affairs*, 52(1), 68–88. <https://doi.org/10.1177/18681026221079841>

⁸⁰ Bostrom N. (2014), *Superintelligence: Paths, Dangers, Strategies*. Oxford University Press.

⁸¹ Mantegna, R. N. (2005). Presentation of the English translation of Ettore Majorana's paper: The value of statistical laws in physics and social sciences. *Quantitative Finance*, 5(2), 133-140. doi: 10.1080/14697680500148174: Conceivably, this mechanism can be applicable also in social sciences: "an investigation of complex systems of economic or social origin might be conducted on the same epistemological basis as the modelling of physical systems." In other words, by extending this principle from the physics to the

5.7 Practical Recommendations for Future Generations: the UN WGDAGW Perspective

Since 1970s feminist literature has underlined the unacceptable and outdated inheritance from the past of the biological determinism, more specifically the women's inequality as a result of the biological difference between women and men. Against these surroundings in 1990s feminist movements call for referring to the term *gender* as the social expectations and the biological difference between women and men according to an intersectional perspective.⁸²

The term appeared in the CEDAW Committee General Recommendation no. 19 (1992) on violence against women and multilateral documents such as the Vienna Convention and Programme of Action (1993), without being defined until the Beijing Conference on Women in 1995. In 2011 it was included in Article 3 of the Council of Europe Convention on preventing and combating violence against women and domestic violence or Istanbul Convention,⁸³ which represents the first legally binding international human right instrument on gender-based violence. Earlier, it was partially mentioned in 2010 by the CEDAW Committee with a deepen analysis of the social context by relating the gender discrimination with the hierarchal relations and the distribution of power between women and men in our society.⁸⁴

social sciences and economic sectors, determined actions which are seen through the collective data analysis are potentially predictable.

⁸² Crenshaw, K. (1989) Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics. *University of Chicago Legal Forum*, 1989, 139-167.

⁸³ Council of Europe. (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence*, Art. 3 (CETS No. 210). <https://rm.coe.int/168008482e>: «*gender shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men*».

⁸⁴ Estrada Tanck, D. (2024). Cyberspace and women's human rights in the international legal order: Transnational risks and gender-based violence. *CUADERNOS DE DERECHO TRANSNACIONAL*, 16(1), p. 196. <https://doi.org/10.20318/cdt.2024.8420>: when it has been used to indicate "the ways in which societies throughout the world construct roles, attitudes, values and relationships with respect to women and men"; United Nations. (November 20 1995). Expert Group Panel on the Development of Guidelines for the Integration of Gender Perspectives in Human Rights Activities and programmes. (UN. Doc. E/CN.4/1996/105, para. 13).

At the stage of its recognition in 2021, the United Nations Working Group on the Discrimination Against Women and Girls (UN WGDAGW) has been engaged in various discussion around the deconstruction of gender stereotypes shifted in the digital dimension to protect women and girls' rights from different forms of abuse, from gender-based violence to intersectional discrimination, alongside the establishment of binding rules for technology corporations and States especially in significant harmful areas even adding the cyberspace which can amplify the existing biases of social structures and gender roles profoundly implanted in all aspects of women and girls' life.⁸⁵

A fundamental instrument is the CREATE Framework, an actionable tool characterised by six pillars involving States to adopt a proactive approach to ensure the disruption of structured barriers between women and men, especially for marginalised groups including in the AI regulation and digital tools, in accordance with the principle of equality and non-discrimination on the basis of gender. Overall, the UN WGDAGW is taking positive actions to dismantling systemic biases and tackle the gender backlash, that is defined as the "denial of the recognition, enforcement and realization of women's and girls' rights or retrogression in that regard."⁸⁶

In 2024 the unsuccessfully endorsement of the Pact for the Future in 56 points was triggered to a considerably large extent by the exclusion of Russia, Iran, Belarus, Syria, and North Korea from negotiations recalling the principle of non-interference in international affairs, meanwhile Nations representing only 25% of the world's population effectively make a breakthrough to reshaping the global order, unavoidably prognosticate the failure

⁸⁵ See A/HRC/WG.11/42/1.

⁸⁶ A/HRC/56/51, para. 11: Nowadays the entire world is witnessing an unconceivable regression of past gains; the global tendency is going to enhance the "*intersectional algorithmic discrimination*", causing an international risk of multiple cyber cascades and acting as an obstacle to the open-minded artificial intelligence development. The ultimate solution must be setting up gender-sensitive platforms to eradicate conservative stereotypes and ideological construction, beyond women and girls' biology deprivation of basic human rights must not be accepted in every single stage of the social life, career paths, educational opportunities, digital space, and access to justice.

of the Security Council, due to its lack of representativeness and inclusion.⁸⁷

The right to participate in public affairs is closely linked to the full realization of the right of access to information, which as part of the right to freedom of expression is an enabler of participation and a prerequisite that ensures the openness and transparency of, and accountability for, States' decisions. It also requires that the life, physical integrity, liberty, security and privacy of all members of society, including journalists and human rights defenders, be protected at all times.

⁸⁷ Denaro, C. (2024). *Balancing Security and Democracy: NATO-EU Cooperation Amid Geopolitical Shifts*. European Studies Review, 24, 44-53. <https://europeanstudiesreview.com/wp-content/uploads/2024/12/esr-24-december-2024-2.pdf>

5.8 Conclusion

Nowadays, urges to implement an international framework for lobbying practices requiring structured national programmes to address the intersectional discrimination responsible for the exclusion of whole interest-groups such as young people, black man, women, people in rural areas or with disadvantages health, social or economic conditions, disability. Equal access to international meetings, public hearings without any kind of discrimination, more exactly the women rights defenders, that is much relevant for small community-based organisations by consequently drafting a new social contract it is essential to demand long-term effective countermeasures.

States must create the conditions for an independent and diverse media by recognising the rights to equality and non-discrimination, provide equal and effective remedies in case of violation of the right to participate in public affairs. Capacity-building and training programmes must integrate a gender perspective, and this issue will become much relevant for controversial technologies, such as integrating human brain and orbital satellites are exclusively in the hands of the private sector. Transparency accountability and inclusivity must be guaranteed within the formal permanent structures must be developed in national governments and public institutions, facilitators in ministries. Gender-balance harmful gender stereotypes initiatives to challenge discriminatory attitudes and misrepresentation of women and girls in the public and private life. The collection of evidence-based research must be supported as an important element of the development of adequate measures to strengthen the participation of individuals and marginalised groups. Financing advanced research and technological development in a resilient economic system to rebuild a model of sovereignty with a human-centred approach it's coherent with the inviolability of EU undiscussable democratic values.

At "2026 GLOBSEC Leadership Forum: Perspectives for 2050" the President of the European Parliament declared in her speech, Europe as the continent of the future must be open to all people demanding protection, equal rights and opportunities, dignity and non-discrimination, a principle which has profoundly characterised our society since the edge of the European

democracy. The European Union must be more agile, flexible, fair, and safely for citizens also for Moldova and Ukraine to guarantee opportunities and access. The number of investors has become less than ever, even so it's important to take into account the big mismatch between rural areas and the more centred ones.

Bibliography

Basen, I. (2021, June 28). *In science we trust: Technocracy Incorporated and Elon Musk*. CBC News. <https://newsinteractives.cbc.ca/longform/technocracy-incorporated-elon-musk/>

Bartoletti, I., and Xenidis, R. (2023). *Study on the impact of artificial intelligence systems, their potential for promoting equality, including gender equality, and the risks they may cause in relation to non-discrimination*. Council of Europe. <https://edoc.coe.int/en/artificial-intelligence/11649-study-on-the-impact-of-artificial-intelligence-systems-their-potential-for-promoting-equality-including-gender-equality-and-the-risks-they-may-cause-in-relation-to-non-discrimination.html>

British Institute of International and Comparative Law. (2025). *Bridging the justice gap*. British Institute of International and Comparative Law. https://www.biiicl.org/documents/197_ai_legal_access_vulnerable_groups.pdf

Brown v. Board of Education, 347 U.S. 483 (1954). <https://tile.loc.gov/storage-services/service/l/usrep/usrep347/usrep347483/usrep347483.pdf>.

Bostrom N. (2014), *Superintelligence: Paths, Dangers, Strategies*. Oxford University Press.

Canen, Ana, and Michael A. Peters (2005). "Issues and Dilemmas of Multicultural Education: Theories, Policies and Practices." *Policy Futures in Education*. 3 (4). doi: 10.2304/pfie.2005.3.4.309 309.

Chiel, D. (2003). *Mona Lisa Smile*. Onyx.

Committee on the Elimination of Discrimination against Women. (2017). *General recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19* (CEDAW/C/GC/35). <https://www.ngocedaw.org/wp-content/uploads/2022/05/GR-35-re-GBV.pdf>:

Consejo de Derechos Humanos de las Naciones Unidas. (2023). *La obligación de los hombres de rendir cuentas en materia de igualdad de género: Informe del Grupo de Trabajo sobre la cuestión de la discriminación contra las mujeres y las niñas* (A/HRC/WG.11/37/1). <https://docs.un.org/A/HRC/WG.11/37/1>.

Council of Europe. (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence*, Art. 3 (CETS No. 210). <https://rm.coe.int/168008482e>.

Crenshaw, K. (1989) Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics. *University of Chicago Legal Forum*, 1989, 139-167.

Davies P. (April 22, 2026), 'Ramblings of a supervillain': Palantir 'manifesto' claims AI weapons and cultural inferiority, Euronews. <https://www.euronews.com/next/2026/04/22/ramblings-of-a-supervillain-palantir-manifesto-claims-ai-weapons-and-cultural-inferiority>

Denaro, C. (2024). *Balancing Security and Democracy: NATO-EU Cooperation Amid Geopolitical Shifts*. *European Studies Review*, 24, 44-53. <https://europeanstudiesreview.com/wp-content/uploads/2024/12/esr-24-december-2024-2.pdf>

Donegan M. (April 15, 2025). *The Blue Origin flight showcased the utter defeat of American feminism*. *The Guardian*. <https://www.theguardian.com/commentisfree/2025/apr/15/blue-origin-flight-american-feminism>:

Elastos, AI Kallipolis: Building the New Bretton Woods in the Age of Bitcoin and AI (NBW Foundation-era), Elastos, 2024, <https://blog.elastos.net/news/ai-kallipolis-bitcoin-new-bretton-woods/>

Estrada Tanck, D. (2024). Cyberspace and women's human rights in the international legal order: Transnational risks and gender-based violence. *CUADERNOS DE DERECHO*

TRANSNACIONAL, 16(1), p.
196. <https://doi.org/10.20318/cdt.2024.8420>.

European Commission. (2025). *ReArm Europe Plan/Readiness 2030*.
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/769566/EPRS_BRI\(2025\)769566_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/769566/EPRS_BRI(2025)769566_EN.pdf)

European Commission, IRIS²: the new EU Secure Satellite Constellation. European Commission. Retrieved from https://defence-industry-space.ec.europa.eu/eu-space/iris2-secure-connectivity_en;

European Union Agency for the Space Programme (2025). IRIS². European Union Agency for the Space Programme. <https://www.euspa.europa.eu/eu-space-programme/secure-satcom/iris2>.

Fabiani K. (June 4, 2025). *How Dubai is becoming a global technology powerhouse*. TechUK. <https://www.techuk.org/resource/how-dubai-is-becoming-a-global-technology-powerhouse.html>

Gambrell J. (February 13, 2025), *Elon Musk Calls For The U.S. to 'Delete Entire Agencies' From Federal Government*. PBS News. <https://www.pbs.org/newshour/politics/elon-musk-calls-for-the-u-s-to-delete-entire-agencies-from-federal-government>

Gelb, A., & Sina, G., *How Should Oil Exporters Spend Their Rents*, Center for Global Development, 2010, p. 21. <https://www.cgdev.org/publication/how-should-oil-exporters-spend-their-rents-working-paper-221>.

Görge J. (2026, April 6), *Palantir's 'Manifesto' and the Digital Sovereignty of Other Nations*, Tech Policy Press. <https://www.techpolicy.press/palantirs-manifesto-and-the-digital-sovereignty-of-other-nations/>.

James, H. (1996). "CHAPTER 8 The End of Bretton Woods?". In *International Monetary Cooperation Since Bretton Woods*. USA:

Oxford University Press. Retrieved Jul 5, 2026, from <https://doi.org/10.5089/9781475506969.071.ch008>

Karp A. C. & Zamiska N.W. (2025), *The Technological Republic: Hard Power, Soft Belief, and the Future of the West*, Random House. 320.
Legnani M. (15 Gennaio 2026) *Gli Usa fanno un governo a Gaza con 15 tecnocrati e senza Hamas*. Libero Quotidiano. <https://www.liberoquotidiano.it/news/esteri/45848837/usa-governo-gaza-15-tecnocrati-senza-hamas/>.

Mantegna, R. N. (2005). Presentation of the English translation of Ettore Majorana's paper: The value of statistical laws in physics and social sciences. *Quantitative Finance*, 5(2), 133-140. doi: 10.1080/14697680500148174.

Montecinos, V. (2001), *Feminists and Technocrats in the Democratization of Latin America: A Prolegomenon*, *International Journal of Politics Culture and Society*, 15(1), 175–199. <https://doi.org/10.1023/a:1011180103117>

Rao, M and Kandpal E. (2026), *Where Are the Women? Gender and Technocracy among Economic Advisers in Latin America and the Caribbean*. Center for Global Development. <https://www.cgdev.org/blog/where-are-women-gender-and-technocracy-among-economic-advisers-latin-america-and-caribbean>

Sullivan, J., & Wang, W. (2022). China's "Wolf Warrior Diplomacy": the interaction of formal diplomacy and Cyber-Nationalism. *Journal of Current Chinese Affairs*, 52(1), 68–88. <https://doi.org/10.1177/18681026221079841>

UNESCO. *Perspectives of Multiculturalism. Western and Transitional Countries*. 2004.

United Nations. (November 20 1995). Expert Group Panel on the Development of Guidelines for the Integration of Gender Perspectives in Human Rights Activities and programmes. (UN. Doc. E/CN.4/1996/105, para. 13).

Vakil, S. (May 26, 2022). *Visions, technocrats, and the shifting social contract in the Gulf countries*. Italian Institute for International Political Studies (ISPI).
<https://www.ispionline.it/en/publication/visions-technocrats-and-shifting-social-contract-gulf-countries-35194>

Yüksel, Ç. (2025). Technofeudal Lord: Elon Musk and the Rise of a New Digital Empire. TRT World Research Centre. Retrieved from
<https://researchcentre.trtworld.com/publications/discussion-paper/technofeudal-lord-elon-musk-and-the-rise-of-a-new-digital-empire/>

6. Transparency and Accountability in the Use of Recovery and Resilience Facility Funds: The EU Regulatory Framework and the Italian Experience - *Antonia Ronzio*

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Abstract

The Recovery and Resilience Facility (RRF) represents a significant innovation in European Union economic governance, introducing a performance-based funding model in which disbursements are linked to the achievement of predefined milestones and targets rather than to eligible expenditure. While this approach has enhanced the focus on results and reforms, it has also raised important questions regarding transparency, traceability of funds, and public accountability. Against this backdrop, this article analyses the transparency framework established by Regulation (EU) 2021/241, with particular attention to Articles 22–27 and to the obligation to publish information on the 100 largest final recipients introduced by the REPowerEU Regulation. The paper argues that the RRF framework reflects a gradual shift from administrative transparency, primarily directed towards audit and control bodies, to broader forms of public transparency aimed at enabling civic scrutiny and democratic accountability.

The second part of the article examines the Italian experience, focusing on the ReGiS information system and the publication of open data through the Italia Domani portal. These tools illustrate how digital governance can support monitoring, reporting, and public access to information in the implementation of large-scale public investment programmes. The analysis highlights the contribution of ReGiS to data integration, institutional coordination, and evidence-based decision-making, as well as the role of open data in fostering transparency, public trust, and citizen engagement. The article concludes by identifying both the achievements and the remaining challenges of the current

⁸⁸ The views expressed are solely those of the author and do not in any way reflect or commit the Administration (Ministry of Economy and Finance) to which she currently belongs.

transparency framework and discusses how the Italian experience may offer useful lessons for the design of future EU-funded programmes and accountability mechanisms.

Keywords

Recovery and Resilience Facility; transparency; accountability; NRRP; milestones and targets; open data

6.1 The Transparency Dimension of the RRF Regulatory Framework

This article argues that the Recovery and Resilience Facility (RRF) has contributed to a gradual shift from transparency primarily aimed at administrative control towards forms of transparency designed to enhance public accountability and civic scrutiny.

The RRF was established by the European Union in 2021 as the pivotal instrument of the NextGenerationEU programme, conceived in response to the unprecedented economic and social consequences of the COVID-19 pandemic. Its primary objective is not only to support economic recovery but also to strengthen the long-term resilience, competitiveness, and sustainability of Member States' economies by promoting structural reforms and strategic investments aligned with the green and digital transitions. Unlike traditional EU funding mechanisms, the RRF combines financial support with a strong policy-oriented framework, requiring Member States to define comprehensive National Recovery and Resilience Plans (NRRPs) that integrate investments and reforms within a coherent development strategy. The RRF indeed represents a significant innovation compared with the European cohesion policy funds. While cohesion policy is traditionally based on multiannual programs managed through shared governance and reimburses eligible expenditures incurred by beneficiaries, the RRF adopts a comprehensive *performance-based* approach, based on direct management of funds by the Member States (Sapala, 2024).⁸⁹ Financial disbursements are

⁸⁹ SAPALA, M. (2024). *Performance-based delivery of the Recovery and Resilience Facility: Blueprint for future EU spending instruments?* European Parliamentary Research Service (EPRS), https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/766227/EPRS_BRI%282024%29766227_EN.pdf

linked to the achievement of predefined milestones and targets rather than to the sole certification of expenditure. This approach reflects a shift towards a more integrated vision of public spending, where financial support is closely connected to long-term development goals and measurable outcomes.

Another distinctive feature of the Facility is the central role assigned to national governments in designing and implementing recovery strategies. By encouraging the combination of reforms and investments within a single framework, the RRF seeks to address structural challenges while promoting long-term economic and social development. This stronger link between financial resources, institutional change, and policy outcomes has attracted considerable attention among scholars and practitioners, many of whom view the Facility as an important development in the evolution of EU public investment and economic governance. These characteristics have led many scholars and policy experts (among others Polverari, 2025; Corti, Pedralli and Pancotti, 2024; Zeitlin, Bokhorst and Eihmanis, 2023)⁹⁰ to describe the Facility as a new model of EU economic governance, capable of complementing and, in some respects, inspiring the future evolution of cohesion policy.

Regulation (EU) 2021/241⁹¹ establishing the Recovery and Resilience Facility (RRF) introduces a governance model that departs significantly from traditional EU expenditure frameworks. In contrast to cohesion or agricultural policies, the RRF is structured as a *performance-based* instrument, where disbursements are contingent upon the fulfilment of predetermined milestones and targets rather than the

⁹⁰ POLVERARI, L., (2025), *Coordinative Europeanization as a response to crisis: what lessons from the RRF for future EU cohesion policy?*, in *Comparative European Politics*, Vol. 23, pp. 76-96, <https://doi.org/10.1057/s41295-024-00388-2>; CORTI, F., PEDRALLI, M., and PANCOTTI, C., (2024), *The Recovery and Resilience Facility: key innovations and the interplay with Cohesion Policy*, ZEW - Discussion Paper No. 24-040, <https://ssrn.com/abstract=4874467>; ZEITLIN, J., and BOKHORST, D., EIHMANIS, E., (2023) *Rethinking the Governance and Delivery of the Cohesion Policy Funds: Is the Recovery and Resilience Facility (RRF) a Model?*, *Report to High Level Group on the Future of Cohesion Policy*, European Commission, <https://cadmus.eui.eu/handle/1814/76078>

⁹¹ European Parliament and Council of the European Union. (2021). *Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility*. Official Journal of the European Union, L 57, 17–75, <https://eur-lex.europa.eu/eli/reg/2021/241/oj/eng>

reimbursement of eligible costs. This structural feature has profound implications for transparency: the financial flows are or may be less directly linked to identifiable projects and beneficiaries, thereby creating potential gaps in the full visibility of public spending (European Court of Auditors, 2026)⁹².

Within this context, Articles 22 to 27 of the Regulation articulate a composite framework aimed at ensuring transparency, data accessibility, and accountability. These provisions reflect a dual objective: on the one hand, the protection of the Union's financial interests (as regards prevention of fraud, corruption and conflict of interest), and on the other, the progressive opening of data towards broader public scrutiny. The tension between these two objectives —administrative control versus public transparency — constitutes a defining feature of RRF architecture. In this context, the obligation to disclose information on the 100 largest final recipients of RRF funds introduced in 2023 represents a noteworthy step forward in the evolution of EU financial transparency, albeit one that raises important practical and conceptual challenges.

At the core of the regulatory framework lies Article 22, which imposes on Member States the duty to protect the financial interests of the Union by establishing effective control systems and ensuring the collection of standardized data on fund allocation. This includes information on final recipients, contractors, subcontractors, and beneficial owners, which must be made available for audit and control purposes. The emphasis here is primarily on administrative transparency, meaning transparency towards EU institutions such as European Commission, OLAF (European Anti-Fraud Office), European Court of Auditors, and

⁹² European Court of Auditors, *Special Report No 14/2026: RRF Traceability and Transparency*, Publications Office of the European Union, Luxembourg, 2026, https://www.eca.europa.eu/ECAPublications/SR-2026-14/SR-2026-14_EN.pdf

One of the most interesting passages of the ECA report (p.5) states: "The ability to trace the flow of EU funds enhances monitoring, providing decision-makers with essential information on the use of those funds. While RRF payments are not linked to actual costs and are not subject to cost-based controls, information on actual costs is needed for tracing the use of funds and, in our view, assessing cost efficiency. *Finally, transparent reporting, including information on actual costs, helps to ensure and improve decision-making and promote accountability. With a view to maintaining citizens' trust, we consider that this information should also be available to the public.*" (italics added).

EPPO (European Public Prosecutor's Office). In other words, Article 22 ensures that the Commission and other oversight bodies have access to detailed and structured information necessary for supervision (mainly for audit and control activities), but it does not, in itself, guarantee full public transparency, as there is no legal obligation to publish data collected pursuant to article 22.

Articles 23 to 27 further complement this framework by regulating financial contributions, payment procedures, reporting obligations, and the flow of information between Member States and the Commission as well as among Commission, Council and European Parliament. Together, these provisions create a data-rich governance system, supported by digital tools and monitoring platforms, designed to track progress against milestones and targets rather than traditional cost-based reporting. Indeed, the *performance-based* logic—central to the RRF—may contribute to a certain degree of opacity regarding the ultimate destination of funds. The RRF differs from traditional EU spending programs in that Member States are the formal beneficiaries of the funds, making it inherently more difficult to identify who actually receives the financial support at the end of the distribution chain (Schwarz, 2024)⁹³. It is precisely within this framework that the innovation concerning the publication of the 100 largest final recipients must be understood. Such an obligation introduced by the RePowerEU Regulation⁹⁴—later reinforced through subsequent implementing rules by the European Commission—requires Member States to identify, update, and disclose the top 100 final recipients of funds for the implementation of measures under the Facility at national level, typically via dedicated national public portals and the Commission's Recovery and Resilience Scoreboard⁹⁵ (Article 25a of

⁹³ SCHWARCZ, A., *Analysis of the 100 Largest Recipients of RRF Funds per Member State*, European Parliament, Policy Department for Budgetary Affairs, Briefing PE 761.979, April 2024, available at [https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/761979/IPOL_BRI\(2024\)761979_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/761979/IPOL_BRI(2024)761979_EN.pdf)

⁹⁴ Regulation (EU) 2023/435 of the European Parliament and of the Council of 27 February 2023 amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulations (EU) No 1303/2013, (EU) 2021/1060 and (EU) 2021/1755, and Directive 2003/87/EC, OJ L 63, 28 February 2023, pp. 1–27.

⁹⁵ The Recovery and Resilience Scoreboard is the European Commission's online monitoring platform for the Recovery and Resilience Facility (RRF). It provides information on the implementation of national Recovery and Resilience Plans,

RRF Regulation). The rationale behind this measure is twofold. First, it seeks to enhance traceability, allowing both institutions and citizens to better understand where EU resources are ultimately directed. Second, it aims to strengthen public accountability, increasing trust in the use of EU funds at a time of heightened scrutiny due to the scale of financial intervention and concerns about fraud or mismanagement (Lilyanova, 2024)⁹⁶.

Unlike the original transparency provisions, which focused primarily on communication obligations, Article 25a moves towards a more concrete and data-driven approach. From a conceptual standpoint, the introduction of this “top 100” legal requirement represents a shift from purely institutional transparency to greater societal transparency, where information is not only available to oversight bodies but also to the public. It reflects broader EU trends towards open data and participatory governance, aligning the RRF with principles of democratic accountability and civic monitoring. The provision represents a significant innovation, both symbolically and operationally, as it introduces enhanced transparency requirements into an area of EU financial governance that has traditionally been characterized by a predominantly technocratic logic. As such, Article 25a may be also understood as a step towards the democratization of financial oversight, complementing traditional audit and control mechanisms with forms of bottom-up scrutiny exercised by citizens, researchers, journalists and civil society organizations. However, despite its innovative nature, the implementation of the “top 100 final beneficiaries” list revealed some limitations and ambiguities, one of the main issues concerning the definition of “final recipient.” Final recipients, according to the European

including progress towards milestones and targets, financial disbursements, and common indicators used to assess the overall performance of the Facility. The Scoreboard also offers access to additional transparency tools and datasets, including information on the 100 largest final recipients of RRF funding. Available at: https://ec.europa.eu/economy_finance/recovery-and-resilience-scoreboard/.

⁹⁶ LILYANOVA, V., *The 100 Largest Recipients of Recovery and Resilience Facility Funds*, EPRS – European Parliamentary Research Service, PE 762.322, June 2024, available at [https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/762322/EPRS_BRI\(2024\)762322_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/762322/EPRS_BRI(2024)762322_EN.pdf).

Commission⁹⁷, should be understood as “the last entity receiving funds that is not a contractor or sub-contractor. This is to be distinguished from the beneficiaries, which under the direct management set-up of the Facility are the Member States. This data should include the legal name of the final recipient, including the first and last names if the final recipient is a natural person, the amount of funds received as well as the associated measure(s) under the RRF for which the funding has been received.” In practice, Member States have often interpreted, especially at the beginning of the reporting exercise, this concept in a formalistic manner (Schwarz, 2024)⁹⁸, listing intermediate public entities—such as ministries, public agencies, or large implementing bodies—rather than the ultimate recipients (e.g., companies, individuals, or end-users of funded projects). This approach may significantly reduce the effectiveness of the transparency objective of clarifying the real flow of funds and make direct comparisons particularly challenging (Aspide, Beretta and Locatelli, 2026)⁹⁹.

Another important limitation is that focusing on only the top 100 final recipients may provide a partial and potentially misleading picture of fund distribution. While it highlights the largest allocations, it does not capture the broader ecosystem of smaller beneficiaries, which may collectively account for a significant portion of spending. As a result, transparency remains selective rather than comprehensive, raising questions about whether the measure is sufficient to ensure full public accountability.

Despite these shortcomings, the “largest 100 final recipients” requirement has nonetheless contributed to increasing the visibility of RRF spending and stimulating public debate on the use of EU funds. It has also created an important precedent that could influence future EU financial instruments, encouraging the adoption of more ambitious transparency standards, including

⁹⁷ Commission Notice Guidance on Recovery and Resilience Plans in the context of REPowerEU 2023/C 80/01, available at [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52023XC0303\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52023XC0303(01))

⁹⁸ SCHWARCZ, A., *Analysis of the 100 Largest Recipients of RRF Funds per Member State*, cit., p. 12.

⁹⁹ ASPIDE, A., BERETTA, G., and LOCATELLI, C., *Resilience and Recovery Plans across borders: Italy, France, Germany and Spain*, p. 38, in *Turning ambition into action: lessons from the Italian Recovery and Resilience Plan*, LUISS Research Center for European Analysis and Policy, 2026, available at <https://leap.luiss.it/wp-content/uploads/2026/05/LUHNIP-Turning-Ambition-into-Action.pdf>

potentially the publication of complete recipients datasets rather than limited lists.

In conclusion, Articles 22–27 of the RRF Regulation establish a robust framework for internal control, data collection, and institutional transparency, ensuring that the European Commission and other oversight bodies have access to the information necessary to protect the Union’s financial interests. Within this framework, the introduction of the obligation to publish the 100 largest final recipients represents a significant innovation, aimed at bridging the gap between administrative accountability and public transparency. While its implementation has exposed important weaknesses—particularly regarding definitions, data quality, and completeness—it nonetheless marks a step towards a more open and accountable model of EU financial governance. The evolution of this mechanism in the coming years will be crucial in determining whether it remains a limited transparency tool or develops into a more comprehensive approach capable of fully tracing and communicating the real recipients of EU funds.

6.2 Transparency and Digital Governance in the Italian RRP: The Role of ReGiS and NRRP Open Data

In recent years, Italy has undertaken an unprecedented effort to modernize its public administration and strengthen accountability, in particular by using the implementation of the NRRP as a catalyst for administrative and organisational change. Two key components of the transformation driven by the NRRP are the ReGiS system—Italy’s central platform for monitoring NRRP and, in perspective, public investments—and the publication of open data on the Italia Domani portal¹⁰⁰. Together, these tools represent a strategic shift toward transparency and citizen engagement.

The Italian National Recovery and Resilience Plan (NRRP) sets out a comprehensive programme of reforms and investments designed to foster sustainable growth, enhance resilience, and accelerate the country’s digital and green transitions. With a total

¹⁰⁰ Available at <https://www.italiadomani.gov.it/content/sogei-ng/it/it/home.html>

allocation of approximately €194.4 billion, the Italian NRRP is the largest national plan financed under the Recovery and Resilience Facility.

The digitalization of the Italian Public Administration is indeed one of the key pillars of Italy's National Recovery and Resilience Plan. Through significant investments in digital infrastructure, cloud migration, cybersecurity, and online public services, the NRRP aims to improve efficiency, transparency, and accessibility across public institutions. These initiatives are designed to simplify administrative procedures, enhance citizens' and businesses' interaction with government services, and support the country's broader digital transformation, contributing to sustainable economic growth and social inclusion. These initiatives are summarized in the first component of Mission 1, which is dedicated to "Digitization, Innovation, and Security in the Public Administration" (M1C1).

Italy's Recovery and Resilience Plan provides a particularly relevant example of how the approach to transparency has been translated into practice. At the heart of the Italian RRP governance framework is ReGiS, the digital platform used to monitor the implementation of projects, track progress against agreed milestones and targets, and support reporting and control activities. Together with the publication of open data through the Italia Domani portal, ReGiS contributes to increasing the transparency of decision-making processes and the accountability of public administrations. In a program characterized by an unprecedented volume of resources and ambitious implementation deadlines, these tools play a crucial role in ensuring effective oversight and public access to information on the use of funds.

ReGiS is the digital platform developed by the Italian Ministry of Economy and Finance – State General Accounting Department¹⁰¹ to track, manage, and monitor the implementation of projects

¹⁰¹ Article 1, paragraph 1043, of Law No. 178 of December 30, 2020 (2021 Budget Law) provides that "In order to support the management, monitoring, reporting, and control of the components of Next Generation EU, the Ministry of Economy and Finance—State General Accounting Department—shall develop and make available a dedicated IT system."

financed through the Italian RRP. Its primary objective is to provide a unified, real-time overview of investments, milestones, and targets linked to RRF funding. ReGiS was designed to enable detailed and comprehensive monitoring of the implementation of the Italian Plan and the progress of individual projects, from a financial, physical, and procedural standpoint.

ReGiS serves as the official platform through which central, regional and local public administrations carry out monitoring, reporting, and control activities related to measures and projects funded under the NRRP. The system is structured around three main components: Measures (Reforms and Investments), Milestones and Targets, and Projects. Administrations responsible for the implementation of the measures must validate the monitoring information at least once a month and submit the updated data to the General Inspectorate for NRRP of Ministry of Economy and Finance, through the ReGiS platform.

The ReGiS information system can be accessed by the Mission Units established within the responsible central administrations, as well as by the offices, departments, and entities involved in the implementation of the NRRP. It ensures integration with external systems and databases and interoperability with local government systems.

Unlike traditional reporting systems, ReGiS integrates data from multiple administrative levels, including central government bodies, local authorities, and different implementing agencies and subjects. This integration allows for continuous monitoring of project progress and financial execution. The system supports decision-makers by offering analytical tools that identify delays, inefficiencies, and potential risks.

ReGiS also enhances coordination among institutions. By standardizing data collection and reporting processes, it reduces fragmentation and ensures consistency across different governance levels. This is particularly important given the scale and complexity of the Italian RRP, which involves hundreds of thousands of projects across various sectors such as infrastructure, digitalization, health and green transition.

Thanks to ReGiS, Italy has been able to continuously track the Plan's progress and the status of its objectives, ensuring transparency regarding the use of resources—both to the

European Union institutions and to civil society—including through the periodic publication of open data.

Complementing ReGiS, the Italia Domani portal serves as the public interface for the Italian RRP. Through this platform, the Italian government publishes open data sets that allow citizens, researchers, and stakeholders to access detailed information about funded projects.

Pursuant to Article 1, paragraph 1044, of the 2021 Italian Budget Law, the Government is required to collect data on the financial, physical, and procedural implementation of each NRRP project and to make such data available in a processable format, with particular reference to planned costs, the objectives pursued, expenditures incurred, the impacts on the beneficiary regions, the implementing entities, the planned and actual implementation timelines, the implementation and outcome indicators, as well as any other information useful for the analysis and evaluation of the interventions.

The subsequent Prime Ministerial Decree of September 15, 2021, defines the procedures, timelines, and tools for collecting this data. In particular, Article 9, titled “Open Data,” stipulates that, based on the information submitted to the ReGiS system, the Ministry of Economy and Finance— State General Accounting Department— makes data on the financial, physical, and procedural implementation of each project accessible, along with the planned costs and the milestones and targets pursued.

In accordance with the provisions of the Prime Ministerial Decree, therefore, based on the information entered into the ReGiS system, implementation data for each project—along with planned costs and the milestones and targets pursued—have been gradually made available¹⁰² on the Italia Domani Portal. The open data published through the Italia Domani portal cover several dimensions of the Italian RRP implementation. The principal datasets concern projects financed under the Plan, including details on beneficiaries, geographic distribution, funding amounts, and implementation progress. Additional datasets provide information on financial execution, monitoring indicators, and the

¹⁰² The latest open data release available on the Italia Domani portal contains information observed up to June 2026.

fulfilment of milestones and targets established at both national and European levels.

The catalogue also contains data on the 100 largest final recipients of Recovery and Resilience Facility resources and other information relevant to the monitoring of public investments.

The availability of open data represents a significant additional step toward transparency. Users can explore information about project locations, financial allocations, implementation status, and responsible entities. Importantly, the data is provided in machine-readable formats¹⁰³, enabling independent analysis and fostering innovation in data use. By making these datasets openly accessible, Italia Domani enables a regular assessment of the effectiveness, efficiency, and transparency of the Italian RRP implementation, while promoting evidence-based research and public accountability.

Open data publication also encourages civic participation. By making information readily available, citizens can monitor how public resources are spent and evaluate the effectiveness of government actions. This openness creates opportunities for journalists, academics, and civil society organizations to conduct independent assessments, contributing to a more informed public debate.

Furthermore, transparency through open data can enhance trust in public institutions. In a context where skepticism toward government spending can be high, providing accessible and verifiable information helps demonstrate accountability and responsible management of public funds.

Transparency is not merely a technical feature; it is a cornerstone of democratic governance. For Italy, it holds particular significance in the context of the NRRP, which represents one of the largest investment programs in the country's history.

First, transparency supports compliance with European requirements. The NRRP is funded through the European Union's Recovery and Resilience Facility, which demands, as previously recalled, rigorous monitoring and reporting.¹⁰⁴ Tools like ReGiS and

¹⁰³ Available formats in the Open Data Catalogue are .csv, .json and .xlsx.

¹⁰⁴ The development of the ReGiS information system was indeed a milestone of the Italian RRP (M1C1-68), due by December 2021.

the Italia Domani portal ensure that Italy meets these obligations, reducing the risk of delays in fund disbursement.

Second, transparency fosters efficiency and better policy outcomes. When data is accessible and regularly updated, it becomes easier to identify problems early and implement corrective measures. This leads to more effective use of resources and improved project performance.

Third, transparency strengthens public trust. By openly sharing information about investments and results, the government demonstrates accountability. This is particularly important for large-scale programs like the NRRP where public scrutiny is high and expectations are significant. In this regard, it is also important to underline that data recorded in ReGiS serve as one of the primary sources for the preparation of the semi-annual report to Parliament on the progress of the NRRP¹⁰⁵.

Finally, transparency contributes to long-term institutional improvement. The adoption of digital tools and open data practices encourages a cultural shift within public administration toward openness, collaboration, and innovation. These changes can have lasting effects beyond the NRRP, improving governance across all sectors.

6.3 Conclusion

The integration of the ReGiS system and the publication and periodical update of the open data catalogue on Italia Domani mark a turning point in Italy's approach to public investment management. By combining advanced digital monitoring with accessible information, Italy is laying the groundwork for more transparent, efficient, and participatory governance.

To conclude, it is important to build on the efforts made so far at both national and European levels: at national level, in Italy the path already seems to be laid out, as ReGiS has been designated by law to monitor the 2021–2027 cohesion policies, the projects carried over from the NRRP in 2023, and, looking ahead, the Social

¹⁰⁵ According to Article 2, par. 2 of decree-law 31 May 2021, n.77, converted, with amendments, by Law No. 29 July 2021, n. 108. All the reports to the Parliament are available on the Italia Domani portal.

Climate Plan¹⁰⁶ and any additional investment programs¹⁰⁷. Of course, as regards Italy, there remains room for further improvement: one of the efforts should be directed toward making the data even easier to access and understand, further enhancing user-friendliness for citizens. At European level, in light of the negotiations on the 2028–2034 Multiannual Financial Framework, it is vital to take into proper account the positive experiences of Member States in designing and implementing monitoring information systems of such broad scope and innovative nature. In this regard, ReGiS and Italy's transparency framework, including the periodic publication of open data, provide a valuable model for the design of future EU monitoring and accountability systems related to EU funding.

¹⁰⁶ According to Article 1, par. 779, of the Italian Budget law 2026 (Law 30 December 2025, No.199).

¹⁰⁷ Pursuant to Article 1, par. 3 of decree-Law 19th February 2026, n. 19 converted, with amendments, by Law No. 50 of April 20th 2026, the Italian Ministry of Economy and Finance—State General Accounting Department—shall ensure the development of the necessary functionalities of the “ReGiS” information system to support reporting obligations of NRRP even after December 31, 2026, *also in view of any monitoring requirements for other programs and initiatives funded with national and European resources, including related specialized technical support activities* (italics added).

Bibliography

ASPIDE, A., BERETTA, G., and LOCATELLI, C. (2026). *Resilience and Recovery Plans across borders: Italy, France, Germany and Spain*, in *Turning ambition into action: lessons from the Italian Recovery and Resilience Plan*, LUISS Research Center for European Analysis and Policy, p. 38. Available at: <https://leap.luiss.it/wp-content/uploads/2026/05/LUHNIP-Turning-Ambition-into-Action.pdf>

Commission Notice, *Guidance on Recovery and Resilience Plans in the context of REPowerEU*, 2023/C 80/01. Available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52023XC0303\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52023XC0303(01))

CORTI, F., PEDRALLI, M., and PANCOTTI, C. (2024). *The Recovery and Resilience Facility: key innovations and the interplay with Cohesion Policy*, ZEW – Discussion Paper No. 24-040. Available at: <https://ssrn.com/abstract=4874467>

European Court of Auditors (2026). *Special Report No 14/2026: RRF Traceability and Transparency*, Publications Office of the European Union, Luxembourg. Available at: https://www.eca.europa.eu/ECAPublications/SR-2026-14/SR-2026-14_EN.pdf

European Parliament and Council of the European Union (2021). Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, *Official Journal of the European Union*, L 57, 17–75. Available at: <https://eur-lex.europa.eu/eli/reg/2021/241/oj/eng>

European Parliament and Council of the European Union (2023). Regulation (EU) 2023/435 of 27 February 2023 amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulations (EU) No 1303/2013, (EU) 2021/1060 and (EU) 2021/1755, and Directive 2003/87/EC, *Official Journal of the European Union*, L 63, 28 February 2023, pp. 1–27.

LILYANOVA, V. (2024). *The 100 Largest Recipients of Recovery and Resilience Facility Funds*, EPRS – European Parliamentary Research Service, PE 762.322. Available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/762322/EPRS_BRI\(2024\)762322_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/762322/EPRS_BRI(2024)762322_EN.pdf)

POLVERARI, L. (2025). Coordinative Europeanization as a response to crisis: what lessons from the RRF for future EU cohesion policy?, in *Comparative European Politics*, Vol. 23, pp. 76–96. <https://doi.org/10.1057/s41295-024-00388-2>

Portale *Italia Domani*. Available at: <https://www.italiadomani.gov.it/content/sogei-ng/it/it/home.html>

Recovery and Resilience Scoreboard, European Commission's online monitoring platform for the Recovery and Resilience Facility (RRF). Available at: https://ec.europa.eu/economy_finance/recovery-and-resilience-scoreboard/

SAPALA, M. (2024). *Performance-based delivery of the Recovery and Resilience Facility: Blueprint for future EU spending instruments?*, European Parliamentary Research Service (EPRS). Available at: https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/766227/EPRS_BRI%282024%29766227_EN.pdf

SCHWARCZ, A. (2024). *Analysis of the 100 Largest Recipients of RRF Funds per Member State*, European Parliament, Policy Department for Budgetary Affairs, Briefing PE 761.979. Available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/761979/IPOL_BRI\(2024\)761979_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/761979/IPOL_BRI(2024)761979_EN.pdf)

ZEITLIN, J., BOKHORST, D., and EIHMANNIS, E. (2023). *Rethinking the Governance and Delivery of the Cohesion Policy Funds: Is the Recovery and Resilience Facility (RRF) a Model?*, Report to High Level Group on the Future of Cohesion Policy, European Commission. Available at: <https://cadmus.eui.eu/handle/1814/76078>

7. Interpretive Transparency: Regulating AI-Mediated Reading of Consultations under EU Law – *Christian Maria Giannetti*

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Abstract

Public consultations serve at once as channels for public participation and as channels for organised lobbying. Detection of astroturfing has conventionally relied on residual homogeneity in submitted text, but large language models let organised interests produce semantically varied, non-duplicative submissions that voice a coordinated policy position while evading duplicate-based triage. Existing transparency law does not meet this shift squarely: it targets the generator of content and the speaker behind it, and so reaches neither the public body that uses AI to read the consultation corpus nor the accountability deficit that arises there. We isolate that deficit through two constructs. Deduplication evasion is the production-side capacity just described, treated here as background; interpretive distortion is the downstream structural prediction that an AI-mediated reading of a corpus so populated may track corpus composition rather than the distribution of genuine stakeholder views. The case for regulating against that prediction is compositional and precautionary: three conditions, the foreseeable adoption of AI consultation analysis, the absence of a documented adversarial defence in available pipelines, and the sensitivity of corpus-consuming systems to their input, make the risk cognizable, and the precautionary principle under Article 191(2) TFEU, reinforced by the Charter duty of diligent examination as elaborated in EU and member-state case law, carries it to a regulatory warrant without any claim that distortion has been realised.

Because Article 50 and Annex III of the AI Act do not reach this institutional reading and the EU Transparency Register addresses speaker identity rather than institutional interpretation, we name the unaddressed category interpretive transparency and specify it as five minimum disclosure obligations on public bodies, proportionate under the three-step EU test and adoptable under existing EU law without new primary legislation.

Keywords

Interpretive transparency; AI-mediated consultation analysis; LLM-augmented astroturfing; precautionary principle; EU administrative law.

7.1 Introduction

Public consultation opens administrative rulemaking to outside voices, and for that reason it is also a channel organised interests work to capture. The EU Transparency Register treats consultation participation as interest representation aimed at influencing EU policy,¹⁰⁸ and Joosen confirms empirically that consultations operate as interest-group venues in EU agency rulemaking.¹⁰⁹ The simulation of grassroots support by organised interests, astroturfing,¹¹⁰ relies on the residual homogeneity that conventional detection exploits: repeated text, shared framing, coordination traces. Pre-LLM mass-comment manipulation is well documented,¹¹¹ and the New York Attorney General found nearly 18 million of 22 million comments in the FCC 2017 net-neutrality proceeding to be fabricated.¹¹² EU consultations face the same triage and attribution pressures, and the same incentive to exploit them.

Large language models reconfigure the technique. They give organised interests a production capacity we call *deduplication evasion*: the generation of semantically varied submissions that

¹⁰⁸ 'Interinstitutional Agreement of 20 May 2021 on a Mandatory Transparency Register'.

¹⁰⁹ 'The Tip of the Iceberg' (2020) 27 Journal of European Public Policy 1677.

¹¹⁰ Lits, 'Detecting Astroturf Lobbying Movements' (2020) 5 Communication and the Public 164.

¹¹¹ 'Mass, Computer-Generated, and Fraudulent Comments' (ACUS 2021).

¹¹² 'Fake Comments' (New York State Office of the Attorney General 2021).

voice one policy position while evading duplicate-based triage, flagged as a near-term institutional concern¹¹³ and demonstrated technically.¹¹⁴ Once such a corpus reaches a public body that uses AI to read it, the resulting account can track who populated the corpus rather than the genuine balance of stakeholder reasons. We call this effect *interpretive distortion*: it moves the accountability question from whether a submission is genuine to how the body's AI reads the corpus.

Existing transparency law is built around two targets, the generator and the speaker: Article 50 of the AI Act addresses generative and interaction transparency,¹¹⁵ and the Transparency Register records who lobbies and with what resources.¹¹⁶ Neither reaches a third target, the institution that reads the corpus, where interpretive distortion creates an accountability deficit. We make three contributions: (a) we characterise *LLM-augmented astroturfing* as a structural evolution of mass-comment manipulation, separating the production capacity from the downstream prediction; (b) we make a doctrinal and precautionary case that interpretive distortion is a cognizable regulatory risk under EU law though no realised instance is documented; and (c) we name the unaddressed category, *interpretive transparency*, specified as five minimum disclosure obligations on public bodies, proportionate under the three-step EU test and adoptable under existing EU law without new primary legislation.

7.2 Related Work

Astroturf lobbying is detectable through emphasis-framing mismatches between sponsor-aligned and genuine submissions,¹¹⁷ and consultation participation is a recognised

¹¹³ Westminster Foundation for Democracy and POPVOX, 'How AI and LLMs May Impact Transparency' (2023).

¹¹⁴ Dogra and others, 'Language Models Can Subtly Deceive Without Lying' (ACL 2025).

¹¹⁵ 'Regulation (EU) 2024/1689 (Artificial Intelligence Act)'.

¹¹⁶ European Parliament, Council of the European Union and European Commission (n 1).

¹¹⁷ Lits (n 3).

venue for interest representation.¹¹⁸ Pre-LLM accounts of mass and fabricated comments¹¹⁹ address volume and duplication, not semantic variation; Kao¹²⁰ shows that semantic clustering, not string matching, identified the FCC 2017 campaign, where a mail-merge swapped synonyms. Coordination detection has moved to behavioural traces such as identities, timing, and retweets,¹²¹ but these are social-media artefacts absent from consultations, so textual-triage evasion is not offset. Dogra and others¹²² study detection-evading LLM policy phrasing; AI consultation-analysis pipelines are emerging.¹²³ Scholarship reads Article 50¹²⁴ and the Register¹²⁵ as regimes for synthetic content and speaker identity. Adjacent work shows AI is sensitive to corpus composition¹²⁶ and that LLM-mediated democratic processes admit adversarial steering,¹²⁷ both as general risks, not for this setting. No prior work addresses our configuration: organised interests populate a corpus with varied submissions and a public body uses AI to read it.

7.3 Two Mechanisms and Three Transparencies

The normative baseline is the Better Regulation Guidelines, which describe consultation respondents as self-selecting and unrepresentative and require institutions to weigh responses on their merits, especially where campaigns are coordinated;¹²⁸

¹¹⁸ European Parliament, Council of the European Union and European Commission (n 1); Joosen (n 2).

¹¹⁹ Administrative Conference of the United States (n 4); Office of the New York State Attorney General (n 5).

¹²⁰ 'More Than a Million Pro-Repeal Net Neutrality Comments Were Likely Faked' (2017).

¹²¹ Pacheco and others, 'Uncovering Coordinated Networks on Social Media' (ICWSM 2021).

¹²² (n 7).

¹²³ Westminster Foundation and POPVOX (n 6); Gupta, Zuckerman and O'Connor, 'Harnessing Toulmin's Theory for Zero-Shot Argument Explication' (ACL 2024); Bar-Haim and others, 'Quantitative Argument Summarization and Beyond' (EMNLP 2020).

¹²⁴ European Parliament and Council (n 8); European Commission, 'Code of Practice on the Marking and Labelling of AI-Generated Content'; Feltes, 'Article 50 AI Act' (2025) 16 JIPITEC.

¹²⁵ Bauer, 'The Carrot and Stick Approach' (2024) 13 Interest Groups & Advocacy 437.

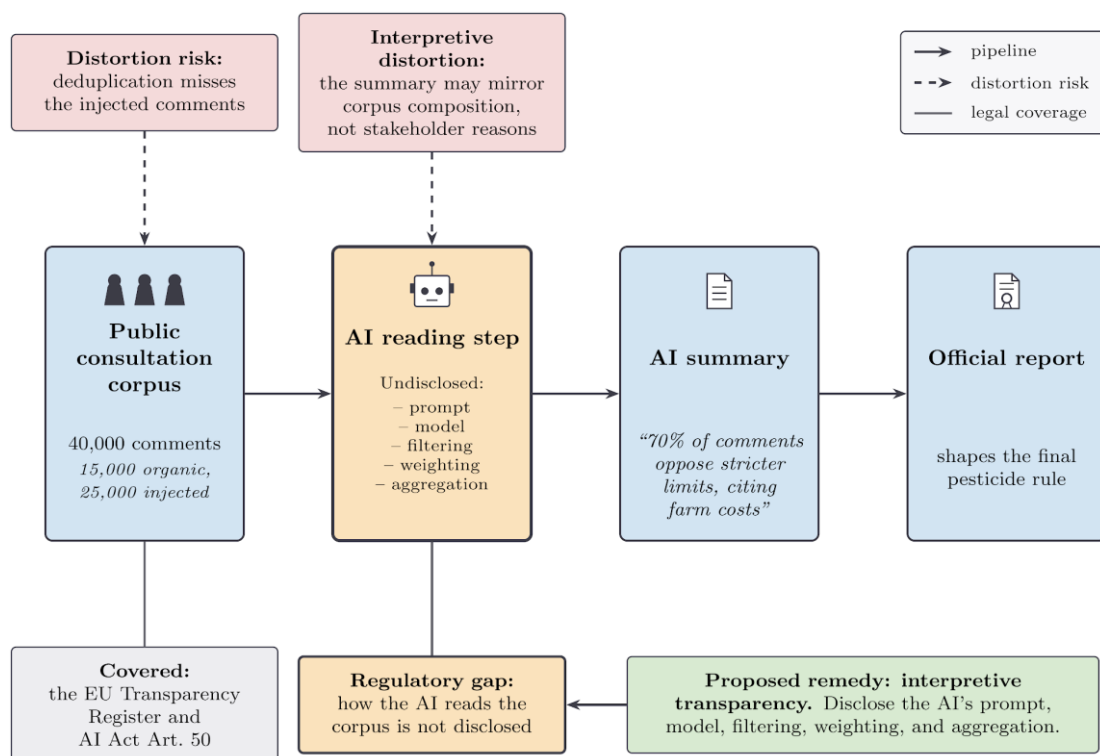
¹²⁶ Zou and others, 'Poisoned RAG' (2024).

¹²⁷ Lazar and Manuali, 'Using LLMs to Enhance Democracy' (2026) 36 Minds and Machines.

¹²⁸ European Commission, 'Better Regulation Guidelines'.

consultation is a reasons-weighting exercise, not a plebiscite.¹²⁹ On that baseline, *interpretive distortion* is the prediction that an AI reading of a corpus of semantically varied campaign submissions inflates a coordinated argument by treating paraphrastic volume as argumentative multiplicity.

Deduplication evasion is the production-side use of LLMs to generate varied submissions expressing one position while evading duplicate-based triage, set aside here.¹³⁰ *Interpretive distortion* is the structural prediction that, processing such a corpus without accounting for adversarial input, an AI reading may track corpus composition rather than the weight of distinct reasons in the genuine responses. Figure 1 traces both.



A constructed scenario. A public body opens a consultation on a pesticide rule and receives 40,000 comments; the volume precludes manual review, so an AI tool produces the summary entering the official report. An organised interest has populated

¹²⁹ Mendelson, 'Should Mass Comments Count?' (2012) 2 Michigan Journal of Environmental and Administrative Law 173.

¹³⁰ Westminster Foundation for Democracy and POPVOX Foundation (n 6); Dogra and others (n 7).

the corpus with 25,000 distinct-sounding, non-duplicative comments (deduplication evasion), so the summary may track corpus composition rather than the weight of genuine stakeholder reasons (interpretive distortion). No instrument in force regulates the AI reading step; interpretive transparency would make it auditable.

These mechanisms map onto three transparency categories. Generative transparency makes AI authorship or manipulation visible;¹³¹ speaker transparency makes the identity and resources of organised interests visible;¹³² interpretive transparency would make the public body's AI-mediated reading visible: how submissions were summarised, clustered, ranked, weighted, and attributed. It is distinct in target (the public body, not the generator or speaker) and in content (the interpretive procedure, not provenance labels or speaker identity). Adjacent algorithmic-transparency instruments cover public-body disclosure generally,¹³³ but the minimum interpretive-procedure content specified here has no counterpart. Section 7 establishes the gap against Article 50, Annex III, and the Register; Table 1 summarises the three categories.

The three transparency categories. Each is defined by the question it allows an observer to answer. Generative and speaker transparency are each backed by a legal instrument currently in force; interpretive transparency is not.

Transparency Category	Question It Answers	Legal Instrument
Generative	Was this submission produced by AI?	AI Act, Article 50
Speaker	Who is behind this submission?	EU Transparency Register

¹³¹ European Parliament and Council of the European Union (n 8); European Commission (n 17).
¹³² European Parliament, Council of the European Union and European Commission (n 1).
¹³³ Government of the Netherlands, 'Dutch Algorithmic Transparency Standard'.

Transparency Category	Question It Answers	Legal Instrument
Interpretive	How did the public body's AI read the corpus?	<i>None in force</i>

7.4 From Mass Comments to Varied LLM Submissions

LLMs change the observable form of comment manipulation while preserving its function. Dogra and others show that LLM agents can phrase regulatory-domain text to advance a hidden beneficiary's policy interest while evading strong LLM-based detectors, optimisation raising deception rates by up to forty percentage points.¹³⁴ The task studied is legislative amendment, but its structural features—regulatory-domain text, optimisation for a position, detection-evasion incentives—also characterise coordinated consultation submission; we treat the transfer as a reasoned assumption, the production capacity serving only as background to the reading-side prediction. Filtering at the input stage is no stable substitute: Sadasivan and others report that recursive paraphrasing sharply reduces detection rates while barely degrading text, a fundamental limit as models advance.¹³⁵

We call this transferable capacity *LLM-augmented astroturfing*: the use of LLMs by organised interests to produce semantically varied, non-duplicative consultation submissions, a structural evolution of mass-comment manipulation. Such a corpus may then become the AI-mediated account on which a public body acts.

7.5 Structural Conditions for Interpretive Distortion

The first condition is the foreseeable adoption of AI-mediated consultation analysis: automated language processing is framed as a near-term institutional challenge,¹³⁶ corpus-level interpretation of submissions is technically realised,¹³⁷ and the

¹³⁴ (n 7).

¹³⁵ 'Can AI-Generated Text Be Reliably Detected?'.

¹³⁶ Westminster Foundation for Democracy and POPVOX Foundation (n 6).

¹³⁷ Gupta, Zuckerman and O'Connor (n 16).

pipeline vocabulary at scale is established.¹³⁸ None documents full agency deployment, but foreseeable near-term adoption suffices to trigger proportionate precautionary obligations.

The second condition: available pipeline designs do not account for adversarial corpus input. Consultation analysis is framed as argument extraction, clustering, salience estimation, or summarisation,¹³⁹ so submissions are treated as evidence to organise, not strategic objects. Lazar and Manuali identify adversarial steering in LLM-mediated democratic processes,¹⁴⁰ yet no threat model appears in the consultation literature. The duty of diligent examination (Section 6) supplies a parallel doctrinal ground for treating that omission as a defect.

The third condition: systems that consume a corpus are sensitive to its composition. Zou and others establish this for retrieval-augmented generation,¹⁴¹ and the vulnerability recurs across the pipeline families named. Key-point analysis reports the most prominent key-points in a corpus with their relative prevalence,¹⁴² yet the 2021 shared task finds Jensen-Shannon divergence between predicted and ground-truth prevalence of 0.152 to 0.238 across the top five systems, ranking decoupled from prevalence reproduction.¹⁴³ Abstractive summarisation is prone to hallucinate content unfaithful to the input,¹⁴⁴ as the FRANK benchmark measures.¹⁴⁵ Universal adversarial triggers shift outputs by input-agnostic tokens,¹⁴⁶ a lower bound on the attacker's affordance; the consultation attacker has more, including paraphrastic diversity and per-comment optimisation. Every such class shows measured input-to-output sensitivity absent from rule-based aggregation. These establish general input-sensitivity, not distortion under

¹³⁸ Bar-Haim and others (n 16).

¹³⁹ Gupta, Zuckerman and O'Connor (n 16); Bar-Haim and others (n 16).

¹⁴⁰ (n 20).

¹⁴¹ (n 19).

¹⁴² Bar-Haim and others (n 16).

¹⁴³ Friedman and others, 'Overview of the 2021 Key Point Analysis Shared Task' (ArgMining 2021).

¹⁴⁴ Maynez and others, 'On Faithfulness and Factuality in Abstractive Summarization' (ACL 2020).

¹⁴⁵ Pagnoni, Balachandran and Tsvetkov, 'Understanding Factuality in Abstractive Summarization with FRANK' (NAACL 2021).

¹⁴⁶ Wallace and others, 'Universal Adversarial Triggers for Attacking and Analyzing NLP' (EMNLP-IJCNLP 2019).

adversarial input; that inference is what the precautionary standard carries. Strategically varied astroturf submissions are positioned to exploit the surface, reading as independent evidence while carrying coordinated framing.

The three conditions hold together: AI consultation analysis is foreseeably adopted, available designs carry no documented adversarial defence, and outputs remain sensitive to corpus composition. Interpretive distortion need not have occurred for these to warrant response; the precautionary principle takes hold under exactly this configuration. Though Article 191(2) TFEU states it within the environmental title, *Pfizer Animal Health* (T-13/99) and Commission Communication COM(2000) 1 final establish it as a general principle of EU law.¹⁴⁷ So generalised, it warrants action where a risk is evidenced even if its full magnitude is not shown, provided the measure is proportionate; where Pfizer required an expert risk assessment for a market restriction, a procedural disclosure obligation constraining no one's conduct requires a lighter, non-zero basis. Teichmann confirms that proportional ex ante control is consistent with the AI Act's risk framework.¹⁴⁸

7.5 The Duty of Diligent Examination Applied to AI-Mediated Reading

Article 41 of the EU Charter establishes the right to good administration, refined by the Court of Justice into a duty of care that is a free-standing procedural guarantee.¹⁴⁹ The settled formulation is *Case C-269/90, Technische Universität München*, paragraph 14, imposing a duty “to examine carefully and impartially all the relevant aspects of the individual case”, of even more fundamental importance where the institution has wide appraisal.¹⁵⁰ *Case T-167/94, Nölle*, paragraph 76, holds that an institution which fails to consider the arguments before it seriously and in detail breaches the principle of care, “a rule protecting

¹⁴⁷ ‘Case T-13/99, Pfizer Animal Health SA v Council’ ECLI:EU:T:2002:209; European Commission, ‘Communication on the Precautionary Principle’.

¹⁴⁸ ‘Risk, Reasonableness and Residual Harm Under the EU AI Act’ [2026] European Journal of Risk Regulation 1.

¹⁴⁹ ‘Charter of Fundamental Rights of the European Union, Article 41’.

¹⁵⁰ ‘Case C-269/90, Technische Universität München’ ECLI:EU:C:1991:438.

individuals”.¹⁵¹ *Case C-349/07, Sopropé* (ECLI:EU:C:2008:746), paragraph 38, carries the cognate rights-of-defence guarantee to member-state administrations within the scope of EU law. The duty intensifies with discretion, attaches to procedure as much as outcome, and is owed to the affected party as an enforceable right.

The algorithmic transposition was made in *Case C-634/21, SCHUFA Holding (Scoring)*. Paragraph 73 holds that automated establishment of a probability value is “automated individual decision-making” where a third party draws strongly on it to shape a contractual relationship;¹⁵² paragraph 50 treats the preparatory step as itself a decision with legal or similarly significant effects whenever the downstream actor draws strongly on it, and paragraph 61 grounds this in a lacuna-in-protection argument, since the data subject could not otherwise obtain “meaningful information about the logic involved” (paragraph 56).¹⁵³ AI-mediated reading of a consultation corpus has the same structure: the summary entering the official report is the preparatory step the body draws strongly on, and excluding it from the duty of diligent examination would open the very lacuna *SCHUFA* rejects, at institutional rather than individual scale. The transposition keeps *SCHUFA*’s functional test while setting aside its Article 22 individual-decision framing, which the corpus scale does not satisfy; it is thus doctrinal analogy, and where resisted the precautionary ground of Section 5 carries the case independently. A human reviewer does not close the deficit: at these volumes the reviewer reads the summary, not the raw submissions, so distortion propagates through rather than being corrected.

Member-state jurisprudence has elaborated this. The *Consiglio di Stato*, sez. VI, sentenza n. 2270/2019, holds that the algorithm behind a “decisione robotizzata” must be “conoscibile” under a reinforced transparency principle,¹⁵⁴ a knowability extending to authors, procedure of elaboration, decision mechanism, priorities assigned, and data selected as relevant.¹⁵⁵ The line was

¹⁵¹ ‘Case T-167/94, Nölle v Council and Commission’ ECLI:EU:T:1995:169.

¹⁵² ‘Case C-634/21, OQ v Land Hessen (*SCHUFA Holding (Scoring)*)’ ECLI:EU:C:2023:957.

¹⁵³ *Ibid.*

¹⁵⁴ *Consiglio di Stato*, sez VI, ‘Sentenza n. 2270/2019’.

¹⁵⁵ *Ibid.*

consolidated in nn. 8472–8474/2019 and refined in nn. 881/2020 and 1206/2021, yielding the *principio di conoscibilità* of administrative algorithms.¹⁵⁶

The five disclosures in Section 7 apply this principle to consultation analysis: obligation 5 (provenance assumptions) adds the corpus-scale extension, and obligations 1–4 map onto the procedure of elaboration, authors, the logic involved, and priorities assigned already named by the case law.

7.6 Regulatory Gap and Proposed Obligation

Article 50 of the AI Act imposes transparency on providers and deployers of systems that interact with persons or generate content;¹⁵⁷ Feltes reads it as centred on user awareness and synthetic content, not institutional processing of participatory records.¹⁵⁸ Annex III Point 8 covers only AI intended to influence elections or assist judicial rulings and does not reach consultation-corpus analysis, so the Article 26 deployer obligations do not apply. Article 7(1) conditions Annex III amendment on two findings: use in a listed area, and a fundamental-rights risk equivalent to or greater than the systems already listed.¹⁵⁹ Consultation-analysis AI is adjacent to Point 8; the risk-equivalence test is met not merely because the affected right—good administration under Article 41—is the same, but because the harm operates at corpus scale, bearing on the reasons-weighting behind a rule of general application rather than a single applicant, so the risk is at least equivalent. The five obligations below supply the content such an amendment would require, and Article 26 would then attach; pending Commission action, the same content works through national instruments or Article 50 guidance, the substantive floor being identical.

¹⁵⁶ Consiglio di Stato, sez VI, ‘Sentenze nn. 8472–8474/2019, 881/2020 e 1206/2021 (principio di conoscibilità)’.

¹⁵⁷ European Parliament and Council of the European Union (n 8).

¹⁵⁸ (n 17).

¹⁵⁹ European Parliament and Council of the European Union (n 8).

The Transparency Register addresses a different question, making organised interests, their resources, and covered activities visible,¹⁶⁰ with conditionality-based design analysed by Bauer.¹⁶¹ It discloses who submitted what, not how submissions were read; public-authority use of AI raises procedural-accountability questions the AI Act does not exhaust.¹⁶²

Beyond EU instruments, the Council of Europe Framework Convention on AI (CETS 225), signed by the EU on 5 September 2024, adds a treaty-level basis: its Articles 8, 9 and 19 require transparency and oversight across the AI lifecycle, accountability for adverse impacts, and public multistakeholder consultation on important AI questions.¹⁶³ Public-body reading of consultations engages all three.¹⁶⁴

The obligation satisfies the three-step proportionality test. It is suitable: procedural disclosure lets citizens and oversight bodies assess whether the duty of care was discharged and whether stated reasons reflect the actual corpus. It is necessary: ex post review is more burdensome and leaves analysis-stage opacity untouched, while a blanket prohibition disrupts legitimate practice. It is proportionate *stricto sensu*: registering pipeline parameters costs little against the democratic-accountability value. The obligation requires disclosure of five elements.

1. The analysis pipeline, including retrieval, summarisation, clustering, ranking, and human review steps.
2. The model and version, including provider and last update date where available.
3. The prompts or instructions given to the model, at the level of system role, instruction taxonomy, and output schema; the full prompt text may be redacted where the deployer

¹⁶⁰ European Parliament, Council of the European Union and European Commission (n 1).

¹⁶¹ (n 18).

¹⁶² Mir, 'The AI Act from the Perspective of Administrative Law' (2025) 16 European Journal of Risk Regulation 63.

¹⁶³ Council of Europe, 'Framework Convention on Artificial Intelligence' (2024).

¹⁶⁴ Ibid.

documents a specific gaming risk, but this minimum content may not be.

4. The aggregation logic, including how individual submissions enter aggregate readings, salience scores, or stakeholder attributions.
5. The input provenance assumptions, including whether adversarial generation, coordinated campaigns, or synthetic variation were considered in designing the analytical procedure.

Each obligation maps to an existing instrument. The Dutch Algorithmic Transparency Standard, becoming mandatory for central government, requires disclosure of purpose, legal basis, and technical description of each algorithm.¹⁶⁵ France's Code des relations entre le public et l'administration (arts L311-3-1, R311-3-1-2) requires the administration to disclose, on request, the degree and manner of the algorithm's contribution to the decision, the data processed and their sources, the processing parameters and their weighting, and the operations performed.¹⁶⁶ The UK Algorithmic Transparency Recording Standard standardises how public bodies publish their algorithmic tools.¹⁶⁷ The five obligations are the corpus-scale counterpart of this family, obligation 5 carrying the structural-risk extension. GDPR Articles 13–14 require disclosure of purposes and legal basis at collection,¹⁶⁸ and Article 26, where it applies, requires log retention, oversight, and input-data management.¹⁶⁹ No instrument applies all five to consultation analysis.

The obligations bind public bodies, not platforms or speakers, and require disclosure of procedure, not model weights, source code, trade secrets, or personal data. This tracks the public-authority carve-out in Article 1(2)(c) of Directive (EU) 2016/943, which preserves rules requiring or allowing public authorities to disclose

¹⁶⁵ Government of the Netherlands (n 26).

¹⁶⁶ République française, 'Code des relations entre le public et l'administration, arts L311-3-1 et R311-3-1-2'.

¹⁶⁷ UK Cabinet Office and CDDO, 'Algorithmic Transparency Recording Standard Hub'.

¹⁶⁸ 'Regulation (EU) 2016/679 (General Data Protection Regulation)'.

¹⁶⁹ European Parliament and Council of the European Union (n 8).

business information in compliance with Union or national law.¹⁷⁰ procedural metadata falls within the carve-out; proprietary weights and code fall outside.

Returned to the scenario, the obligations do determinate work. Suppose the summary reports a clear majority opposed the pesticide restriction. Obligation 4 (aggregation logic) would show the reading counted paraphrastic volume as argumentative multiplicity, so that 25,000 distinct-sounding submissions registered as 25,000 independent reasons; obligation 5 (provenance assumptions) would record that no adversarial-generation hypothesis was tested. An oversight body reading these beside the synopsis can see the reported majority is a majority of the corpus, not of the genuine responses, and can require the reading redone. The disclosures do not prove distortion; they make the one step at which it could occur legible—the accountability existing instruments secure for the generator and speaker but withhold for the reader.

7.7 Operationalisation and Enforcement

The obligations attach to existing vehicles. Disclosure publishes ex ante in the consultation notice (pipeline, model, prompt-level content, aggregation logic, provenance assumptions) and ex post in the synopsis of consultation results, recording any deviation from the announced pipeline and the corpus-composition assumptions bearing on the final reading. The Better Regulation Guidelines already require the synopsis as an annex to the impact assessment,¹⁷¹ so the obligation specifies content of moments already in force; the format follows the Dutch standard.¹⁷²

The objection that disclosure aids gaming is met by the obligation-3 redaction clause, permitting non-disclosure of full prompt text on a documented gaming risk, subject to the non-redactable floor. The redaction is reviewable, time-limited, and severable: a reasoned justification is published, it defaults to expire at the synopsis, and redacting one segment does not relieve the others.

¹⁷⁰ ‘Directive (EU) 2016/943 (Trade Secrets)’.

¹⁷¹ European Commission (n 21).

¹⁷² Government of the Netherlands (n 26).

This tracks Regulation 1049/2001, which admits the commercial-interests exception only absent an overriding public interest in disclosure (Art. 4(2)), requires release of the severable remainder (Art. 4(6)), and limits exceptions to the period protection is justified (Art. 4(7)).¹⁷³ The floor instantiates 4(6), the sunset 4(7), and the Directive 2016/943 carve-out holds the metadata outside the trade-secrets regime.¹⁷⁴

Supervision uses instruments in force. Article 228(1) TFEU empowers the European Ombudsman to receive complaints of maladministration in the Union institutions, bodies, offices or agencies;¹⁷⁵ non-disclosure or disclosure inconsistent with the documented pipeline is maladministration, reachable without new jurisdiction. Regulation 1049/2001 gives a parallel documentary-access route, its confirmatory procedure adjudicating disputed redactions.¹⁷⁶ At member-state level, the Sopropé extension of Article 41 grounds review by national administrative courts, its content given by the *principio di conoscibilità* of Section 6. Should Article 7(1) extend Annex III here, Article 26 would add a route through national market-surveillance authorities.¹⁷⁷ The obligation depends on no single enforcement track.

7.8 Conclusions

Transparency law asks two questions of a consultation submission: was it produced by AI, and who stands behind it. This paper argues that a third now weighs as much and that no instrument in force compels it: how did the public body read the corpus? When organised interests populate a corpus with semantically varied, policy-aligned submissions and an AI system produces the account on which the body acts, the reading can reflect who shaped the corpus rather than the genuine balance of stakeholder reasons, and nothing makes that step visible. We separated the production capacity, deduplication evasion, from the downstream

¹⁷³ 'Regulation (EC) No 1049/2001 (Public Access to Documents)'.

¹⁷⁴ European Parliament and Council of the European Union (n 63).

¹⁷⁵ 'Consolidated Version of the TFEU, Article 228 (European Ombudsman)'.

¹⁷⁶ European Parliament and Council of the European Union (n 66).

¹⁷⁷ European Parliament and Council of the European Union (n 8).

prediction, interpretive distortion, and showed three conditions make it a cognizable risk: the foreseeable adoption of AI consultation analysis, the absence of a documented adversarial defence, and the sensitivity of corpus-consuming systems to their input. The precautionary principle under Article 191(2) TFEU, reinforced by the duty of diligent examination, carries the risk to a regulatory warrant before any realised distortion need be shown. Because Article 50, Annex III, and the Transparency Register leave the reading step unaddressed, we name the missing category, interpretive transparency, and specify it as five minimum disclosure obligations on public bodies, proportionate under the three-step test and adoptable under existing EU law without new primary legislation. The obligations ask no institution to trust its tools less, only to record how it used them, so the account a consultation produces can be checked against the corpus it came from.

7.9 Limitations

We note two limitations. First, there is no empirical evidence that interpretive distortion has occurred in any specific consultation: the claim is a prediction about a configuration of conditions, not an observed case. The precautionary principle is designed for exactly this, and the evidentiary base for corpus-composition sensitivity comes from prior measurements across retrieval, summarisation, key-point analysis, and adversarial-trigger families, not a deployed consultation pipeline.¹⁷⁸ We place the argument's load here deliberately: the warrant follows from the generalised precautionary principle applied to a credibly predicted procedural risk, and if that standard is rejected the warrant does not hold. Second, the extension to corpus-scale rather than individual-scale procedures is, to our knowledge, novel; we treat it as a reasoned argument supported by SCHUFA's *lacuna* reasoning and the *principio di conoscibilità*, not yet tested by the courts in the consultation setting.

¹⁷⁸ Zou and others (n 19); Friedman and others (n 36); Maynez and others (n 37); Pagnoni, Balachandran and Tsvetkov (n 38); Wallace and others (n 39).

Bibliography

Administrative Conference of the United States, 'Mass, Computer-Generated, and Fraudulent Comments' (Administrative Conference of the United States 2021)

Bar-Haim R and others, 'Quantitative Argument Summarization and Beyond: Cross-Domain Key Point Analysis' *Proceedings of the 2020 conference on empirical methods in natural language processing (EMNLP)* (Association for Computational Linguistics 2020) <<https://doi.org/10.18653/v1/2020.emnlp-main.3>>

Bauer E, 'The Carrot and Stick Approach: Exploring the Advantages and Limits of the EU's Transparency Register from a Practitioner's Point of View' (2024) 13 Interest Groups & Advocacy 437 <<https://doi.org/10.1057/s41309-024-00225-7>>

Consiglio di Stato, Sezione VI, 'Sentenza n. 2270/2019 Dell'8 Aprile 2019 (Algoritmo Nel Procedimento Amministrativo)'

—, 'Sentenze Nn. 8472, 8473 e 8474 Del 13 Dicembre 2019; n. 881 Del 4 Febbraio 2020; n.1206 Del 4 Giugno 2021 (Linea Giurisprudenziale Sul Principio Di Conoscibilità Degli Algoritmi Amministrativi)'

Council of Europe, 'Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law'

Court of First Instance of the European Communities, 'Case T-167/94, Detlef Nölle v Council and Commission' ECLI:EU:T:1995:169

—, 'Case T-13/99, Pfizer Animal Health SA v Council of the European Union' ECLI:EU:T:2002:209

Court of Justice of the European Communities, 'Case C-269/90, Technische Universität München v Hauptzollamt München-Mitte' ECLI:EU:C:1991:438

Court of Justice of the European Union, 'Case C-634/21, OQ v Land Hessen (SCHUFA Holding (Scoring))' ECLI:EU:C:2023:957

Dogra A and others, 'Language Models Can Subtly Deceive Without Lying: A Case Study on Strategic Phrasing in Legislation' *Proceedings of the 63rd annual meeting of the association for computational linguistics (volume 1: Long papers)* (Association for

European Commission, 'Communication from the Commission on the Precautionary Principle'

——, 'Better Regulation Guidelines'

——, 'Code of Practice on the Marking and Labelling of AI-Generated Content (Second Draft)'

European Parliament and Council of the European Union, 'Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 Regarding Public Access to European Parliament, Council and Commission Documents'

——, 'Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the Protection of Undisclosed Know-How and Business Information (Trade Secrets) Against Their Unlawful Acquisition, Use and Disclosure'

——, 'Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the Protection of Natural Persons with Regard to the Processing of Personal Data (General Data Protection Regulation)'

——, 'Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 Laying down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act)'

European Parliament, Council of the European Union and European Commission, 'Interinstitutional Agreement of 20 May 2021 Between the European Parliament, the Council of the European Union and the European Commission on a Mandatory Transparency Register'

European Union, 'Charter of Fundamental Rights of the European Union, Article 41 (Right to Good Administration)'

——, 'Consolidated Version of the Treaty on the Functioning of the European Union, Article 228 (European Ombudsman)'

Feltes N, 'Article 50 AI Act: Do the Transparency Provisions Improve Upon the Commission's Draft?' (2025) 16 *Journal of Intellectual Property, Information Technology and E-Commerce Law* (JIPITEC)

Friedman R and others, 'Overview of the 2021 Key Point Analysis Shared Task' *Proceedings of the 8th workshop on argument mining (ArgMining 2021), EMNLP 2021* (Association for Computational Linguistics 2021) <<https://doi.org/10.18653/v1/2021.argmining-1.16>>

Government of the Netherlands, 'Dutch Algorithmic Transparency Standard'

Gupta A, Zuckerman E and O'Connor B, 'Harnessing Toulmin's Theory for Zero-Shot Argument Explication' *Proceedings of the 62nd annual meeting of the association for computational linguistics (volume 1: Long papers)* (Association for Computational Linguistics 2024) <<https://doi.org/10.18653/v1/2024.acl-long.552>>

Joosen R, 'The Tip of the Iceberg: Interest Group Behaviour in Rule Drafting and Consultations During EU Agency Rulemaking' (2020) 27 *Journal of European Public Policy* 1677 <<https://doi.org/10.1080/13501763.2020.1817131>>

Kao J, 'More Than a Million Pro-Repeal Net Neutrality Comments Were Likely Faked' (Independent analysis 2017)

Lazar S and Manuali L, 'Using LLMs to Enhance Democracy' (2026) 36 *Minds and Machines* <<https://doi.org/10.1007/s11023-026-09767-y>>

Lits B, 'Detecting Astroturf Lobbying Movements' (2020) 5 *Communication and the Public* 164 <<https://doi.org/10.1177/2057047320969435>>

Maynez J and others, 'On Faithfulness and Factuality in Abstractive Summarization' *Proceedings of the 58th annual meeting of the association for computational linguistics (ACL 2020)* (Association for Computational Linguistics 2020) <<https://doi.org/10.18653/v1/2020.acl-main.173>>

Mendelson NA, 'Should Mass Comments Count?' (2012) 2 *Michigan Journal of Environmental and Administrative Law* 173

Mir O, 'The AI Act from the Perspective of Administrative Law: Much Ado about Nothing?' (2025) 16 *European Journal of Risk Regulation* 63 <<https://doi.org/10.1017/err.2024.54>>

Office of the New York State Attorney General, 'Fake Comments: How u.s. Companies and Partisans Hack Democracy to Undermine Your Voice' (New York State Office of the Attorney General 2021)

Pacheco D and others, 'Uncovering Coordinated Networks on Social Media: Methods and Case Studies' *Proceedings of the international AAAI conference on web and social media (ICWSM 2021)* (2021) <<https://doi.org/10.1609/icwsm.v15i1.18075>>

Pagnoni A, Balachandran V and Tsvetkov Y, 'Understanding Factuality in Abstractive Summarization with FRANK: A Benchmark for Factuality Metrics' *Proceedings of the 2021 conference of the north american chapter of the association for computational linguistics: Human language technologies (NAACL-HLT 2021)* (Association for Computational Linguistics 2021) <<https://doi.org/10.18653/v1/2021.naacl-main.383>>

République française, 'Code Des Relations Entre Le Public Et l'administration, Articles L311-3-1 Et R311-3-1-2 (Transparence Des Décisions Individuelles Prises Sur Le Fondement d'un Traitement Algorithmique)'

Sadasivan VS and others, 'Can AI-Generated Text Be Reliably Detected?' <<https://doi.org/10.48550/arXiv.2303.11156>>

Teichmann F, 'Risk, Reasonableness and Residual Harm Under the EU AI Act: A Conceptual Framework for Proportional Ex-Ante Controls' [2026] *European Journal of Risk Regulation* 1 <<https://doi.org/10.1017/err.2025.10077>>

UK Cabinet Office and Central Digital and Data Office, 'Algorithmic Transparency Recording Standard Hub'

Wallace E and others, 'Universal Adversarial Triggers for Attacking and Analyzing NLP' *Proceedings of the 2019 conference on empirical methods in natural language processing and the 9th international joint conference on natural language processing (EMNLP-IJCNLP)* (Association for Computational Linguistics 2019) <<https://doi.org/10.18653/v1/D19-1221>>

Westminster Foundation for Democracy and POPVOX Foundation, 'How Artificial Intelligence and Large Language Models May Impact Transparency' (Westminster Foundation for Democracy 2023)

Zou W and others, 'PoisonedRAG: Knowledge Corruption Attacks to Retrieval-Augmented Generation of Large Language Models' <<https://doi.org/10.48550/arXiv.2402.07867>>



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