Lobbying in the European Union's AI Act: the role of lobbying by the big five tech companies on the Council of EU's legislative process

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"*Quis custodiet ipsos custodes?*" ~ *The Sixteen Satires* (Satire VI, lines 347-48), Juvenal

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Abstract

In a world where Artificial Intelligence (AI) increasingly integrates into every aspect of our lives, its potential to transform industries, enhance human capabilities, and shape the future of work and society grows exponentially, prompting the European Union (EU) to develop the AI Act: the first-ever comprehensive regulation aimed at ensuring ethical and safe deployment of AI technologies. The present dissertation explores the influence of lobbying by Apple, Amazon, Google, Meta, and Microsoft on the legislative process of the EU's AI Act within the Council of the EU (CoEU). The research examines how and by what means these tech giants have tried to condition the final provisions of the AI Act through lobbying efforts, focusing on their strategies, activities, and influence during the CoEU's legislative phases. The study highlights the pivotal role of lobbying in the EU legislative process, contributing to a broader understanding of corporate influence in EU policymaking, especially in regulating emerging technologies.

Key words: European Union, Lobbying, AI Act, negotiation, regulation.

Resumo

Num mundo em que a Inteligência Artificial (AI) se integra cada vez mais em todos os aspetos das nossas vidas, o potencial para transformar indústrias, melhorar as capacidades humanas e moldar o futuro do trabalho e da sociedade cresce exponencialmente, o que levou a União Europeia (EU) a desenvolver o AI Act: o primeiro regulamento do seu tipo destinado a garantir a implantação ética e segura de tecnologias de AI. A presente dissertação explora a influência do lobbying da Apple, Amazon, Google, Meta e Microsoft no processo legislativo do AI Act da EU no Conselho da EU (CoEU). A investigação examina de que modo e através de que meios estes gigantes da tecnologia tentaram condicionar as disposições finais do AI Act através de esforços de lobbying, centrando-se nas suas estratégias, atividades e influência durante as fases legislativas do CoEU. O estudo destaca o papel central do lobbying do setor digital no processo legislativo da EU, contribuindo para uma compreensão mais alargada da influência das empresas tecnológicas na elaboração das políticas públicas da EU, em especial na regulamentação das tecnologias emergentes.

Palavras-chave: União Europeia, Lobbying, AI Act, negociação, regulação.

Index

Abbreviations

Artificial Intelligence	AI
Artificial Intelligence Act	AI Act
Centre for European Policy Studies	CEPS
Chief Executive Officer	Ceo
Committee of the Regions	CoR
Corporate Europe Observatory	CEO
Council of the European Union	CoEU
Digital Markets Act	DMA
Digital Services Act	DSA
European Atomic Energy Community	EURATOM
European Coal and Steel Community	ECSC
European Commission	ECOM
European Competition Network	ECN
European Council	EUCO
European Digital Rights	EDR
European Economic Community	EEC
European Economic and Social Committee	EESC
European Parliament	EPAR
European Union	EU
European Union Transparency Register	EUTR
Economic and Monetary Union	EMU
General Data Protection Regulation	GDPR
Lobbying Disclosure Act of 1995	LDA
Members of the EPAR	MEPs
Member State	MS
Member States	MSs
Non-Governmental organisations	NGOs
Ordinary legislative procedure	OLP
Research and Development	R&D
Special Legislative Procedure	SLP
Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014	TLUK
United Kingdom	UK
United States of America	USA

Chapter 1. Introduction

Lobbying is a critical component of the European Union (EU)'s legislative process, serving as a bridge between the diversity of actors, ensuring that diverse perspectives are considered in the process of policymaking, from the governmental bodies to the civil society, and from the stakeholders to the industry. Companies usually engage in lobbying to influence policy decisions, shape legislation in ways that align with their business interests and gain a competitive advantage by ensuring favourable regulatory environments. In the EU's legislative procedures, it's no different. The tech sector, in particular, plays a significant role in this context due to its rapid growth and profound impact on the economy and society, with the EU seeking to regulate emerging technologies while the influence of tech giants grows, with the EU's Artificial Intelligence Act (AI Act) representing a legislative effort aimed at regulating AI technologies (to ensure their ethical and safe deployment). Given the potential impact of this regulation on the tech industry, the big five tech companies - Apple, Amazon, Google, Meta, and Microsoft - have engaged in extensive lobbying efforts to shape the legislation to their advantage, thus being necessary to understand the role of lobbying by the these in the AI Act (CEO, 2021 August 31; CEO, 2023 September 8; Dellis, 2023, pp. 320-21; Gorwa et al., 2024, pp. 7-9; Keane, 2020; Stoian & Tohanean, 2020 October, pp. 321-22; Tarrant & Cowen, 2022, pp. 220-21).

Public policy and lobbying have consistently been subjects of personal interest, as they offer critical insights into how decisions are made within complex political systems. Given its status as a recent piece of legislation, the subject of lobbying within the AI Act presents a timely and important area of inquiry; despite its significance in regulating emerging technologies, scholarly work on the extent and nature of lobbying in this legislative process remains limited. While some existing literature briefly touches on the presence of lobbying by major tech companies in shaping the AI Act (Axiones, 2023, November 27; Bryson, 2023; CEO, 2023 November 24; CEO, 2024 March 12; Davies, 2023 November 29; Duffy, 2024 March 12; ECOM, 2024d, pp. 9-15; Hodson, 2023 May 18; Petitjean, 2024 March 11; Tallberg et al., 2024; Tolepbergen, 2023), there are noticeable gaps in defining the specific levels at which these lobbying activities occurred, on understanding the broader implications of their involvement, and on the analysis of how lobbying efforts impacted the formulation and finalisation of key provisions in the Act. Hence, the central objective of this dissertation is to bridge these gaps by providing a comprehensive analysis of the role of lobbying in the AI Act, particularly focusing on the strategies and influence exerted by Apple, Amazon, Google, Meta, and Microsoft within the Council of the EU (CoEU). Through this investigation, we aim to contribute to a deeper understanding of corporate lobbying in EU policymaking, notably in the context of fast-evolving technological legislation.

Therefore, the present Master's dissertation investigates the influence of lobbying by Apple, Amazon, Google, Meta, and Microsoft on the legislative process of the EU's AI Act within the CoEU. The primary focus of the study is to understand how these companies' lobbying efforts impacted the amendment, and finalisation of the AI Act, within the CoEU's various legislative phases. The central research question guiding this investigation is: "What has been the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft on the CoEU's legislative process of the EU's AI Act?". To further explore this issue, the dissertation addresses two secondary research questions: "Did the lobbying efforts by Apple, Amazon, Google, Meta, and Microsoft disrupt or interfere with the legislative process of the AI Act within the CoEU?" and "Which were the most significant lobbying activities of Apple, Amazon, Google, Meta, and Microsoft in shaping the final provisions of the AI Act during the CoEU's legislative phase?". Thereby, this dissertation seeks to determine if the lobbying efforts of these tech giants disrupted or influenced the legislative process of the AI Act during the CoEU's legislative phase and aims to identify the most impactful lobbying activities by these companies. The primary goals of this research are to uncover and document the lobbying activities carried out by Apple, Amazon, Google, Meta, and Microsoft concerning the EU's AI Act, to analyse the extent to which their efforts disrupted or influenced the legislative process, and to assess how these companies' lobbying activities shaped the final provisions of the AI Act. Additionally, the study aims to identify and understand the dimensions, origins, targets, strategies, and specific lobbying activities employed by these tech companies during the CoEU's legislative phases. This research aims to provide a detailed examination of the influence exerted by Apple, Amazon, Google, Meta, and Microsoft on critical legislative processes within the EU. By exploring the lobbying activities surrounding the AI Act, this study contributes to the broader understanding of corporate influence in policymaking, highlighting the need for transparency and accountability, which findings will offer valuable insights for policymakers, scholars and the public.

The structure of this dissertation begins with an introduction outlining the background, context, research problem, questions, objectives, significance of the study, and an overview of the dissertation's organisation. Next, the literature review explores lobbying in detail, covering its origins, history, and key concepts, including actors, dynamics, methods, strategies, and objectives, concluding with an operational definition, essential for the development of the present study. Then, we will examine the regulatory frameworks for lobbying, tech lobbying in the EU, and identify research gaps through previous case studies. The methodology section follows, detailing the theoretical framework, research design, data collection methods, and analysis techniques employed in the study, then delving into the EU, offering a historical perspective, discussing its unique status as a sui generis institution, analysing the legislative process and the main bodies involved. Tech lobbying in the EU is analysed next, with a focus on the Apple, Amazon, Google, Meta, and Microsoft lobbying strategies, expenditures, followed by a comparative analysis of their practices. The Data Analysis is then discussed in detail, providing a legislative overview of the AI Act, the examination of the findings and their wider implications. Finally, the dissertation concludes with a summary of key findings and recommendations based on the research.

Based on previous research, it is evident that lobbying existed during the legislative process of the AI Act. As noted by several scholars, the role of lobbying during the legislative process of the AI Act has been a significant point of concern, particularly in shaping regulatory frameworks (Conor, 2023 November 27; Davies, 2023 November 29; Duffy, 2024 March 12; Hodson, 2023 May 18). Now, with the AI Act already published and finalised, it is possible to conduct a deeper investigation into the true extent of corporate influence, providing a more comprehensive understanding of how major tech companies have shaped the legislation and its potential long-term impact. This dissertation aims to delve deeper into comprehending the specific dimensions, origins, targets, strategies, and activities of these lobbying efforts: we recognise that lobbying played a significant role in shaping the AI Act, often prioritising the business interests of these tech giants over broader EU's regulatory objectives, in which the tangible effects of their lobbying activities were seen in the disruptions and interferences within the legislative process (Petitjean, 2024 March 11; Tallberg et al., 2024; Tolepbergen, 2023; Vranken, 2023 November 24). Building on prior academic research, this study assumes the existence and influence of lobbying and seeks to demonstrate its critical impact on the drafting and final provisions of the AI Act. The ultimate aim of this thesis is to comprehend the role lobbying has developed in this context, identifying precisely how these efforts were directed during the CoEU's phase of the legislative process. With this insight, we can move forward into the literature review, which will provide a theoretical and empirical foundation for the analysis of the lobbying activities surrounding the AI Act.

Chapter 2. Literature review

The present chapter provides a diachronic review of existing research on lobbying, focusing on its historical evolution, key concepts, and the dynamics that define its practice. Beginning with an exploration of the origins and history of lobbying, we trace its development from ancient times to its modern structured form. The chapter explores the role of lobbying in shaping policy, focusing on its actors, methods, and strategies, particularly within the context of the EU's digital sector, whose analysis is crucial for establishing the operational concept that will guide the present study. Special attention is given to the lobbying activities of major technology companies, whose influence on EU policymaking has become increasingly significant. This review aims to highlight both the complexities and challenges in defining and regulating lobbying, setting the stage for further analysis in the context of tech lobbying in the EU, first starting with the phenomenon of lobbying. Thus, next, we will delve into lobbying in greater detail, which will provide a comprehensive framework to better understand how lobbying shapes policymaking within the EU; this framework will give us the tools to comprehensively study the legislative process of the EU's digital sector and the role of lobbying in the AI Act.

2.1. Lobbying

In recent years, the role of lobbying especially in the EU's digital sector has garnered significant academic attention, driven by the rapid expansion of the digital economy and the substantial presence of major technology companies in EU policymaking processes. Meta, Apple, Google, Amazon, and Microsoft, as we will see later, have been particularly active in lobbying efforts to influence EU policies (CEO, 2023 September 8; POLITICO.eu, 2022 March 22; TechCrunch, 2021 August 31). Understanding the impact of these activities requires a discussion of the history and definition of lobbying, as well as the challenges in defining this complex concept.

2.1.1. Origins and history

The phenomenon of lobbying has roots that can be traced back to ancient times. In ancient Greece and Rome, citizens would often seek to influence political decisions: in Rome, citizens could approach senators in the forum to express their concerns and interests; similarly, in ancient Greece, citizens (or groups of citizens) would influence decisions in the Assembly (Griffin, 2007, pp. 44-47; Wiszowaty, 2021, pp. 3-4). The formal practice of lobbying as a recognised political activity began to take shape in the United Kingdom (UK), with the term 'lobby' originated during the 19th century and referring to the efforts of interest representatives who waited in the lobbies of the House of Commons to speak with parliamentarians and influence legislative decisions (Morris, 2008, pp. 23-24; Solaiman, 2023, pp. 274-

75). However, its roots go back much further. The tradition of the Lord Speaker in the House of Lords sitting on the Woolsack, a wool-stuffed cushion, has historical roots tied to the significance of the wool trade in medieval England (UK Parliament, 2024). The Woolsack was presented to the Lord Speaker as a gift by members of the wool industry which was intended to ensure that the Lord Speaker and the members of the House of Lords would remember the critical importance of the wool trade to England's economic foundation and prosperity; this symbolic gesture highlighted the deep ties between the industry and the political sphere, emphasising the industry's influence and contributions (Harris & Harris, 2005, pp. 228-30; Harvey, 1976, pp. 58-59). This action can be seen as an act of lobbying.

In the United States of America (USA), lobbying became a significant activity in the early 19th century, with the lobby of the Willard Hotel (in Washington, D.C.), often cited as a place where influential individuals would meet to discuss and influence legislative matters that were famously associated with President Ulysses S. Grant, who reportedly was approached by individuals in the hotel lobby seeking to influence his decisions (Boundary Stones, 2016 June 24; Wright, 1996, pp. 45-47). During the 19th century, lobbying began to be recognised as an essential aspect of democratic governance, which was derived from the increasing complexity of government and the rise of various interest groups; consequently, the formalisation of lobbying practices saw significant political and economic transformations, leading to a more structured approach to influencing legislation (Hasen, 2012, pp. 202-3; Thomas, 2001, p. 272). The Industrial Revolution played a crucial role in this development: as industries grew and diversified, so did the need for businesses and other organisations to protect and promote their interests within the legislative framework (Grossman, 2017, pp. 622-24). This necessity led to the emergence of more organised and systematic lobbying efforts; according to McGrath (2006), "the industrial growth and the expansion of governmental roles necessitated a more organised approach to lobbying" (McGrath, 2006, p. 214).

By the late 19th and early 20th centuries, lobbying had become a well-established practice in both the UK and the USA, with this period marking the transition from informal influence to more professional and institutionalised lobbying activities, alongside the rise of professional lobbyists, lobbying firms, and industry associations (Levine, 2009, pp. 180-81). In the UK, the institutionalisation of lobbying can be traced to various legislative reforms and the increasing involvement of business interests in politics; Grant (1995) notes that "the period saw the establishment of numerous trade associations and the professionalisation of lobbying as a response to the growing regulatory environment" (Grant, 1995, pp. 102-104; Harris & Harris, 2005, pp. 232-33). Similarly, the 20th century saw the further institutionalisation and regulation of lobbying activities, particularly in the USA, with the Federal Regulation of Lobbying Act of 1946 being one of the first comprehensive laws aimed at regulating lobbying activities (Hasen, 2012, p. 209; Holman & Luneburg, 2012, pp. 77-78). In the 21st century, similar movements towards regulating lobbying emerged, reflecting a growing global emphasis on accountability in the interaction between policymakers and interest groups, especially in the UK and EU (Keeling et al., 2017, pp. 39-40; Solaiman, 2023, pp. 278-80).

The USA, UK, and EU differ significantly in how they perceive and regulate lobbying, as we will explore later. Before, we must understand the phenomenon of lobbying, recognise the different dynamics and perspectives, and define it clearly; after, we will discuss the regulation of lobbying in more detail, especially focusing on the EU's regulations. For now, let's understand and define lobbying.

2.1.2. Concept definition

As discussed earlier, lobbying is a phenomenon with deep historical roots (Griffin, 2007, pp. 44-47). In this section, we will delve into the complexities of lobbying by examining the actors, dynamics, methods, strategies, and objectives pursued to fully grasp its intricacies.

The actors involved in lobbying are diverse, including professional lobbyists, interest groups, corporations, Non-Governmental organisations (NGOs), and even individuals; each of these actors may employ different strategies and have different objectives, which further complicates the creation of a unified definition (Greenwood & Thomas, 2004, p. 112; Mamontova et al., 2021, pp. 3-5; Pop, 2013, pp. 84-85). For instance, corporate lobbying might focus on specific legislative outcomes that benefit a company; NGOs might lobby for broader social changes; interest groups, which can range from business associations to labour unions, typically lobby to advance the collective interests of their members (Berry & Wilcox, 2009, p. 123; Coen & Richardson, 2009, pp. 172-74). Corporations may engage in lobbying to secure favourable regulatory environments or government contracts, employing strategies such as direct communication with legislators, funding research to support their positions, or mobilising public opinion through media campaigns (Holyoke, 2015, p. 89). NGOs, on the other hand, might focus on public interest (environmental protection or human rights, e.g.), using both direct and indirect lobbying methods, which may work to raise awareness among the public, build coalitions with like-minded organisations, and engage in grassroots mobilisation to apply pressure on policymakers moreover to the public interest (Bitonti, 2020, pp. 1-6; Coen & Richardson, 2009, pp. 172-74; Gorwa et al., 2024, pp. 5-6; Kollman, 1998, p. 45; Sobbrio, 2011, pp. 3-4). Private citizens can also lobby, particularly through grassroots efforts and advocacy campaigns, organising petitions, participating in protests, or directly contacting representatives, thus influencing public policy in significant ways (De Figueiredo & Richter, 2014, pp. 165-66). Professional lobbyists are often hired to use their expertise and networks to influence policymakers directly, regardless of the cause (Doe, 2021, pp. 125-29; Smith, 2020, p. 45). This array of actors, with varying objectives and strategies, adds layers of complexity to the lobbying landscape, making it arduous to encapsulate lobbying within one definition.

Lobbying encompasses a wide range of dynamics, including direct communication with policymakers, grassroots mobilisation, media advocacy, and the use of intermediaries, which extensive scope makes it challenging to formulate a definition that encapsulates all forms of lobbying without being general (Bombardini & Trebbi, 2020, pp. 393-95; Thomas & Hrebenar, 1999, p. 47). For instance, direct lobbying involves personal meetings and communication with legislators, while indirect lobbying

might include mobilising public opinion through campaigns or media influence (Smith, 2020, p. 45). Direct lobbying typically involves personal meetings and communication with legislators to influence their decisions on specific issues, which can include providing expert testimony, participating in committee hearings, and engaging in face-to-face discussions to convey the lobbyist's position, with the dynamics of these interactions often hinging on the lobbyist's ability to build relationships and trust with policymakers, leveraging their expertise and credibility to sway opinions (Berry & Wilcox, 2009, p. 123; Gorwa et al., 2024, pp. 5-6; Hojnacki, 2000, pp. 28-29; Sobbrio, 2011, pp. 3-4). Indirect lobbying, on the other hand, often involves efforts to shape public opinion and mobilise public support to influence policymakers, which can include organising public relations campaigns, using social media platforms to gather support, and leveraging traditional media to spread the message, aiming to create a groundswell of public opinion that pressures legislators to act in a particular way (Gorwa et al., 2024, pp. 5-7; Kollman, 1998, p. 45; Sobbrio, 2011, pp. 3-4; Walker, 2012, pp. 564-66). Advocacy through media can be considered as lobbying and includes writing opinion pieces, arranging media interviews, and creating advertisements to highlight specific issues; moreover, the use of intermediaries, such as professional lobbying firms or coalitions, is also common, allowing organisations to pool resources and expertise to exert greater influence; these dynamics involve strategic communication, media management, and coalition-building to amplify the lobbying effort (Baron, 2019, pp. 415-17; Holyoke, 2015, p. 89; Mykkänen & Ikonen, 2019, pp. 36-37). Furthermore, the dynamic nature of lobbying means that strategies and methods must adapt to the changing political landscape, public opinion, and technological advancements, with lobbyists remaining agile, continually assessing the effectiveness of approaches and adjusting tactics to preserve leverage. This diversity underscores the complexity of the practice and the difficulty in crafting a clear definition, with each method having its nuances and impacts, contributing to the multifaceted nature of lobbying (Baron, 2019, pp. 423-25; De Figueiredo & Richter, 2014, p. 165; Doe, 2021, pp. 123-130; Hrebenar & Thomas, 1999, p. 32; Junk, 2019, pp. 667-68).

Lobbying strategies encompass the methods and tactics used by interest groups and lobbyists to influence public policy and decision-making processes (Doe, 2020, pp. 36-39; Kollman, 1998). Next, we will look into nine commonly used strategies. First, one of the most fundamental strategies in lobbying is the provision of information, with lobbyists supplying policymakers with detailed, reliable, and timely information that can assist in the legislative process: it is crucial because it helps policymakers make informed decisions aligned with their interests (De Figueiredo, 2002, p. 127; Hall & Deardorff, 2006, pp. 72-74). On the same wave, building, establishing and maintaining relationships with policymakers is a core strategy which can involve direct interactions such as meetings, phone calls, and attending social events, to build trust and ensure that the lobbyist's perspectives are considered when decisions are made (Berry & Wilcox, 2009, pp. 58-59; Groll & McKinley, 2015, pp. 17-18). Coalition building consists of forming alliances with other interest groups that can amplify a lobbying effort and coordinating voices to present a united front on specific issues, thereby increasing their influence and reach. Coalition lobbying is particularly present in the EU, where diverse interest groups often work

together to address complex regulatory issues (Klüver, 2013, p. 74; Sorurbakhsh, 2016, pp. 212-14). Grassroots lobbying, or grassroots mobilisation, involves mobilising the general public to support a lobbying effort, which means mobilising the general public to contact policymakers and express their support or opposition to specific issues (Walker, 2014, pp. 125-6). Grassroots lobbying leverages public opinion to exert pressure on legislators by demonstrating widespread constituent support; it can include organising letter-writing campaigns, protests, and social media campaigns to demonstrate widespread public support or opposition to an issue (Walker, 2014, pp. 112-13). Grassroots lobbying can be highly effective in "democratic systems where public opinion significantly influences political decisions" (Holyoke, 2011, p. 52). Meanwhile, advocacy advertising is another effective strategy: consists of using media to influence public opinion and, indirectly, policymakers and includes running ads online, in newspapers, and on television to raise awareness and build public support for a policy position (Hall & Reynolds, 2012, pp. 890-91; Wilcox & Cameron, 2006, p. 215). Regulatory comments engaged in the regulatory process (by submitting comments during public consultations or hearings) allow lobbyists to influence the details of how laws and regulations are implemented (Holyoke, 2011, p. 65; Veksler, 2015, pp. 58-59). Legislative subsidy involves providing legislators with the resources they need to develop and promote legislation, such as drafting bills, conducting research, and mobilising support among other legislators (Drutman, 2015, p. 73; Hall & Deardorff, 2006, pp. 72-74). Another strategy is astroturf lobbying by creating the appearance of grassroots support through orchestrated campaigns that mimic genuine grassroots movements which aim to influence policymakers by showing seemingly spontaneous and widespread public support (Lits, 2020, pp. 166-67; Walker, 2014, p. 126). Finally, with the advent of digital technology, lobbying has increasingly moved online, using social media, online campaigns, and digital communication tools to reach and influence policymakers and the public (Carro & Di Mario, 2022, pp. 389-91). Coen, Katsaitis, and Vannoni (2022) highlight the growing importance of digital lobbying in the EU, where digital platforms provide new avenues for engagement and information dissemination (Coen et al., 2022, pp. 139-141). In conclusion, these lobbying strategies are multifaceted and can vary significantly based on the goals of the lobbying effort, the political context, and the stakeholders involved, with the effectiveness of each strategy relying on its alignment with the overall goals and the ability to adapt to the dynamic political environment. Whether aiming for specific legislative outcomes or broader social changes, the choice and effectiveness of the strategies depend on the goals, context of lobbying efforts, and nature of the objectives pursued by its actors (Baumgartner & Leech, 1998, pp. 136-37; Junk, 2019, pp. 667-68; Sühlsen & Hisschemöller, 2014, pp. 321-23). Therefore, this strategic diversity highlights the complexity and adaptability required in lobbying practices to achieve desired outcomes, with the effectiveness of each strategy depending on its alignment with overall goals and its ability to adapt to the dynamic political environment. With this in mind, we will explore the objectives pursued through lobbying, whose nature is crucial for understanding the phenomenon.

Lobbying efforts are typically driven by a range of objectives, depending on the interests and goals of the actors involved, which can be broadly categorised into three main areas: legislative outcomes, privileged information, and social change, which are directly linked to public and private interests (De Bruycker & Beyers, 2019, pp. 59-60; Mack, 2005, pp. 341-42). Corporations and professional lobbyists often aim for specific legislative outcomes that benefit their business interests aiming for favourable regulation that favours them, and enhances profitability and competitive advantage (Barron & Skountridaki, 2022, p. 344; Berry & Wilcox, 2009, p. 130). Companies often seek government subsidies for industries (such as agriculture, energy, manufacturing, e.g.) which can significantly impact their financial bottom line, with efforts focusing on shaping regulations to be "more business-friendly" (Hojnacki, 2000, pp. 28-29; Holyoke, 2015, pp. 89-91), with corporate lobbying being a strategic effort by companies to influence public policy and legislative outcomes in their favour (Berry & Wilcox, 2009, p. 130). Lobbyists, equipped with extensive resources and specialised knowledge, engage in various activities to secure privileged positions for their employers, who often seek access to confidential information and advocate for favourable regulatory changes, which can result in policies that benefit corporate interests over the public good, leading to a regulatory environment that caters more to the needs of businesses, potentially neglecting broader societal concerns (Berry & Wilcox, 2009, pp. 130-32; De Bruycker & Beyers, 2019, pp. 59-60; Drutman, 2015, pp. 45-47; Mack, 2005, pp. 341-42). Thus, through persistent lobbying and by leveraging influence and resources, companies can gain significant advantages and privileged information (Baumgartner et al., 2009, pp. 56-59). In contrast, NGOs and interest groups often pursue broader social objectives, lobbying for policies that advocate the public good, which normally benefits society at large (Dellis, 2023, pp. 321-22; Gryshova et al., 2019, pp. 482-83; Junk, 2016, pp. 239-40; Kollman, 1998, p. 45; Mamontova et al., 2021, p. 3). NGOs focused on human rights may lobby for legislation that protects individual freedoms, prevents discrimination, promotes social justice and ensures equal treatment under the law (De Figueiredo & Richter, 2014, p. 168; Greenwood & Thomas, 2004, p. 115; Junk, 2016, pp. 239-40). These social objectives often align with the broader public interest, aiming to create positive change, with the efficiency of lobbying efforts varying on the political climate, support, resources available, amongst other causes (Bitonti, 2020, pp. 1-6; Gryshova et al., 2019, pp. 482-83; Sühlsen & Hisschemöller, 2014, pp. 321-22; Thomas & Hrebenar, 1999, p. 50).

As seen here, lobbying efforts are driven by a variety of objectives that can be categorised as either public or private goals (Dellis, 2023, pp. 321-22; Gryshova et al., 2019, pp. 482-83; Kollman, 1998, p. 45). On the other hand, private goals are usually specific legislative outcomes that benefit particular entities, such as corporations seeking tax breaks, subsidies, or favourable regulations, with corporate lobbyists using their substantial resources and expertise to influence policies in ways that prioritise business interests, sometimes at the expense of broader public concerns (Berry & Wilcox, 2009, pp. 128-30; Doe, 2021, pp. 125-29). The pursuit of these diverse goals, ranging from specific legislative outcomes sought by corporations to broader social changes advocated by NGOs, underscores

the multifaceted nature of lobbying, its significant impact on public policy and decision-making processes, and the complexity of the practice (Holyoke, 2015, p. 89; Kollman, 1998, p. 45; Sühlsen & Hisschemöller, 2014, pp. 321-22). This variety in goals and strategies contributes to the difficulty in formulating a unified definition of lobbying, as it must encompass a wide array of activities and actors (Thomas & Hrebenar, 1999, p. 47). Thus, the involvement of different stakeholders and bodies, each with distinct methods and aims, further complicates this task, making it challenging to capture the full scope of lobbying within a single, comprehensive definition. Therefore, it is essential to define lobbying and navigate its associated challenges.

Next, we will explore the challenges associated with this process and examine the various definitions of lobbying, which differ based on the level, perspective, and environment, making it challenging to establish a solid and comprehensive definition of lobbying. Defining lobbying is inherently challenging due to the multiple perspectives and dimensions it encompasses; because lobbying, as shown before, involves a wide range of activities aimed at influencing public policy and decision-making processes, which can vary significantly depending on the context, the actors involved and the methods used (Bombardini & Trebbi, 2020, pp. 393-95; Thomas & Hrebenar, 1999, p. 47). Binderkrantz and Bitonti (2022) highlight that lobbying encompasses various strategies and actions, including direct interactions with policymakers, organising public relations campaigns, and mobilising grassroots efforts, which diversity in activities and approaches underscores the complexity and multifaceted nature of lobbying, making it challenging to pin down a single comprehensive definition (Binderkrantz & Bitonti, 2022a, pp. 2-5). The context in which lobbying takes place can significantly affect its definition; in different political systems and regulatory environments, lobbying practices and their perceived legitimacy can vary widely. Baumgartner and Leech (1998) note that lobbying in the American context often involves substantial financial contributions to political campaigns, which may not be as prevalent or legally permissible in other regions such as the EU (Baumgartner & Leech, 1998, pp. 23-24). Different countries and jurisdictions have varying interpretations and regulations regarding lobbying: what is considered lobbying in one country may not be recognised as such in another due to differing legal, political, and cultural contexts. In some countries, certain lobbying activities might be deemed legitimate advocacy, while in others, the same activities might be seen as undue influence or even corruption, thus the perceived legitimacy of lobbying often depends on the context and regulatory framework of a given jurisdiction (Binderkrantz & Bitonti, 2022b; Chari et al., 2019, pp. 215-16; Durkee, 2018, pp. 1745-46). Lobbying often occurs behind closed doors, making it difficult to track and regulate, which lack of transparency and varying levels of disclosure (required by law in different jurisdictions) add to the complexity of defining and regulating lobbying activities: some jurisdictions, e.g., may require detailed disclosure of lobbying activities and expenditures, while others may have minimal or no disclosure requirements, leading to differences in how lobbying is perceived and managed (Hogan et al., 2015, p. 334; Herrnson, 1998, pp. 38-39). The methods and strategies used in lobbying are continually evolving, particularly with the advent of digital technologies and social media;

nowadays, lobbying can encompass sophisticated data analytics, targeted online advertising, and social media campaigns; the digital and cybernetic domains were not part of traditional lobbying practices (Chari et al., 2019, pp. 215-16; Mack, 2005, pp. 341-42). Coen, Katsaitis, and Vannoni (2022) highlight the importance of digital communication and the role of information technology in modern lobbying practices within the EU (Coen et al., 2022, pp. 139-41). The diverse goals and motivations of lobbying further contribute to the difficulty in defining the term (Mack, 2005, p. 345). Lobbying efforts can be aimed at influencing legislation, shaping regulatory policies, or even altering public perception and media narratives (Kollman, 1998). Berry and Wilcox (2009) describe lobbying as involving a variety of efforts by interest groups to articulate interests and persuade government officials, including direct and indirect methods (Berry & Wilcox, 2009, p. 135).

In sum, the complexity and variability of lobbying practices, coupled with different political and regulatory contexts and the continuous evolution of lobbying strategies, contribute to the lack of a clear, universally accepted definition. Consequently, the dynamic nature of lobbying necessitates a flexible and comprehensive approach to understanding its various forms and impacts. As Chari, Hogan, and Murphy (2019) note, "The diverse and evolving nature of lobbying practices makes it difficult to establish a static definition that remains relevant across different contexts and periods" (Chari et al., 2019, p. 215). Thomas and Hrebenar (1999) also emphasise that "the differing political and regulatory contexts across jurisdictions contribute to a variety of definitions and perceptions of lobbying" (Thomas & Hrebenar, 1999, p. 47). Additionally, Herrnson (1998) discusses how lobbying practices have evolved with advancements in technology and the rise of digital communication strategies, making traditional definitions of lobbying "increasingly obsolete" (Herrnson, 1998, pp. 42-43). Therefore, given these complexities and challenges in defining lobbying, a multitude of definitions have emerged. In the following section, we will look into several definitions proposed by academics to better understand the multifaceted nature of lobbying, highlighting the diverse perspectives and dimensions that characterise lobbying practices across different contexts.

2.1.2.A. Scientific definitions

As seen in the previous subsection, the concept of lobbying is inherently complex and multifaceted, leading to the absence of a clear, universally accepted definition. This ambiguity stems from several factors, including the diverse methods and strategies employed by lobbyists, the varying contexts in which lobbying occurs, and the evolving nature of political and economic landscapes, which necessitates different perspectives for defining the term. As noted by Binderkrantz and colleagues, the varied strategies and evolving nature of lobbying underscore the need for a flexible and comprehensive approach to understanding its many forms and impacts (Binderkrantz et al., 2022b). Therefore, it is necessary to explore several definitions of lobbying proposed by scholars to gain a comprehensive understanding. We will provide several examples of definitions by academics.

Lobbying is defined as the activities of interest groups aimed at influencing public policy by providing information to policymakers (Klüver, 2013, p. 15). Klüver highlights how lobbying involves organised groups working to shape legislation through strategic dissemination of information. Similarly, Baumgartner et al. (2009) describe lobbying as efforts by individuals or groups to persuade legislators to enact legislation that would benefit them or their causes (Baumgartner et al., 2009, pp. 21-22), emphasising the persuasive aspect of lobbying aimed at legislative outcomes. Coen, Katsaitis, and Vannoni (2022) define lobbying as the act of attempting to influence the decisions of government officials, most often legislators or members of regulatory agencies (Coen et al., 2022, pp. 139-141), underscoring the direct interaction between lobbyists and government officials. Milbrath (1960) describes lobbying as all attempts to influence legislators and officials, whether by other legislators, constituents, or organised groups (Milbrath, 1960, p. 8), with this broad definition encompassing various actors involved in lobbying efforts. According to Thomas and Hrebenar (2008), lobbying is any activity carried out to influence a government's policies and decisions in favour of a specific cause or outcome (Thomas & Hrebenar, 2008, p. 32), highlighting the goal-oriented nature of lobbying activities. Berry and Wilcox (2008) define lobbying as the process by which individuals and groups articulate their interests to government officials to influence public policy (Berry & Wilcox, 2009, pp. 34-35), with this definition accentuating communication and advocacy. For Holyoke (2011), lobbying involves the communication of information and policy preferences to policymakers in an attempt to shape legislation and public policy (Holyoke, 2011, p. 48), focusing on the informational aspect of lobbying. Baumgartner and Leech (1998) define lobbying as the act of seeking to influence decisions made by officials in the government, often through direct interaction or communication with legislators and their staff (Baumgartner & Leech, 1998, pp. 23-24), focusing the direct nature of lobbying activities.

According to Lowery and Brasher (2004), lobbying is defined as activities that aim to influence public officials and the policies they enact, including activities like direct communication, campaign contributions, public relations efforts (Lowery & Brasher, 2004, p. 56), covering a wide range of lobbying activities. Hojnacki and Kimball (1998) describe lobbying as efforts by interest groups to influence public policy through advocacy, including providing expertise and information to lawmakers and mobilising public opinion (Hojnacki & Kimball, 1998, pp. 781-85), asserting the multifaceted strategies used in lobbying. Hall and Deardorff (2006) define lobbying as the various methods and strategies used by individuals and organisations to persuade government officials to adopt policies favourable to their interests (Hall & Deardorff, 2006, pp. 73-75), emphasising the strategic nature of lobbying. Cigler and Loomis (1995) describe lobbying as any attempt by individuals or private interest groups to influence the decisions of governments, by presenting information, arguments, or pressure (Cigler & Loomis, 1995, p. 98), enhancing lobbying's persuasive and informational aspects.

The definitions of lobbying provided by various scholars collectively highlight the multifaceted nature of lobbying, emphasising the role of information provision, persuasion efforts, and attempts to influence policy decisions at various governmental levels. However, the distinctions arise from the

emphasis placed on different aspects of lobbying activities, strategies employed, and context in which lobbying occurs. On the scope of activities, Klüver (2013) focuses lobbying as the activities of interest groups aimed at influencing public policy through the provision of information (Klüver, 2013, p. 15), emphasising the informational aspect of lobbying; Baumgartner et al. (2009) and Baumgartner & Leech (1998) highlight the persuasive efforts by individuals or groups to influence legislators directly (pp. 21-22; pp. 23-24), punctuating direct interaction with policymakers; Holyoke (2011) and Berry & Wilcox (2009) define lobbying more broadly, including both direct and indirect methods of articulating interests to influence public policy (p. 48; p. 35). On the actors involved, Coen, Katsaitis, and Vannoni (2022) emphasise the role of business and regulatory agencies, focusing on the interactions between lobbyists and government officials (Coen et al., 2022, pp. 139-141); Milbrath (1960) includes a wide range of actors, such as legislators, constituents, and organised groups (Milbrath, 1960, p. 8), broadening the scope of who can be considered lobbyists. On the methods and strategies, Thomas & Hrebenar (2008) define lobbying as any activity aimed at influencing policies and decisions, which can include direct communication, campaign contributions, public relations efforts (Thomas & Hrebenar, 2008, p. 32); Lowery & Brasher (2004) and Hojnacki & Kimball (1998) emphasise the variety of methods used, such as providing expertise, mobilising public opinion, and advocacy (p. 56; pp. 781-85); and Hall & Deardorff (2006) specifically mention the strategic aspect of lobbying, referring to it as a legislative subsidy (Hall & Deardorff, 2006, pp. 73-75). Regarding communication, Holyoke (2011) and Cigler & Loomis (1995) stress the importance of communication in lobbying, whether through presenting information, arguments, or pressure (p. 48; pp. 98-99); Baumgartner & Leech (1998) and Baumgartner et al. (2009) also highlight communication but with a specific focus on interactions with legislators and their staff (pp. 23-24; pp. 21-22). On policy influence, Klüver (2013), Thomas & Hrebenar (2008), and Holyoke (2011) point out shaping public policy through information dissemination and dialogue (p. 15; pp. 31-32; p. 48); Berry & Wilcox (2009) and Lowery & Brasher (2004) focus on the lobbying policies through advocacy and communication (p. 35; p. 56).

2.1.2.B. Definitions of legislation

Furthermore, the definitions of lobbying according to UK, USA, and EU legislations address the influence of lobbyists on policy and decision-making: the UK's Transparency of Lobbying Act, the USA's Lobbying Disclosure Act, and the EU's mandatory Transparency Register all aim to regulate lobbying activities and enhance public trust in the legislative process, by mandating registration and disclosure of lobbying efforts, inherently different from one another (EUR-Lex, 2021, p. 3; Hogan et al., 2020, p. 102; Legal Information Institute, 2023; Ruzin, 2024, pp. 167-69). With all three legislations differing in scope and application, refer to *Attachment A* for an enhanced insight of these regulations.

Thus, in our perspective, the wide array of definitions for lobbying highlights the need for an operational concept that reflects the varying perspectives on what lobbying entails, ranging from

advocacy and persuasion to influence and negotiation. To effectively study lobbying, a standardised, clear definition is essential, allowing for consistent application and understanding across different contexts and sectors, focusing on the EU's tech sector.

2.1.2.C. Operational concept

As seen before, the digital sector, characterised by rapid technological advancements and significant economic impact, has become a critical area of policymaking within the EU, in which the influence of major technology companies on EU legislative processes has raised important questions about transparency, accountability, and the balance of power in regulatory frameworks (Hale, 2008, pp. 75-76; Misuraca et al., 2012, S121). Understanding the lobbying activities of these companies is essential for ensuring that legislative outcomes align with the public interest and democratic values, where the digital sector, with its rapid growth and profound impact on policymaking, presents unique challenges that traditional lobbying regulations may not fully address (Bitonti, 2020, pp. 2-5; Coen et al., 2022, pp. 139-40; EUR-Lex, 2021, pp. 3-5; Sampson, 2017). Digital lobbying can include a wide range of activities from direct online communication with policymakers to sophisticated data-driven public campaigns aimed at shaping public opinion and policy outcomes (Carro & Di Mario, 2022, pp. 389-91; Hogan et al., 2020, p. 89). In addition, as seen before, the several definitions and frameworks for lobbying in the USA, UK, and EU, highlight the strategies, contexts, and dynamic nature of lobbying.

In our perspective, none of the previous definitions are wrong, but all are incomplete. Given the complexities in finding a proper definition that suits the needs of this study, it is imperative to establish a definition that can encompass the studies and objectives of this investigation; thus, developing a clear and comprehensive concept of lobbying is vital. An operational concept will allow a more transparent lens, by providing a standardised framework that captures and ensures that all forms of digital lobbying are transparently disclosed and ethically conducted; additionally, it will support further academic research by offering a clear and consistent basis for examining the evolving practices of digital lobbying in the EU. Thus, we will create an operational concept of lobbying, which will be the foundation of our investigation on the role of lobbying by the big five tech companies in the AI Act's legislative process.

Hence, Lobbying, in the context of the digital sector within the EU legislative process, is defined for this investigation as:

> *The strategic efforts by technology companies to influence policymaking and regulatory decisions through a variety of direct and indirect activities, which aim to shaping legislative outcomes to favour their business interests and technological innovations, while also considering the broader public and ethical implications of digital advancements.*

For this study, direct lobbying activities encompass engaging directly with EU policymakers, including members of the ECOM, EPAR, and CoEU, which may include one-on-one meetings, phone calls, and email communications; additionally, tech companies could often provide expert testimonies

and participate in public hearings or consultations organised by EU institutions to assert their viewpoints and offer specialised knowledge. Indirect lobbying activities include organising media campaigns, social media advocacy, and public relations efforts to shape public opinion and create a favourable environment for policy change. Forming alliances with other companies, industry associations, and civil society organisations is another crucial aspect, as it helps to create a united front on specific policy issues, amplifying lobbying efforts. An important facet of lobbying involves the provision of information and research to policymakers, which may be done through the production and dissemination of research reports, papers, and policy briefs that provide data and arguments supporting the company's position on specific legislative issues (De Figueiredo, 2002, p. 127; Gorwa et al., 2024, pp. 5-6; Hall & Deardorff, 2006, pp. 72-74). Tech companies also can offer technical expertise and detailed information to policymakers, aiding their understanding of complex tech matters; financial and in-kind contributions are also significant components of lobbying, which may include financial contributions to political campaigns, think tanks, and NGOs that support policy positions aligned with the company's interests. Digital lobbying represents a modern evolution in lobbying practices, with tech companies utilising digital platforms, to engage directly with the public and policymakers; these actors can employ data-driven strategies to target key stakeholders effectively. Sophisticated data analytics are used to monitor policy developments, track public opinion, and tailor lobbying efforts to maximise impact, demonstrating a high level of strategic planning and execution (Carro & Di Mario, 2022, pp. 389-91; Coen et al., 2022, pp. 139-141; Dellis, 2023, pp. 343-44; Hogan et al., 2020, p. 89). Therefore, regulatory compliance and transparency are critical to the ethical conduct of lobbying activities.

This operational concept provides a comprehensive framework for analysing the lobbying activities of tech companies within the EU legislative process. Through incorporating both direct and indirect lobbying efforts, as well as the specificities of digital advocacy, it captures the multifaceted nature of modern lobbying practices in the digital sector. We can apply this framework to investigate specific legislative initiatives, as we will see later, on the AI Act, to assess the influence of tech lobbying and evaluate the effectiveness of lobbying efforts in shaping legislative decisions and broader implications for public policy and democratic governance: this will provide nuanced insights into the role of tech companies in the EU legislative process. By utilising this operational concept, our study can be provided with substantial evidence to prove that tech companies actively engage in lobbying within the EU legislative process, contributing to a better understanding of how digital lobbying impacts the regulatory landscape and shapes policy outcomes, thereby enhancing transparency.

2.1.3. Regulation

Next, we will explore lobbying regulation in the EU, focusing on its role in ensuring transparency in the political process, and maintaining democratic integrity, particularly in the context of tech companies' efforts.

As seen before, lobbying involves advocacy efforts by individuals or groups to influence public policy, often seen as promoting private interests (Hojnacki & Kimball, 1998, pp. 781-85; Klüver, 2013, p. 15; Lomax, 2019, p. 45; Lowery & Brasher, 2004, p. 56; Sampson, 2017, p. 112; Sobbrio, 2011, pp. 3-4). However, distinguishing between private and public interest is a challenge, as what constitutes the "public interest" remains contested; while private interests serve specific groups, lobbying for common or public interests aims to represent broader societal concerns; nonetheless, the perception that lobbying exclusively promotes private gain persists, overshadowing efforts geared toward the public good. Moreover, the definition of "public interest" is ambiguous, and subject to varying interpretations based on political, economic, and cultural contexts (Berry, 1999, pp. 41-45; Bitonti, 2020, pp. 1-7; Greenwood, 2011, pp. 26-30). Lobbying regulation is crucial for transparency, mitigating the risks of undue influence, corruption, and eroding public trust in government (EPAR, 2019, pp. 14-15; Gorwa et al., 2024, pp. 7-9; Hasen, 2012, pp. 209-10; Thomas & Hrebenar, 1999, p. 47). Effective regulation requires clear disclosures of lobbying activities, enabling the public to monitor influence on policy decisions (Hogan et al., 2015, pp. 334-35). Historical context reveals that formal lobbying practices emerged as governments became more complex, leading to legislative efforts to regulate this activity (Griffin, 2007, pp. 44-47; Holman & Luneburg, 2012, p. 77; Wiszowaty, 2021, pp. 3-4). In the US, lobbying is regulated by the LDA, which mandates lobbyists to register and report activities, ensuring transparency in communication with government officials (2 U.S.C. § 1602, p. 4; Holman, 2006). The UK's TLUK establishes a lobbying register, focusing on consultant lobbyists who must disclose clients and activities (Grant, 2014, p. 67; Solaiman, 2023, pp. 270-71; UK Public General Acts, 2014, pp. 3-4).

Meanwhile, the EU's approach to lobbying regulation reflects its unique multi-level governance structure, commitment to transparency and ethical standards in policymaking. The EUTR, established by the Interinstitutional Agreement in 2011, is a crucial instrument in this context; it aims to enhance the transparency and accountability of lobbying activities within EU institutions and foster public trust (Alemanno, 2017; Bitonti, 2020, pp. 5-6; Coen & Richardson, 2009, p. 45; Greenwood, 2011, p. 135; Ruzin, 2024, pp. 167-69). According to the EUTR "Lobbying is defined as all activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions" (EUR-Lex, 2021, pp. 3-4). The EUTR encompasses a wide range of activities intended to "monitor" the formulation and implementation of policy and decision-making processes: direct interactions with policymakers, contributions to public consultations, communication campaigns, detailed disclosure of lobbying activities, expenditures, and entities represented. The register intends to promote transparency and mitigate the risk of undue influence on EU policymaking (EUR-Lex, 2021, pp. 3-7; EPAR, 2024). The EU's emphasis on transparency and ethical conduct is further reinforced by the Code of Conduct for registered lobbyists, which outlines clear principles and standards for ethical behaviour - it includes commitments to integrity, openness, honesty, respect for democratic institutions and processes; besides, the EU's regulatory framework encourages voluntary compliance, aiming to cultivate a culture of transparency among lobbyists and

interest representatives (Alemanno, 2017; Bitonti, 2020, pp. 1-6; Chari et al., 2019, pp. 87-89; Coen & Richardson, 2009, p. 45; EPAR, 2024; Ruzin, 2024, pp. 167-69).

In sum, the regulatory frameworks in the US, UK, and EU share common goals of enhancing transparency but differ in scope, definitions, and enforcement mechanisms, reflecting their unique political and cultural contexts. While all three systems aim to regulate lobbying to maintain democratic integrity, their approaches reflect the distinct challenges and needs of their political environments. The EU's regulatory framework, EUTR, is shaped by its complex multi-level governance structure, which requires lobbyists to register and disclose activities, expenditures, and the entities represented, aims to enhance the transparency and accountability of lobbying activities within EU institutions, fostering public trust and trying to ensure that policy decisions are made in the public interest. The effectiveness, or lack thereof, of the EUTR sets the stage for further exploration of lobbying in the EU's tech sector.

2.2. Tech lobbying in the EU

Lobbying in the EU has evolved significantly since the establishment of the European Economic Community (EEC) in 1957. Initially, lobbying activities were relatively limited, reflecting the nascent stage of the European integration process and the comparatively modest scope of the EEC's powers. During the 1960s and 1970s, lobbying primarily focused on agricultural policies, given the prominence of the Common Agricultural Policy within the EEC's agenda, with the 1980s marking a turning point in the history of lobbying in the EU, largely driven by the implementation, in 1986, of the Single European Act and the deepening of European integration. The expansion of the EU's competencies and the push towards a single market created a more complex regulatory environment, prompting a surge in lobbying activities as businesses and interest groups sought to influence the shaping of new policies. In 1992, the Maastricht Treaty established the EU and introduced significant institutional reforms, in which the creation of new policy areas, expanded the scope of issues subject to EU regulation, thereby attracting a wider array of interest groups (Bouwen, 2002, pp. 369-75; Cini, 1996, pp. 17-22; Hoetjes, 1997, p. 31; Mazey & Richardson, 2006, pp. 229-33; McGrath, 2008, pp. 17-20; Pop, 2013, p. 83).

Today, lobbying in the EU is a highly structured and professionalised activity, involving a diverse array of actors, including businesses, industry associations, NGOs, think tanks, and consultancy firms. The Brussels lobbying scene is often compared to that of Washington, D.C., due to its complexity and the significant resources invested in influencing EU policy, with the European Commission (ECOM), the European Parliament (EPAR), and the Council of the European Union (CoEU) the main targets of lobbying in the EU (Bank et al., 2021 August; Coen, 2009, pp. 149-53; Coen & Richardson, 2009, pp. 14-18; Mack, 2005, pp. 341-42). The ECOM, with its exclusive right to propose legislation, is a primary focus for lobbyists aiming to shape policy proposals at the earliest stage; the EPAR is a critical institution for lobbying efforts, given the need for legislation to gain parliamentary approval;

and the CoEU, representing Member States (MSs), is a crucial target, as it co-legislates with the EPAR on most EU policies (Beyers et al., 2018, pp. 422-26; Greenwood, 2011, pp. 120-24; Hix & Høyland, 2011, pp. 159-63; Klüver et al., 2015, pp. 449-50).

In response to concerns about the influence of lobbying and the need for transparency, the EU has implemented various regulatory measures, with the EUTR as one of the main mechanisms, aiming to enhance transparency and accountability, although it has faced criticism for its voluntary nature and the variability in the quality of disclosures (Alemanno, 2017; Coen & Richardson, 2009, p. 45; ECOM, 2011, pp. 2-11; Rasmussen & Carroll, 2014, pp. 117-21; Ruzin, 2024, pp. 167-69). On the same vector, lobbying strategies in the EU have become increasingly sophisticated, reflecting the complexity of the decision-making process: direct lobbying, involving meetings with EU officials and participation in public consultations; interest groups engaging in coalition-building and forming alliances with other stakeholders to amplify influence; public relations campaigns, research papers, policy reports, and grassroots mobilisation are also employed to shape public opinion and indirectly influence policymakers (Andersen & Eliassen, 1995, p. 427; Eising, 2007, pp. 385-89; Klüver et al., 2015, pp. 452-54; Mahoney, 2008, pp. 104-8). However, despite efforts to regulate lobbying and enhance transparency, several challenges and concerns remain about the disproportionate influence of well-resourced business interests compared to less well-funded civil society groups. Moreover, the revolving door phenomenon, where former EU officials (or relatives) take up jobs in the private sector, raises questions about potential conflicts of interest and the integrity of the policymaking process (Chari et al., 2019, pp. 66-69; Dinan, 2020, pp. 198-202; Gorwa et al., 2024, pp. 3-9; Klüver et al., 2015, p. 458).

Tech companies have become some of the most prominent and influential lobbyists in the EU, with strategically tailored activities to influence a wide array of policies, from data protection and privacy to competition law and digital market regulations (Coen, 1998, p. 79; Coen, 2009, 151; Stoian & Tohanean, 2020 October, pp. 321-22). Tech companies have had direct interaction with Members of the EPAR (MEPs), ECOM officials, and CoEU representatives; often employ in-house lobbyists and hire external consultancy firms to establish and maintain crucial connections, through meetings, policy briefings, participation in public consultations, presenting their positions and interests on proposed legislation, seeking to shape policy outcomes in their favour (Coen, 1997, pp. 95-99; Gorwa et al., 2024, pp. 5-6; Klüver et al., 2015, pp. 452-54; Mahoney, 2008, pp. 104-8). For instance, Google and Meta have been known to hold frequent meetings with EU officials to discuss regulations affecting digital advertising and data privacy, to ensure presence in the drafting and amendment stages of legislative proposals (Botta & Wiedemann, 2019, pp. 432-34; CEO, 2019, pp. 3-8; Gorwa et al., 2024, pp. 7-8; Haeck et al., 2024 May 31; Hancock & Folkman, 2024 March 25; Peukert et al., 2022, pp. 752-53). Likewise, tech companies often form coalitions with other businesses, industry associations, and interest groups to amplify lobbying efforts, with these presenting a unified stance on specific issues, making their lobbying more effective. To illustrate, the DigitalEurope Association, in which Apple, Amazon, and Microsoft are members, represents the collective interests of the tech industry on issues such as

digital economy regulations and innovation policies. Coalition building allows tech companies to pool resources, share expertise, and present a stronger, more coordinated front when lobbying EU institutions; this approach can be influential during public consultations and in the preparation of joint position papers and policy recommendations (CEO, 2022 April 23; Clemons et al., 2022, pp. 461-68; Dellis, 2023, pp. 323-25; DigitalEurope, 2021, pp. 2-7; Haeck et al., 2024 May 31; Kreutler, 2015; Lombardi, 2022 March 22; Sorurbakhsh, 2016, pp. 212-14; Wheaton, 2024 February 29).

Tech sector companies frequently collaborate with think tanks and research institutions to produce studies and reports that support their policy positions, with these being used to provide empirical evidence and expert opinions that can sway policymakers and public opinion. By funding research and sponsoring events, tech companies can shape the policy discourse and highlight the economic and social benefits of preferred regulatory frameworks. For instance, Microsoft has funded research on cybersecurity and data protection, aiming to influence discussions on the General Data Protection Regulation (GDPR) and other related policies, helping tech companies frame lobbying arguments within a broader context of innovation and economic growth, hence influencing its decisions (CEO, 2023 November 24; Dellis, 2023, pp. 323-25; Greene, 2019; Greenwood, 2011, pp. 135-41; Li, 2021; Pautz, 2018, pp. 82-87; Stolton, 2022 December 8). Moreover, public relations and advocacy campaigns are another crucial element of tech companies lobbying strategies, often involving media, social networks, and other platforms to shape public opinion and create a favourable environment for their policy goals. By engaging in public debates, sponsoring events, and launching awareness campaigns, tech companies can build public support for their positions and apply indirect pressure on policymakers. A notable example is the campaign against the EU's proposed Digital Services Act (DSA), where Meta and Amazon used extensive media outreach and public messaging to argue against certain provisions they deemed overly restrictive (Dellis, 2023, pp. 323-25; EDR, 2020, pp. 3-8; Klüver, 2013, pp. 210-15; Li, 2021; Popiel, 2018, pp. 568-72; Stemler, 2018, p. 105). Grassroots mobilisation, as seen before, involves rallying support from the general public and stakeholders to influence policy decisions, with tech companies using their platforms to mobilise users, employees, and partners to advocate for or against specific regulations; it is effective in creating a groundswell of public opinion that aligns with the company's policy objectives. For instance, during the debates over the GDPR, Google and Meta encouraged their users to participate in consultations and express their views to MEPs. Thus, by leveraging their vast user bases, these companies can generate significant public pressure on policymakers (Birnbaum, 2022, January 4; Carro & Di Mario, 2022; Goujard, 2023 July 4; Li, 2021; Mahoney, 2008, pp. 117-23; Rodriguez, 2021, pp. 47-51).

Given the role of the CoEU in the legislative process, tech companies also engage in lobbying at the national level, lobbying through national governments; by pressuring and influencing national government members, tech companies can shape the positions these governments take in CoEU negotiations, ensuring tech companies' interests are represented. For example, companies like Apple and Microsoft have lobbied national governments of several MSs to advocate for favourable tax policies and

digital market regulations, allowing them to leverage national political dynamics to influence EU-wide decisions (CEO, 2022 April 23; Eising, 2007, pp. 388-93; Gorwa et al., 2024, pp. 7-9; Goujard, 2022 October 14; Popiel, 2018, pp. 567-69; Stolton, 2022 May 17).

2.3. Case studies and research gaps in existing literature

Previous research and case studies on tech lobbying provide critical insights into the strategies, impacts, and ethical considerations associated with the efforts of major technology companies to influence public policy in the digital sector (CEO, 2023 March; Dellis, 2023, pp. 343-44; Gorwa et al., 2024, pp. 7-9). In this section, we delve into five recorded cases of lobbying activities by tech companies within the EU, highlighting the strategic efforts by these to influence regulatory frameworks and policies that impact their business operations. We will explore how Google, Meta, Amazon, Apple, and Microsoft have each engaged in lobbying activities, focusing on their interactions with policymakers, and the outcomes of their lobbying efforts, focusing on Google and the GDPR, Meta and the DSA, Amazon and competition policy, Apple and tax policy, and Microsoft and antitrust regulations.

The GDPR, which was published in 2016 and came into effect in 2018, is one of the most significant regulatory frameworks impacting tech companies operating within the EU, and intending to regulate data privacy and protection (EU, 2018; European Parliament and CoEU, 2016; GDPR.eu., 2024). Google, recognising the potential impact of GDPR on its business model, invested heavily in lobbying activities to influence the regulation's provisions, engaged in extensive direct lobbying efforts with key policymakers within the ECOM, the EPAR, and the CoEU, sought to mitigate the regulation's impact on its data-driven advertising business, by lobbying for provisions that would allow for more flexible interpretations of consent and data processing. Google's representatives held numerous meetings with MEPs and ECOM officials to advocate for less restrictive rules on data portability and pseudonymisation, arguing that such measures would balance privacy protection with innovation and economic growth. In addition to direct lobbying, Google-funded research to support its positions on data protection, sponsoring studies on the economic benefits of data-driven advertising and the technical feasibility of pseudonymisation and data portability; these funded studies were aimed at providing empirical evidence to policymakers, showcasing the potential negative economic impacts of overly restrictive data regulations, and its findings were cited in policy debates and consultations, helping to shape the narrative around GDPR (Ammann, 2021, pp. 240-42; Christensen, 2020, pp. 134-41; Gorwa et al., 2024, pp. 3-5; Laurer & Seidi, 2021, pp. 261-64; Rossi, 2018, pp. 214-19; Scott et al., 2019 May 22). Google launched public relations campaigns to highlight the benefits of digital advertising and the company's commitment to data privacy, which included media outreach, public statements, and participation in industry forums and conferences. By promoting its privacy initiatives and compliance efforts, Google aimed to build public trust and reduce regulatory pressure (EDR, 2020, pp. 4-12; Goujard, 2023 July 4). Although the GDPR was enacted with stringent data protection measures,

Google's lobbying efforts were not entirely without success with the final regulation including provisions that allowed for data portability and certain allowances for pseudonymised data, which, in the end, aligned with Google's lobbying positions. In sum, due to its lobbying efforts, the final provisions of the document provided a degree of flexibility that allowed Google to continue its data-driven business model while complying with the new regulatory framework (Brook, 2022 December 28; Christensen, 2020, pp. 134-39; CEO, 2021 August 30; Gorwa et al., 2024, pp. 7-9; Jovanovic, 2020; Laurer & Seidi, 2021, pp. 269-73; Marelli et al., 2021; Rossi, 2018, pp. 214-19).

The DSA, proposed by the ECOM in 2020, aimed to create a safer digital space by establishing a framework for the regulation of online content and services (EPAR and CoEU, 2022). Meta, with its vast social media platform, was a significant player in lobbying efforts related to the DSA; its lobbying efforts involved significant financial investments in direct engagement with EU policymakers. In addition, Meta held numerous meetings with MEPs, ECOM officials, and CoEU's national representatives to advocate for a balanced approach, protecting free expression while addressing harmful content online (Bank et al., 2021 August; Coroado, 2023, pp. 15-16; EDR, 2020, pp. 4-15; Gorwa et al., 2024, pp. 11-13). Meta's lobbyists argued that stringent content regulations could stifle innovation and disproportionately impact smaller platforms, launching extensive public relations campaigns to shape public opinion and influence policymakers, which included advertisements, social media posts, and participation in public debates and forums, emphasising its efforts to combat misinformation and protect user privacy, seeking to position itself as a responsible actor in the digital space (Bayer et al., 2020, pp. 50-63; CEO, 2021 July 13; Gorwa et al., 2024, pp. 13-16). To support its lobbying efforts, Meta funded think tanks and research institutions to produce favourable research on content regulation and free expression, which provided data and policy recommendations that aligned with Meta's positions, helping to influence the legislative process (Cini & Czulno, 2022, pp. 46-48; Coroado, 2023, pp. 14-16; Gorwa et al., 2024, pp. 17-18; Rodriguez, 2021, pp. 52-61). The draft of the DSA reflects some of Meta's lobbying positions, concerning the regulation of online content and the responsibilities of digital platforms. The proposed legislation incorporates mechanisms for content moderation that consider both user rights and platform responsibilities, which reflects Meta's advocacy for regulations that do not excessively burden digital platforms while ensuring user protection (Arcila, 2024 May 2; Bayer et al., 2020, pp. 50-63; Cini & Czulno, 2022, pp. 49-51; CEO, 2021 August 30; Duch-Brown et al., 2021, pp. 111-16; Gorwa et al., 2024, pp. 15-17; Rodriguez, 2021, pp. 52-61).

Amazon, as one of the largest e-commerce platforms globally, has been heavily involved in lobbying efforts concerning EU competition policy, which has led to several antitrust investigations (launched by the ECOM) into Amazon's business practices, notably for its use of data from third-party sellers, with Amazon under scrutiny for its market practices. Amazon has actively lobbied against proposed regulations that views as restrictive to its business model, having employed a range of lobbying tactics, including direct engagement with EU competition authorities, participation in industry coalitions, and public advocacy, arguing that its business practices benefit consumers through lower

prices and increased choice (Baker & Scott Morton, 2017, p. 2176; CEO, 2023 November 24; Geradin, 2020, pp. 98-102; Wörsdörfer, 2022a, pp. 64-66; Wörsdörfer, 2022b, pp. 352-55). Amazon has employed top consultancy firms to help navigate the complex regulatory landscape and provide strategic advice on competition policy, who assist in crafting lobbying strategies, preparing position papers, and organising meetings with key policymakers. Furthermore, Amazon has sponsored research to highlight the benefits of its marketplace for consumers and small businesses, whose conclusions focus on the economic advantages of e-commerce, including increased consumer choice and lower prices, and the opportunities provided to small businesses to reach a global market to counteract arguments that Amazon's practices are anti-competitive (ECN, 2019, pp. 3-12; Geradin, 2020, pp. 105-11; Pyatt, 2022, pp. 143-44; Wörsdörfer, 2022a, pp. 64-66). Amazon runs public campaigns emphasising the consumer benefits of its services and its contributions to the European economy by running advertisements, and public statements, participating in public forums, aiming to build a positive image and mitigate regulatory pressures. Amazon has sought to influence the framing of competition policies to ensure that they do not unduly restrict its business operations (Baker & Scott Morton, 2017, p. 2176; CEO, 2023 November 24; ECN, 2019, pp. 3-8; Geradin, 2020, pp. 105-15; Pyatt, 2022, pp. 143-44; Wörsdörfer, 2022b, pp. 352-55). Despite Amazon's intensive lobbying efforts, the ECOM has pursued aggressive antitrust actions against the company. In November 2020, the ECOM filed formal charges against Amazon for abusing its dominant market position, by using non-public data from independent sellers to compete against them. However, the lobbying efforts did result in certain regulatory considerations that acknowledged the complexities of e-commerce and the need to balance competition enforcement with innovation and consumer benefits (Arcila, 2024 May 2; CEO, 2021 August 30; CEO, 2023 November 24; ECN, 2019, pp. 3-12; Geradin, 2020, pp. 105-15; Gorwa et al., 2024, pp. 7-9). The present case showcases the ongoing tension between tech companies' lobbying efforts and the EU's commitment to enforcing competition laws.

Apple's tax practices have been a focal point of scrutiny in the EU, leading to significant lobbying activities by the company to influence tax policy and state aid regulations, with Apple engaging in direct lobbying with EU officials, emphasising the legality of its tax arrangements and the economic contributions it makes through investment and job creation in Europe (Chavagneux, 2016, pp. 44-49; CEO, 2021 August 31; CEO & LobbyControl, 2023 November; Gorwa et al., 2024, pp. 3-5). The company has also leveraged its membership in business associations and coalitions to advocate for favourable tax policies, arguing that its tax practices comply with EU and national laws and that its investments have significant economic benefits. Apple has built coalitions and align with multinational firms (facing similar scrutiny) to advocate for favourable tax policies, strengthening its lobbying efforts and presenting a united front to argue against the ECOM's tax rulings (Chavagneux, 2016, pp. 49-58; Dyreng et al., 2017, pp. 167-170; Elbra & Mikler, 2017, pp. 184-86; Gorwa et al., 2024, pp. 3-5; Hancock, 2023 November 9; Killian, 2021, pp. 47-49; McDonnell & Dall, 2020, pp. 88-96; White, 2023 May 23). A prominent example involving Apple was the ECOM's 2016 ruling that Ireland granted undue

tax benefits to Apple, amounting to illegal state aid, with the ECOM ordering Apple to pay €13 billion in back taxes. Apple vigorously lobbied against this decision, arguing that the ECOM's interpretation of state aid law was flawed and that its tax practices complied with EU and Irish law. While the ECOM initially ordered Apple to pay €13 billion in back taxes, Apple's lobbying and legal efforts have led to ongoing appeals and legal battles, thus resulting, in July 2020, with the General Court of the EU annulling the ECOM's decision, ruling that the ECOM had not proven that Apple received illegal state aid. This outcome reflects Apple's ability to leverage its lobbying and legal resources effectively to answer the EU's tax policy and enforcement actions (Chavagneux, 2016, pp. 49-58; ECOM, 2016 August 30; ECOM, 2016; Killian, 2021, pp. 42-54; McDonnell & Dall, 2020, pp. 88-96; Romm, 2013 May 20; White, 2023 May 23; Worland, 2016 August 30).

Microsoft has a long history of engaging in lobbying activities related to antitrust regulations in the EU, dating back to the early 2000s. The company's lobbying efforts have evolved to address new regulatory challenges, historically engaging in extensive direct lobbying activities concerning antitrust regulations. The company's representatives have held numerous meetings with EU officials to advocate for regulatory frameworks that promote competition while allowing for innovation and growth (Aydin, 2014, pp. 27-34; Bahl, 2024; ECOM, 2004 March 24; ECOM, 2008 March 3; Gorwa et al., 2024, pp. 3-5; Meissner, 2024, pp. 2-3; Tarrant & Cowen, 2022, pp. 220-21). Microsoft has funded research on the economic impact of cloud computing and digital services, and studies provided empirical evidence supporting Microsoft's arguments for balanced antitrust regulations that do not stifle innovation or market growth. Furthermore, Microsoft has the trend of organising public events and TEDtalks to discuss digital market policies and competition, which often feature expert panels, keynote speeches, and extensive media coverage, helping to shape public discourse and influence policymakers (Aydin, 2014, pp. 27-32; Bank et al., 2021 August; Boyer, 2024; Coulter & Chee, 2024 February 27; Mahoney, 2008, pp. 120-27; White, 2024 June 28). The ECOM's landmark antitrust case against Microsoft in 2004, which resulted in a €497 million fine and requirements to change its business practices, marked a significant moment in EU competition policy, in which Microsoft lobbied in direct negotiations with EU regulators in an attempt to demonstrate compliance with competition laws. In recent years, Microsoft has continued to engage in lobbying to shape antitrust regulations, particularly concerning cloud computing and interoperability standards, with the company's strategy evolving to include more cooperative approaches with regulators, as seen in its advocacy for fair and open cloud computing policies (Aydin, 2014, pp. 27-31; Bank et al., 2021 August; ECOM, 2004 March 24; Meissner, 2024, pp. 2-3, McGinnis & Sun, 2021, p. 305; Morris & Shankleman, 2020, pp. 60-64; Wörsdörfer, 2022a). A clear example is the latest draft of the Digital Markets Act (DMA), which reflects some of Microsoft's lobbying positions, regarding the regulation of gatekeepers and the promotion of competition: the proposed legislation includes provisions that aim to curb the dominance of major digital platforms while fostering an environment conducive to innovation. Thus, Microsoft's lobbying has helped shape a regulatory framework that addresses competition concerns and the need for a dynamic digital market

(Bloomberg News, 2024 July 10; Boyer, 2024; CEO, 2021 July 13; Mahoney, 2008, pp. 120-27; White, 2024 June 28; Wörsdörfer, 2022b, pp. 357-59; Zacks Equity Research, 2024 July 11).

2.4. State of the art

The previous examples provide a detailed look at the complexities and nuances of corporate lobbying within the EU's regulatory landscape; the case studies examples of lobbying activities by Google, Meta, Amazon, Apple, and Microsoft reveal the sophisticated and strategic approaches these tech giants employ to influence EU policy. It is important to note: that these are only a few examples of its activities. Through direct engagement with policymakers, funding of research, coalition-building, public relations campaigns, and grassroots mobilisation, these companies leverage their substantial financial resources to protect and advance their business interests, which highlight the critical role of lobbying in shaping the regulatory landscape of the EU and underscore the need for continued scrutiny and transparency in lobbying practices. Next, we will analyse the research gaps in the existing literature.

Despite the extensive body of research on lobbying within the context of the EU, several significant gaps remain, which pertain to both the scope of empirical studies and the depth of theoretical analyses. Specifically, we identified five critical gaps that need addressing for a more comprehensive understanding of the influence of tech companies on EU policymaking. First, there is a limited focus on digital transformation and emerging technologies, which are becoming increasingly influential in shaping policy decisions. Second, the long-term effects of lobbying are insufficiently analysed, leaving a substantial void in understanding the sustained impacts of such activities. Third, comparative analyses are underrepresented, restricting the ability to draw broader conclusions across different contexts and sectors. Additionally, as we will see, a lack of transparency and data accessibility poses a significant barrier to conducting thorough research where without open access to lobbying data, it is challenging to achieve a complete picture of lobbying activities and their implications. Finally, inadequate theoretical integration has resulted in a fragmented understanding of lobbying dynamics, necessitating a more cohesive theoretical framework to underpin future research. Addressing these gaps is, in our perspective, crucial for a more holistic and nuanced understanding of how tech companies influence EU policymaking, ultimately leading to a more informed and effective frame for this study.

Most existing research on tech lobbying in the EU has concentrated on established issues such as data protection, antitrust regulations, and tax policies. However, the rapid pace of digital transformation and the advent of emerging technologies like Artificial Intelligence (AI), blockchain, and the Internet of Things have not been sufficiently explored in the context of lobbying activities, which translates into a notable lack of detailed studies examining how tech companies lobby for favourable regulations concerning AI ethics and governance. Similarly, blockchain technology, with its implications for finance, supply chains, and data security, represents an emerging field where lobbying activities are not yet well-documented (Charalabidis, 2022, pp. 45-49; Floridi, 2019, pp. 187-89; Lange,

2021; Pisa & Juden, 2017, pp. 33-38). In this scenario, and given the EU's proactive stance on AI and blockchain regulation, a closer examination of tech companies' interests is essential for a better understanding and more effective regulation of lobbying strategies in this domain.

While many studies focus on the immediate outcomes of lobbying efforts, there is a paucity of research on the long-term effects of these activities on EU policymaking and regulatory environments, in the extent to which prolonged lobbying efforts by tech companies may lead to regulatory capture remains underexplored. Regulatory capture occurs when regulatory agencies act in the interest of the industries they are supposed to regulate, rather than the public interest. Longitudinal studies tracking how specific lobbying campaigns influence the evolution of policies over time are scarce, and understanding these dynamics would provide deeper insights into the sustainability and impact of lobbying efforts (Botrel et al., 2024; Dal Bó, 2006, pp. 203-9; Klüver, 2013, pp. 210-15). Furthermore, comparative analyses of lobbying practices across different sectors and regions are limited, with research focusing on the tech sector in isolation, without comparing it to other influential sectors; comparisons between lobbying practices in the EU and other major regulatory environments, such as the USA or UK, are needed. From our perspective, these analyses could highlight the distinct regulatory challenges and opportunities tech companies face in different jurisdictions (Beyers et al., 2008, pp. 1106-11; Bombardini & Trebbi, 2020, pp. 393-95; Coen & Richardson, 2009, pp. 22-28).

Transparency in lobbying activities remains a significant issue, affecting the availability and quality of data for academic research. Although the EU has made strides in increasing transparency through the EUTR, many lobbying activities still occur behind closed doors, limiting the scope of empirical research, with the voluntary nature of the EUTR meaning that not all lobbying activities are fully disclosed, which translates into a lack of comprehensive data that hinders detailed empirical studies on the scale and impact of lobbying. Lobbying sometimes happens in the shadow, which often escapes regulatory scrutiny; thus, research on "shadow lobbying", where companies influence policy through informal channels and third-party intermediaries, is particularly scarce warrants closer investigation (Kaiser, 2018, pp. 102-8; Herrnson, 1998, pp. 38-39; Hogan et al., 2015, p. 334; Rasmussen & Carroll, 2014, pp. 117-26; Ruzin, 2024, pp. 167-69). In addition, there is a need for better theoretical integration in the study of tech lobbying. Many studies tend to adopt a singular theoretical perspective without considering the potential interplay between different theoretical frameworks Thus, the multidisciplinary approaches are essential, integrating insights from political science, economics, sociology, and law; this could provide a more holistic understanding of lobbying activities. For instance, combining Regulatory Capture Theory with theories of network governance could offer new perspectives on how tech companies navigate complex regulatory landscapes. On the same wave, behavioural insights are needed for a better study; applying behavioural economics to the study of lobbying could uncover how cognitive biases and heuristics influence both lobbyists and policymakers: this approach has been underutilised in existing research (Bombardini & Trebbi, 2020, pp. 396-98; Heclo, 1978, pp. 89-93; Thaler & Sunstein, 2008, pp. 219-22). Therefore, addressing the previous research gaps is necessary for advancing our

understanding of tech lobbying in the EU. Through exploring emerging technologies, examining long-term impacts, conducting comparative analyses, improving transparency, and integrating multiple theoretical perspectives, future research can provide better-nuanced insights into the role of tech lobbying in shaping public policy.

The next chapter will outline the research methodology, detailing the approaches and techniques employed to investigate these issues in greater depth, with the aim of answering our research problem.

Chapter 3. Methodology

This dissertation follows a qualitative research methodology, utilising a case study approach to examine the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft in the legislative process of the EU's AI Act, with a focus on the CoEU. The case study method is appropriate for this research as it provides a contextualised understanding of complex social phenomena, specifically the intricate strategies and impacts of lobbying efforts in the AI Act. Multiple data collection methods, namely literature review, interviews, and document analysis, are employed to cross reference data, thereby enhancing the reliability and validity of the findings (Creswell, 2014; Patton, 2002).

The literature review serves as a foundational element, providing context and background on lobbying, its significance in the EU legislative process, and the specific dynamics of the tech sector's influence. The documents were selected on the basis of the relevance to the AI Act, with academic journals, books, and previous research studies being reviewed to build a theoretical framework and identify gaps in existing knowledge. Primary data collection is conducted through semi-structured interviews with members of the CoEU who were directly involved in the AI Act's legislative process, allowing for in-depth exploration of individual experiences and perceptions, providing rich qualitative data on the lobbying activities and their impact (Kvale & Brinkmann, 2009; Yin, 2018). Secondary data collection involves analysing documents such as meeting minutes, policy drafts, lobbying registers, and public statements, providing additional insights into the lobbying strategies and their effects on the legislative process (Bowen, 2009). The sampling technique for this study is purposive sampling, which is suitable for selecting information-rich cases that are particularly knowledgeable about the subject matter (Palinkas et al., 2015), with participants being chosen based on their direct involvement in the AI Act's legislative process within the CoEU, having interacted with the big five tech companies' lobbying.

Seven interviews were conducted in this work with seven different CoEU's representatives from different MSs. According to the United Nations geoscheme of Europe, which divides the continent into four sub-regions (UNSD, 2023), the interviewees in this present work include: three national representatives from Southern Europe, two from Western Europe, one from Northern Europe, and one from Eastern Europe. From these seven interviewees, four represented the male gender and three represented the female gender; furthermore, four were from the 35-45 age bracket and the remaining 3 from the 45-55 age bracket. I chose this group of interviewees due to their direct involvement in the legislative process within the CoEU, having provided valuable insights into the role of lobbying in the digital sector. The candidates were selected because they have observed and experienced lobbying efforts first-hand, making them well-placed to offer nuanced and practical perspectives on how lobbying by tech companies influenced policy outcomes. The diverse range of experience, both in age and gender, also ensures a more comprehensive understanding of lobbying's impact within the digital sector. For this academic work, all interviewees have provided their consent to participate, and anonymity has been

ensured to protect the participants' identities, with each interview having been recorded and transcribed. The interviews were conducted in Brussels, Kingdom of Belgium, between May and July 2024. The interview script is included in this document as *Attachment B*.

In sum, through employing a robust qualitative research design and integrating multiple data collection methods, this study aims to provide a comprehensive and credible analysis of the role of lobbying by the big five tech companies in the legislative process of the EU's AI Act. The insights gained from this research will illuminate the specific dimensions and impacts of lobbying, providing a nuanced understanding of how activities influence legislative outcomes.

3.1. Theoretical framework

Understanding the theoretical framework surrounding lobbying, public policies, and regulation is crucial for this study (Coen, 2013, p. 2). We highlight three distinct types of theories: theories related to lobbying (Pluralism and Neo-pluralism), theories related to public policy (Policy Cycle Model, Advocacy Coalition Framework, and Punctuated Equilibrium Theory), and theories of regulatory capture (Economic Theory of Regulation and Life-cycle Theory of Regulatory Agencies).

Lobbying, as a form of interest group activity aimed at influencing public policy, can be analysed through various theoretical lenses (Klüver et al., 2015, pp. 449-50). Key theories related to lobbying in this domain include Pluralism and Neo-pluralism. Pluralism posits that power in a society is distributed among multiple interest groups, and public policy outcomes are the result of competition and negotiation among these groups (Dahl, 1961, pp. 23-25), suggesting that no single group can dominate the policymaking process, and instead, a diverse array of groups, including businesses, unions, and NGOs, engage in lobbying to advance their interests (Graziano, 2001, p. 94; Truman, 1951, pp. 52-54). Building on pluralism, Neo-pluralism recognises that while multiple interest groups exist, they do not all have equal power or resources (Jordan & Maloney, 1997, pp. 56-58), acknowledging that some groups, particularly those with significant financial resources, such as the big tech companies, may have a disproportionate influence on policymaking (Grant, 1995, pp. 89-91; Holyoke, 2022, p. 911).

The study of public policy incorporates various theoretical perspectives that help explain how policies are formulated and implemented (Hill & Hupe, 2002). Relevant theories related to public policy include the Policy Cycle Model, the Advocacy Coalition Framework, and the Punctuated Equilibrium Theory. The Policy Cycle Model breaks down the policymaking process into distinct stages: agenda-setting, policy formulation, decision-making, implementation, and evaluation, which provides a structured approach to understanding how lobbying efforts can influence each stage, from getting issues onto the legislative agenda to shaping policy details and ensuring favourable implementation (Jann & Wegrich, 2017, pp. 70-75). The Advocacy Coalition Framework posits that policy change occurs through the interaction of advocacy coalitions, groups of actors who share beliefs and coordinate their

activities over time (Sabatier & Jenkins-Smith, 1993, pp. 21-23). In this framework, lobbying by tech companies can be seen as part of broader coalitions that include other industry players, think tanks, and interest groups working together to influence policy outcomes (Dellis, 2023, pp. 322-23; Jenkins-Smith et al., 2018, pp. 138-41; Mamontova et al., 2021, pp. 6-7). The Punctuated Equilibrium Theory argues that policy change is characterised by long periods of stability interrupted by short bursts of significant change, often triggered by external shocks or shifts in public opinion (Baumgartner & Jones, 1993, pp. 27-29). Lobbying efforts can play a crucial role during these periods of rapid change, as tech companies may seize opportunities to push for regulatory adjustments or new policies that favour their interests (Baumgartner et al., 2018, pp. 58-60).

Regulatory Capture Theory examines how regulatory agencies, established to act in the public interest, can become dominated by the industries they are supposed to regulate (Levine & Forrence, 1990, p. 167). We will develop two key theories of regulatory capture: the Economic Theory of Regulation and the Life-cycle Theory of Regulatory Agencies. The Economic Theory of Regulation, proposed by Stigler (1971), suggests that regulation is supplied in response to the demands of interest groups, who seek to use the coercive power of the state to achieve economic benefits (Stigler, 1971, pp. 3-5). In this view, tech companies engage in lobbying to capture regulatory agencies and shape regulations in ways that enhance their market power and profitability (Mitchell & Munger, 1991, pp. 514-16; Posner, 1974). On the contrary, the Life-Cycle Theory of Regulatory Agencies posits that regulatory agencies go through stages of development, from creation and active regulation to eventual capture by the regulated industry, highlighting how tech companies might initially face stringent regulations but, over time, use lobbying to influence agency officials and regulatory policies in their favour (Bernstein, 1955, pp. 79-81; Eckert, 1981, pp. 115-16; Martimort, 1999, pp. 932-33).

For this dissertation on lobbying in the EU, focusing on the AI Act, I have chosen to combine Neo-Pluralism and Regulatory Capture Theory as the main theoretical approaches. Neo-Pluralism is relevant because it recognises that while many interest groups participate in the policymaking process, not all have equal power or resources; it is especially true for large tech companies, such as Apple, Amazon, Google, Meta, and Microsoft, which have significant financial resources and influence. Neo-Pluralism helps explain how these companies can exert disproportionate control over legislative decisions. Additionally, Regulatory Capture Theory explores how regulatory agencies, intended to serve the public interest, may become influenced or dominated by the industries they regulate. In the case of the AI Act, this theory helps to analyse how tech companies may shape the regulations in their favour, ensuring that policies align with their business interests. Through combining these two perspectives, the dissertation aims to provide a deeper understanding of how powerful tech companies influence EU policymaking and how lobbying efforts affect regulatory outcomes.

As we transition to the next chapter, it is essential to contextualise the legislative framework within which these lobbying activities take place. Thus, in the following chapter, we will provide an in-depth exploration of the EU's history, bodies, legislative process, detailing the structure, functions, and

key institutions involved, which is crucial for understanding the environment within lobbying by major tech companies occurs, setting the stage for a detailed examination of the specific interactions and influences in the context of the AI Act.

Chapter 4. European Union

The European Union (EU) is a unique political and economic union that brings together twenty-seven European countries with the shared aim of promoting economic cooperation, ensuring peace, and maintaining stability in the region. The EU's origins, after World War II, lie in the desire to prevent such conflicts from occurring again through economic interdependence and political collaboration (Dedman, 2010, pp. 24-25). At its core, the EU is distinguished by its supranational institutions, with ECOM, EPAR, and CoEU having the authority to make decisions that are binding on MSs, allowing the implementation of policies and regulations across the EU, fostering a more integrated, cohesive social, economic and political landscape (Hix & Høyland, 2011, p. 3; Quadros, 2018, pp. 74-75).

In the present chapter, we will focus on the EU's legislative process, from which is crucial to comprehend how policies are formulated, debated, and enacted within the EU, and how various stakeholders, including lobbyists, may influence these outcomes. We aim to shed light on the intricacies of policymaking in the EU and its impact on the tech industry by examining the legislative framework and the roles of different EU institutions.

4.1. EU's history

The EU was formally established with the signing of the Treaty of Maastricht in 1992, which came into force in 1993, marking a significant milestone in the European integration process, introducing new forms of cooperation between the MSs in areas such as foreign policy, security, justice, and home affairs; additionally, it laid the foundation for the creation of the Economic and Monetary Union (EMU) and the future establishment of the euro as a common currency (Martins, 2018, p. 99; Nugent, 2017, p. 10-13; Quadros, 2018, pp. 51-53).

However, the roots of the EU traced back to the aftermath of World War II, a period marked by a strong desire to foster economic cooperation as a means to prevent future conflicts. The devastation of the war highlighted the need for a new political and economic order in Europe, one that would ensure lasting peace and stability, which later led to a series of initiatives aimed at promoting integration and cooperation among European nations (EU, 2024; Quadros, 2018, pp. 39-42). One of the earliest and most significant of these initiatives was the signing of the Treaty of Paris in 1951, which established the European Coal and Steel Community (ECSC), focusing to regulate the coal and steel industries (critical for military power); thereby making war between MSs, not only unthinkable, but also materially impossible. The six founding members of the ECSC were France, Germany, Italy, Belgium, Luxembourg, and the Netherlands (Dinan, 2020, pp. 202-4; Quadros, 2018, pp. 43-46).

Building on the success of the ECSC, the Treaty of Rome was signed in 1957, establishing the European Economic Community (EEC) and the European Atomic Energy Community (EURATOM),

which aimed to create a common market and customs union among its MSs, promoting the free movement of goods, services, people, and capital. The Treaty of Rome marked the beginning of a more profound economic integration, setting the stage for the eventual creation of the single market (EU, 2024; Martins, 2018, pp. 77-80; Nugent, 2017, pp. 12-14). The EEC was a pivotal entity in the economic integration of Europe, aimed at fostering economic development through the creation of a common market. The common market, implemented in 1993, sought to eliminate trade barriers among MSs, and facilitate the free movement of goods, services, capital, and labour, thereby enhancing economic efficiency and productivity across the region. By promoting economic interdependence among its members, the EEC, not only stimulated growth, but also sought to reduce disparities in development levels through structural funds aimed at improving infrastructure and competitiveness in less developed regions. The EEC's approach to economic integration, therefore, was instrumental in laying the groundwork for the subsequent deepening of the EU's economic and monetary union, driving sustained economic growth and development across its MSs (Cini & Borragán, 2016, pp. 15-18; EU, 2024; Martins, 2018, pp. 80-82). Furthermore, the Treaty of Maastricht was a culmination of these earlier efforts and a response to the changing political and economic landscape of Europe in the post-Cold War era: not only formalised the establishment of the EU but also expanded its competencies, introduced the concept of European citizenship, which marked a new phase in the integration process, characterised by deeper political and economic union (EU, 2024; Hix & Høyland, 2011, p. 10; Martins, 2018, pp. 99-101). Hence, the EU is both an economic and a political union; economically, it facilitates a single market allowing goods, services, capital, and people to move freely across MSs while fostering political cooperation in several policy areas, enhancing its ability to implement policies and regulations across its MSs (McCormick, 2020, p. 35; Quadros, 2018, pp. 51-54).

Through these foundational treaties, the EU has evolved into a unique political and economic entity, characterised by its supranational institutions and a commitment to fostering cooperation and integration among its MSs. The transnational character of the EU is evident in its ability to enact legislation and policies that transcend national boundaries, promoting a unified approach to economic, social, and political challenges; the respective supranational governance structure allows the EU to operate effectively on the global stage, influencing international trade, environmental policy, and human rights standards. Nowadays, the legacy of these treaties continues to shape the EU's policies and its role as a global actor (Martins, 2018, pp. 181-85; Quadros, 2018, pp. 74-77).

4.2. A sui generis institution

The EU's history is unique, and this has developed into a unique character as well: thus, possessing a legal personality, a unique feature that grants it the ability to sign international agreements and treaties on behalf of its MSs; this capacity to act as a single entity in international affairs significantly strengthens its role on the global stage, distinguishing it from other regional organisations (Craig & de Búrca, 2015,

p. 67; Martins, 2018, pp. 183-85; Quadros, 2018, p. 93). What makes the EU particularly *sui generis*, or unique, is its transnational character. Unlike other international organisations, the EU's decisions and laws can have direct effect within the legal systems of its MSs; EU law can confer rights and obligations on individuals and businesses within MSs; national courts are bound to enforce, consequently ensuring that EU legislation takes precedence over conflicting national laws, reinforcing the EU's unique legal order (EU, 2024; Martins, 2018, pp. 183-85; Weiler, 1991, pp. 2413-15). For an improved grasp of the EU's transnational character, refer to *Attachment C*.

Therefore, the EU's legal personality and its transnational character are fundamental aspects that underpin its unique nature, enabling the EU to act as a cohesive entity in international affairs, distinguishing it from other regional organisations, reinforcing its role as a global actor with the EU's bodies being inherently autonomous and having their character.

4.3. Bodies

The EU is governed by several bodies that work together to formulate and implement policies, enforce laws, and ensure the smooth functioning of the union, which are integral to the EU's unique political and economic structure. The EU's decision-making process is often referred to as the "institutional triangle" comprising the ECOM, the EPAR, and the CoEU, whose framework ensures a balance of power and represents different interests within the EU: the ECOM, as the executive body, proposes legislation and ensures its implementation; the EPAR represents the EU's citizens through directly elected MEPs; and the CoEU represents the MSs' governments. The interplay between these institutions facilitates the democratic legislative process, ensuring that EU policies are effectively scrutinised and agreed upon by multiple actors, with the legislative power being shared between the CoEU and the EPAR (Craig & de Búrca, 2015, pp. 52-71; Martins, 2018, pp. 398-423; McCormick, 2020, pp. 63-89; Quadros, 2018, pp. 271-88). For a clearer understanding of these bodies and their roles, refer to *Attachment D*.

These legislative bodies are fundamental to the EU's legislative framework, with their collaborative efforts ensuring that EU legislation is created through a balanced, democratic process that considers the interests of citizens, MSs, and the Union as a whole. In the following section, we will develop further on the legislative process of the EU, examining how these bodies interact and the steps involved in creating EU legislation.

4.4. EU's legislative process

The EU legislative process is a complex and multifaceted system designed to ensure thorough scrutiny and democratic participation in the creation of laws that affect its MSs. The EU legislative process is

organised primarily in two ways: the Ordinary legislative procedure (OLP) and the Special legislative procedure (SPL), with each method serving distinct purposes and involving different levels of engagement in the EU institutions (Martins, 2018, pp. 465-69; Quadros, 2018, p. 283). For a clearer understanding of these processes and their differences, refer to *Attachment E*.

The legislative process in the EU is designed to balance the interests of MSs, EU institutions, and citizens, with the OLP ensuring thorough scrutiny and democratic participation; whereas the SLP caters to specific legislative needs throughout the process. Both these processes are crucial in creating the EU (CoEU, 2023; CoEU, 2024b; Hix & Høyland, 2011, pp. 150-70; Martins, 2018, pp. 467-70; Quadros, 2018, pp. 284-89). The ECOM holds the exclusive right to propose new legislation, draft legislative proposals based on extensive consultations and impact assessments, and ensure that various stakeholder interests are considered. Once a proposal is prepared, the ECOM submits it to the EPAR and the CoEU for deliberation (ECOM, 2023). Whilst, the EPAR represents reviews, amends, and votes on legislative proposals through its committees and plenary sessions, ensuring democratic scrutiny and citizen representation in the EU's legislative process (CoEU, 2023; Quadros, 2018, p. 283). Finally, the CoEU represents MSs' governments, shares legislative power with the EPAR, and reviews and amends ECOM-submitted proposals, aiming for agreement with the EPAR to adopt legislation (CoEU, 2023). Other EU bodies and external actors can be involved in the legislative process: lobbyists, interest groups, and national parliaments, who contribute with additional perspectives and expertise, enriching the legislative process and bringing a wide array of interests and concerns to the formulation of EU laws (CoEU, 2023; EPAR, 2024; Tarrant & Cowen, 2022, pp. 220-21). Lobbyists and interest groups are crucial actors in the EU legislative process, representing a wide array of stakeholders; these may include businesses, trade associations, NGOs, and advocacy groups, engaging with EU institutions to influence policy outcomes. Lobbying efforts usually are focused on influencing legislation to align with specific interests or concerns, with lobbyists, interest and advocacy groups employing direct and indirect strategies to achieve their goals (Coen & Richardson, 2009, pp. 54-67; CoEU, 2023; Hojnacki, 2000, pp. 28-29; Mamontova et al., 2021, p. 3; Sobbrio, 2011, pp. 3-4). For a more detailed explanation of other EU institutions and actors involved in the legislative process, refer to *Attachment F*.

Hence, corporate lobbyists represent business interests, seeking to influence legislation that affects their industry, engaging in activities such as providing expertise, position papers, funding research, and directly lobbying EU officials, with Google, Apple, Meta, Amazon, and Microsoft having significant lobbying presence in the EU, particularly in areas like the digital market (Chalmers, 2019, p. 52; Coen, 2007, p. 333; EPAR, 2019, pp. 14-15). Later, we will focus on this as the main object of our study. Thus, the EU legislative process is enriched by the participation of various bodies and actors beyond the primary institutions, with lobbyists and interest groups actively able to influence policy outcomes. Understanding the roles of these actors is key to fully grasping the EU's legislative process.

4.5. Lobbying in the EU's legislative process

Lobbying plays a role in shaping EU policy across various fields, influencing the legislative and regulatory frameworks, several studies have explored the impact of lobbying on EU policy, particularly in fields such as environmental regulation, digital governance, competition policy, and industrial strategy (Bernhagen & Dür, 2015, p. 250-53; De Bruycker & Klüver, 2013, pp. 499–503; Economides & Lianos, 2021, pp. 1168–1174; Flöthe, 2019, pp. 94–969; Klüver, 2014, pp. 65–71). Corporate lobbying, particularly from energy-intensive industries, plays a significant role in shaping EU environmental policies. Studies by de Bruyn et al. (2021) show that lobbying efforts often delay the implementation of more stringent climate policies, such as those related to the Emissions Trading System, which affects the EU's ability to meet its climate targets, with industries arguing for protecting economic stability and employment, sometimes at the cost of environmental progress (de Bruyn et al., 2021; EUTR, 2023, pp. 3-17). Big tech companies such as Google, Meta, and Amazon have been at the forefront of lobbying efforts in the EU, particularly around digital governance frameworks like the GDPR and the DSA (CEO, 2023 November 24; Dellis, 2023, pp. 323-25; Gorwa et al., 2024, pp. 15-17). Research by Woll and Artigas (2022) highlights how companies invest heavily in shaping data privacy and platform regulation, often pushing for less restrictive frameworks to safeguard their business models (Woll & Artigas, 2022, pp. 397-401). Furthermore, the role of lobbying in shaping EU competition policy is well-documented. Gerber and McLachlan (2019) argue that corporate lobbying efforts have successfully influenced the ECOM's approach to antitrust regulation, particularly in high-profile cases involving mergers and acquisitions; this research indicates that lobbying often leads to more lenient rules in sectors where large firms hold significant power, such as telecommunications and pharmaceuticals (Coen et al., 2022, p. 147; Gerber & McLachlan, 2019, pp. 561-69). Lobbying by industrial sectors such as pharmaceuticals and automotive industries has had a direct impact on the EU's industrial strategy, with Pianta et al. (2016) showing these sectors lobby for favourable conditions in Research & Development (R&D) and for patent regulations that prioritise corporate innovation, often at the expense of broader public health or accessibility concerns (Pianta et al., 2016, pp. 39-43).

The *Futures of Big Tech in Europe* (2024) report, published by the ECOM, emphasises the significant influence of big tech lobbying on EU policies, particularly in digital governance, competition, and industrial strategy, with lobbying efforts focusing on shaping regulations like the AI Act and GDPR to favour corporate interests, often reducing regulatory constraints. According to the report, the influence of lobbying extends to industrial strategy and competition policy, with large tech companies pushing for lenient regulatory frameworks that allow them to maintain or increase market dominance, with the EU's competition policy being continually challenged by corporate lobbying efforts, which advocate for mergers and acquisitions that might otherwise be restricted. Therefore, in fields like AI and platform regulation, tech lobbying companies sought to create favourable market conditions while potentially stifling competition from smaller players (ECOM, 2024d, pp. 9-15).

One of the main paths of successful lobbying in the EU is getting access to important information: essential for understanding how laws are made, seeing early versions of proposed laws, and knowing the opinions and priorities of influential policymakers. For lobbyists, this kind of information is incredibly valuable because allows them to adjust lobbying strategies, making sure interests are heard and considered throughout the law-making process (Bouwen, 2002, pp. 66; Chalmers, 2013, pp. 41-42; Halberstam & Lazar, 2014, pp. 94-95; Lohmann, 1995, pp. 271-73). Having access to this privileged information helps stay ahead of any new regulations, due to knowing exactly how laws are created; consequently, lobbyists can find the best opportunities to get involved and make a difference. Seeing early drafts of laws gives the chance to suggest changes or influence the wording before it becomes public knowledge, thus is possible to shape the rules in their favour right from the start (CEO, 2023 September 7; De Figueiredo, 2002, pp. 126-28; Greenwood, 2011, pp. 124-29; Halberstam & Lazar, 2014, pp. 94-95). Knowing the positions of key policymakers on specific issues allows lobbyists to further tailor lobbying efforts; understanding what matters most to MEPs, officials from the ECOM, and representatives from MSs helps lobbyists come up with arguments and proposals that will resonate with these decision-makers, not only making lobbying more effective but also helping build stronger relationships between companies and policymakers, making it easier to keep talking and working together (Chalmers, 2013, pp. 41-43; Coen, 2007, pp. 336-41; De Figueiredo, 2002, pp. 128-29; EPAR, 2003, pp. 31-34; Halberstam & Lazar, 2014, pp. 95-97; Mahoney, 2007, pp. 41-42). Privileged information in lobbying is even clearer by how much time and money tech companies spend on getting and using it: hiring experienced lobbyists and consulting firms, who take part in public consultations, join informal networks and industry groups, making good use of the EUTR, which gives lobbyists a way to share what they're doing and have structured access to policymakers. As shown before, lobbying involves different players, from big businesses to non-profit ONGs; nevertheless, among all these groups, the big five tech companies stand out due to how much power and resources they have, and how well they use it to shape EU laws. Access to privileged information is key to success, allowing them to align lobbying with the legislative process and decision-makers' priorities (CEO, 2021 August 31; Coen, 2007, pp. 342-41; De Figueiredo, 2002, pp. 126-28; EPAR, 2003, pp. 31-33; Lohmann, 1995, pp. 271-75; Rasmussen & Carroll, 2014, pp. 117-31; Ruzin, 2024, p. 171; TI, 2015, pp. 17-18). Thus, one of the primary goals of tech lobbying representatives is to gain access to privileged information.

In the next chapter, we will explore the strategic efforts by tech giants to influence policymaking and regulatory decisions within the EU, through several direct and indirect activities; these efforts are aimed at shaping legislative outcomes to favour business interests and technological innovations while also considering the broader public and ethical implications of digital advancements. Therefore, we will analyse the presence, role, and impacts of lobbying efforts by Apple, Amazon, Google, Meta, and Microsoft in the EU, exploring the specific mechanisms, challenges, and implications on the tech sector.

Chapter 5. Tech lobbying in the EU

The above chapters have provided insight into different sides of the EU and lobbying as independent concepts, with the formation and procedures of the EU being analysed, to give an overview of its legislation and regulation; likewise, lobbying was also examined on its strategic approaches and theoretical grounds. With this, we sought for more focused discussion that considered how the big five technology corporations have influenced EU laws by concrete examples of case studies analysis. In the present chapter, we will concentrate on the actualities of the EU's lobbying, where we hope to provide a clear picture of how the big five tech companies position themselves and employ strategies within the EU's unique political and regulatory environment. We intend to explore these aspects in depth to offer insights into some of the confounding intricacies of lobbying in Europe and its effects on policymaking and governance, which will lead us to our case study. Apple, Amazon, Google, Meta, and Microsoft are among the most active and well-resourced lobbyists in the EU, with their lobbying activities and financial expenditures meticulously planned and executed to shape legislation and policy decisions in ways that favour their business interests (Alemanno, 2017; EUTR, 2021, p. 4; Rasmussen & Carroll, 2014, pp. 117-21; Stoian & Tohanean, 2020 October, pp. 320-22; Tarrant & Cowen, 2022, pp. 219-21).

5.1. The big five tech companies

Apple, Amazon, Google, Meta, and Microsoft, the big five tech companies, are not only leaders in their respective fields but also significant players in the global economy and major influencers in the regulatory landscape of the EU, with each company having developed a unique profile characterised by its business model, market strategies, and approaches to innovation and policy influence (CEO, 2021 August 31; ECOM, 2024d, pp. 13-15; Gorwa et al., 2024, pp. 7-9; Keane, 2020; Mamontova et al., 2021, p. 7; Stoian & Tohanean, 2020 October, pp. 321-22; Tarrant & Cowen, 2022, pp. 220-21). The present section provides an in-depth profile of each of these tech giants, offering a foundation for understanding their lobbying activities and policy interests. The R&D expenditures by Apple, Amazon, Google, Meta, and Microsoft, discussed in the following section, will be displayed more effectively in *Attachment G*.

Apple Inc., founded by Steve Jobs, Steve Wozniak, and Ronald Wayne in 1976, is a multinational technology company headquartered in Cupertino, California, known for its innovative products such as the iPhone, iPad, Mac computers, Apple Watch, and Apple TV, having established itself as a leader in consumer electronics, software, and online services (O'Regan, 2015, pp. 26-27; Yoffie & Baldwin, 2018, pp. 122-27). Apple has fostered strong brand loyalty and has positioned itself as a dominant player in the high-end consumer electronics market, being renowned for its commitment to innovation, investing heavily in R&D: in 2024, Apple's R&D expenditure was approximately €29 billion, reflecting its focus on developing new technologies and enhancing existing products (Apple Inc.,

2021, pp. 45-49; Finbox, 2024a; O'Regan, 2015, pp. 28-29). Apple's regulatory interests in the EU include data protection, digital market regulations, and tax policies, with the company being involved in several high-profile regulatory cases, particularly concerning its tax arrangements in Ireland and its app store practices. Apple's lobbying efforts in the EU have evolved particularly in these fields (Chavagneux, 2016, pp. 44-46; CEO, 2021 August 31; Gorwa et al., 2024, pp. 7-9; McDonnell & Dall, 2020, pp. 88-90). Initially, Apple maintained a relatively low profile in EU lobbying compared to its peers, focusing primarily on compliance rather than active engagement. However, as the EU began tightening regulations with initiatives like the GDPR and the DMA, Apple ramped up its lobbying activities, seeking to influence policy discussions directly, evidenced by increased expenditure on EU lobbying and the expansion of Apple's presence in Brussels, establishing a dedicated European lobbying team to navigate the growing regulatory landscape (Killian, 2021, pp. 44-45; Pohl, 2021, pp. 617-23; Tarrant & Cowen, 2022, pp. 218-19; Uhlíř, 2023, pp. 297-302).

Amazon.com Inc., founded by Jeff Bezos in 1994, is a multinational conglomerate initially launched as an online bookstore; present in various sectors, including e-commerce, cloud computing, digital streaming, and AI, having become the largest e-commerce platform known (Amazon, 2006; Bezos, 1998; Wells et al., 2018, pp. 19-21). Amazon's business model is built on a customer-centric approach, offering a vast selection of products and services at competitive prices, operating through multiple segments, including Amazon Web Services, its cloud computing arm being a leader in innovation, particularly in logistics, cloud computing, and AI, with its R&D expenses reaching €80.30 billion in 2024, and underscoring its commitment to technological advancement and maintaining its competitive edge (Amazon.com Inc., 2021, pp. 56-61; Finbox, 2024b; Stone, 2013a, pp. 190-95; Wells et al., 2018, pp. 22-23). In the EU, Amazon's regulatory concerns include competition policy, data protection, and labour regulations, having faced scrutiny over its market dominance and business practices, including antitrust investigations by the ECOM (Atikcan & Chalmers, 2019, pp. 545-46; CEO, 2021 August 31; Culpepper & Thelen, 2020, pp. 290-92; Geradin, 2020, pp. 98-103; Keane, 2020). Amazon's lobbying activities within the EU have evolved in response to increasing scrutiny over its market dominance, labour practices, and tax arrangements. In the early stages, Amazon adopted a reactive approach, focusing on compliance and reacting to policy proposals as they emerged; Amazon shifted to a more proactive lobbying strategy as the EU began to target large tech companies with regulations (GDPR and the DSA), increasing its lobbying expenditures in the EU, expanding its Brussels office (hiring former EU officials) to bolster its influence; this reflects Amazon's recognition of the EU as a critical regulatory environment that requires sustained and strategic lobbying efforts (Gorwa et al., 2024, pp. 8-12; Krah, 2022, pp. 355-59; Wigger, 2023, pp. 412-16).

Google, a subsidiary of Alphabet Inc., was founded by Larry Page and Sergey Brin in 1998, having, right now, Sundar Pichai as its Ceo. Google is best known for its search engine, but it has expanded into numerous other areas (online advertising, cloud computing, software, hardware), having invested significantly in R&D to develop new products and services (Lee, 2019; Seymour et al., 2011,

pp. 48-49; Vise, 2005, pp. 78-80). In 2024, Alphabet Inc.'s R&D expenditure was approximately €44.1 billion, reflecting investments in AI, quantum computing, and other cutting-edge technologies (Alphabet Inc., 2021, pp. 65-67; Finbox, 2024c). Google's regulatory challenges in the EU revolve around data privacy, competition, and content regulation, with its main focal point in debates over the GDPR, having faced multiple antitrust fines from the ECOM (CEO, 2021 August 31; Dialer & Richter, 2019, pp. 2-4; Gorwa et al., 2024, pp. 7-9; Keane, 2020; Meissner, 2024, pp. 2-3; Rossi, 2018, pp. 214-17). Google has become one of the most active lobbyists in the EU, driven by the increasing regulatory scrutiny on issues such as privacy and competition. Google's lobbying efforts were relatively uncoordinated, focusing on general compliance; after several antitrust actions, Google expanded its lobbying operations in Brussels, including financial commitments, the recruitment of high-profile lobbyists, and an increased presence at EU policymaking events. Google's evolution in lobbying reflects a strategic shift aimed at influencing EU policy to protect its market interests (De Vries, 2022, pp. 1027-38; Gorwa et al., 2024, pp. 8-12; Rossi, 2021; Tarrant & Cowen, 2022, pp. 218-19).

Facebook, rebranded as Meta Platforms Inc. in 2021, was founded by Mark Zuckerberg along with his college roommates in 2004. Meta is a leading social media company with a vast array of services (Facebook, Instagram, WhatsApp, and Oculus), whose business model is primarily driven by advertising revenue, using data from its users to offer highly targeted advertising, making it a dominant player in social media advertising (Kirkpatrick, 2010, pp. 145-149; Zuckerberg et al., 2004). Meta has made substantial investments in R&D, focusing on virtual and augmented reality, AI, and connectivity initiatives; in 2024, the company's R&D expenses were €32.8 billion, reflecting its ambition to lead in emerging technologies (Finbox, 2024d; Meta Platforms Inc., 2021, pp. 49-51). Meta's regulatory interests in the EU include data protection, content moderation, and competition policy, being involved in numerous controversies related to user data privacy and the spread of misinformation, prompting regulatory scrutiny (Bayer et al., 2020, pp. 47-51; CEO, 2021 August 31; Keane, 2020; Nicoli & Iosifidis, 2023, pp. 26-27). Meta has progressively intensified its lobbying efforts in the EU in response to regulatory challenges, particularly concerning data privacy and misinformation. Early on, Meta's lobbying strategy was relatively modest, focusing on broad compliance with EU regulations. However, as the company faced increasing criticism and regulatory threats related to data protection (e.g., GDPR) and platform accountability (e.g., DSA), Meta dramatically increased its lobbying activities: substantial financial investments, strategic partnerships with think tanks, and efforts to directly engage EU policymakers. The evolution of Meta's lobbying in the EU reflects a shift from passive compliance to active policy shaping, particularly as the EU emerges as a global leader in digital regulation (Gorwa et al., 2024, pp. 7-13; Huggins, 2020, pp. 895-906; Rozgonyi, 2022, pp. 468-72).

Microsoft Corporation, founded by Bill Gates and Paul Allen in 1975, is a multinational technology company known for its Windows operating system, having expanded into software, hardware, cloud computing, and gaming; its' business model is diversified across software, hardware, cloud services, being successfully transitioned to a subscription-based model for many of its products,

ensuring a steady revenue stream (Cusumano, 1995, pp. 66-70; Hulten, 2010, pp. 2-5; Kozlovska & Vinnik, 2017). Microsoft is committed to innovation, with significant investments in cloud computing, AI, and enterprise software solutions; in 2024, Microsoft's R&D expenditure was approximately €27.8 billion, underscoring its focus on maintaining technological leadership (Finbox, 2024e; Microsoft Corporation, 2021, pp. 42-46). Microsoft's regulatory concerns in the EU include antitrust issues, data protection, and cybersecurity. Microsoft has long been a prominent lobbyist in the EU, but since its EU's antitrust case, the company has adopted a more collaborative approach with regulators, advocating for balanced digital policies (Aydin, 2014, pp. 27-31; CEO, 2021 August 31; Keane, 2020; Stoian & Tohanean, 2020 October, pp. 321-22). In the early 2000s, Microsoft's lobbying was largely reactive, focusing on antitrust challenges, like the landmark case brought against it by the ECOM. However, as the EU regulatory environment evolved, so did Microsoft's approach, shifting towards a more proactive and cooperative lobbying strategy, engaging with EU policymakers on cybersecurity, cloud computing, and AI issues (Bradshaw, 2020, pp. 819-24; Gorwa et al., 2024, pp. 7-13; Vickers, 2022, pp. 201-8).

5.2. Lobbying strategies and expenditures

The following section provides an in-depth analysis of these companies' lobbying strategies, specific activities, and the financial resources allocated to influence the EU's regulatory environment. As we will see, the financial expenditures on lobbying by the big five tech companies are substantial, reflecting their high stakes in the regulatory outcomes, with its expenditures covering a wide range of activities, hiring lobbyists, funding research, organising events, and running public campaigns.

The lobbying strategies of the big five tech companies involve direct engagement with EU policymakers through in-house teams and consultancy firms, coalition-building with other businesses and industry groups to consolidate influence, funding think tanks to shape public discourse, conducting public relations campaigns to influence public opinion, and grassroots mobilisation to leverage user bases for public pressure on policymakers. The case studies analysed (Google and the GDPR; Meta and the DSA; Amazon and competition policy; Apple and tax policy; Microsoft and antitrust regulations) earlier in the literature review are examples of these practices, in which the multifaceted approaches aim to advocate for favourable legislation and regulations by presenting a united front, providing empirical support for their policy goals, and engaging stakeholders at various levels (Andersen & Eliassen, 1995, p. 427; Bayer et al., 2020; Cini & Czulno, 2022, pp. 46-48; Coen, 2007; Coroado, 2023, pp. 14-16; Eising, 2007, pp. 385-89; Gorwa et al., 2024, pp. 3-9; Greenwood, 2011; Klüver et al., 2015, pp. 452-54; Pautz, 2018; Rodriguez, 2021; Walker, 2014, p. 129). Refer to *Attachment H* for a clearer illustration of the lobbying expenditures discussed in this section.

According to the EUTR, the big five tech companies collectively spend millions of euros annually on lobbying efforts (EUTR, 2021, p. 4; EUTR, 2023, p. 5-6), with the tech sector being the most intense in lobbying expenditures in the EU (Dellis, 2023, p. 343). In 2020, Google's reported

lobbying expenditure in the EU was approximately €5.75 million, while Meta spent around €5.5 million, Amazon €2.87 million, Apple €3.5 million, and Microsoft €5.25 million. In 2023, companies from the digital sector ranked among the highest spenders on lobbying efforts within the EU. Meta spent €8 million on lobbying, making it the company that spent the most. In second place, Apple spent €7 million. Google, Microsoft and Amazon come in fourth, sixth and seventh place, with €5.5 million, €5 million and €3.5 million in spending respectively, with Bayer and Shell in third and fifth place respectively. The total lobbying spending by the big five tech companies increased from €22.87 million (in 2021) to €29 million (in 2023). Meta has shown the largest increase in spending in the last years, with Apple also significantly increasing its spending. (CEO, 2021 August 31; CEO, 2023 September 8; Chalmers & Macedo, 2021, pp. 1995-98; Euronews, 2023 September 11; EUTR, 2021, pp. 3-11; EUTR, 2023, pp. 3-17; Hobbs, 2023 September 12; Lykiardopoulou, 2023 September 11). It is important to emphasise that the reported lobbying efforts only represent disclosed expenditures; the actual lobbying costs could be higher due to unreported activities (Dellis, 2023, p. 343). The previous expenditures can be broken down into several categories throughout the years: a significant portion of the lobbying budget is allocated to salaries for in-house lobbyists and fees for external consultancy firms, which are responsible for direct engagement with EU officials and providing strategic advice on regulatory matters; funding academic and policy research is another major expense, sponsoring studies that align with their policy objectives, providing valuable data and insights that can be used in lobbying efforts; organising conferences, seminars, and public campaigns to promote their policy positions also constitutes a significant expenditure, which normally feature expert panels, keynote speeches, and extensive media coverage to reach a wide audience; membership fees for industry associations, donations to think tanks and research institutions are also part of the lobbying expenditures, with all of these helping maintain the influence and operational capabilities of allied organisations (Chalmers & Macedo, 2021, pp. 1998-99; Coen, 2007, pp. 340-49; Eising, 2007, pp. 393-99; EUTR, 2021, pp. 3-11; Hobbs, 2023 September 12; Mahoney, 2008, pp. 120-27; Pautz, 2018, pp. 88-95; Tarrant & Cowen, 2022, pp. 219-21). The financial power of the big five tech companies enables them to exert substantial influence on the EU's legislative process, with their expenditures often directed towards ensuring that regulations do not unduly hinder their business operations or innovation capacities; the significant resources at their disposal also allow them to engage in sustained lobbying efforts over long periods, influencing both current and future policy landscapes (Chalmers & Macedo, 2021, pp. 1995-98; Dellis, 2023, pp. 322-23; Coen & Richardson, 2009, pp. 26-28; Dinan, 2021, pp. 239-42; EUTR, 2021, pp. 3-14; Gorwa et al., 2024, pp. 5-7; Tarrant & Cowen, 2022, pp. 220-21).

Furthermore, lobbying in the EU is deeply rooted within legislative and regulatory processes, involving a range of different actors including multinational corporations, industry associations, NGOs, think tanks, consultancy firms and professional lobbyists, engaging in lobbying to influence policy decisions, advocate for favourable regulations, or to have access to insider information that will give them an edge (Berny & Moore, 2021, pp. 149-51; Coen et al., 2021; ECOM, 2024d, pp. 12-15; Gorwa

et al., 2024, pp. 4-8). Lobbying activities in the EU have increased by a huge margin over the past few decades; this follows the growing powers that have been bestowed upon EU legislative and regulatory frameworks, which has created more opportunities for stakeholders to lobby for their interests to be reflected on during formulation of laws (Almansa-Martínez et al., 2021 September, pp. 240-42; Arras & Braun, 2018, pp. 1261-63; Bernhagen & Hüttemann, 2023, pp. 5-7). The EU's institutional triangle is the primary target of lobbying efforts due to pivotal roles in the legislative process: the ECOM is particularly influential, making it a key focus for lobbyists aiming to shape policy at the earliest stages; the EPAR, with its co-legislative powers, is another crucial target, especially given its increasing influence through successive treaty reforms; and, the CoEU, representing MSs, is essential for final legislative approval, thus also attracting significant lobbying efforts (Bank et al., 2021 August; Beyers et al., 2018, pp. 422-26; Coen, 2009, pp. 149-53; ECOM, 2024d, pp. 9-15; Greenwood, 2011, pp. 120-25; Hancock & Folkman, 2024 March 25; Hix & Høyland, 2011, pp. 159-66; Lombardi, 2022 March 22; Mack, 2005, pp. 341-42). The big five tech companies establish substantial lobbying operations in Brussels, employing a combination of in-house lobbyists and external consultancy firms to navigate the complex regulatory environment (CEO, 2021 August 31; ECOM, 2024d, pp. 9-15; Greenwood, 2011, pp. 120-24; Klüver et al., 2015, pp. 449-50). Apple engages in lobbying primarily to influence regulation related to data protection, digital services, and taxation, seeking to shape policies that foster a favourable business environment (Chavagneux, 2016, pp. 49-54; Killian, 2021, pp. 51-54). Amazon prioritizes on competition policy, digital market regulations, and labour laws, advocating for regulations that recognise the benefits of e-commerce and protect its business model from restrictive antitrust measures (Atikcan & Chalmers, 2019, pp. 551-54; Geradin, 2020, pp. 105-12; Keane, 2020; Nicoli & Iosifidis, 2023, pp. 31-34). Google invests heavily in lobbying efforts related to (data protection, digital advertising, and competition policy), seeking to influence legislative outcomes that balance innovation with privacy and economic growth (Christensen, 2020, pp. 134-39; Dialer & Richter, 2019, pp. 15-17; Jovanovic, 2020; Laurer & Seidi, 2021, pp. 269-73; Rossi, 2018, pp. 214-19). Meta targets content regulation, privacy laws, and digital market regulations, aiming to shape policies that allow for free expression while addressing issues such as misinformation and harmful content (Bayer et al., 2020, pp. 50-56; Cini & Czulno, 2022, pp. 46-48; Coroado, 2023, pp. 14-16). Microsoft engages in lobbying to influence digital market regulations, cloud computing policies, and antitrust laws, promoting fair competition and innovation-friendly regulations that support its diverse business interests (Aydin, 2014, pp. 27-31; Bank et al., 2021 August; Coulter & Chee, 2024 February 27; White, 2024 June 28). For a detailed comparative analysis of the big five tech companies, refer to *Attachment I*.

5.3. Lobbying in tech legislation

Next, we will examine the influence of tech companies on EU regulations, explore the existing flexibility within regulation and the legislative process, and discuss the role of lobbying during the decision-

making process, concluding with an overview of tech lobbying in the EU's legislative process. As seen before, tech companies hold significant power in shaping legislation within the EU, employing various tactics to exert influence (CEO, 2021 August 31; Gorwa et al., 2024, pp. 7-9; Mamontova et al., 2021, pp. 6-7; Tarrant & Cowen, 2022, pp. 220-21).

From the complex EU legislative process, tech companies manage to penetrate the process with wide impacts on policymaking (Holman & Luneburg, 2012, pp. 77-78). This can be broken down into 4 phases. In the first phase, when the ECOM proposes legislation, tech companies concentrate their lobbying efforts on influencing the drafting of legislative proposals, by engaging with ECOM officials, seeking to shape the scope and direction of potential regulations according to their interests; notable players, like Google and Meta, actively participated in consultations and meetings regarding key acts (e.g., DSA), offering insights on content moderation and data privacy measures, accommodating better their business mode (Alemanno, 2017; Bernhagen et al., 2017, pp. 139-41; Chalmers, 2014, pp. 902-5; Chari et al., 2019; Crombez, 2002, pp. 9-14; Holman & Luneburg, 2012, pp. 78-81; Rossi, 2018, pp. 214-18). In the second phase, when the ECOM develops legislation, tech companies persist in lobbying endeavours to ensure the concerns and suggestions are taken into account, submitting position papers, participating in expert groups, and leveraging technical expertise to inform regulatory frameworks; e.g., Microsoft and Meta's participation in discussions regarding the DMA, where they promoted balanced regulations that encourage competition while safeguarding innovation to protect their interests (Aydin, 2014, pp. 27-31; Bayer et al., 2020, pp. 50-57; Bernhagen et al., 2017, pp. 141-44; Bunea, 2019, pp. 1582-84; Bunea & Ibenskas, 2015, pp. 432-36; ECN, 2019, pp. 3-12; Geradin, 2020, pp. 105-11; Tarrant & Cowen, 2022, pp. 218-19). The third one, once a legislative proposal is submitted by the ECOM, it undergoes scrutiny and amendments by two bodies: the EPAR and the CoEU. This bicameral process presents further opportunities for tech companies to shape the final legislation through targeted lobbying efforts, in which lobbyists engage with MEPs and the CoEU's national representatives to advocate for favourable amendments and build alliances with supportive policymakers. Amazon's active lobbying of MEPs on competition policy, highlighting the advantages of its marketplace for consumers and small businesses, exemplifies this influence (Bernhagen et al., 2017, pp. 144-46; Geradin, 2020, pp. 105-12; McDonnell & Dall, 2020, pp. 88-93; Pyatt, 2022, pp. 143-44; Rasmussen & Toshkov, 2013, pp. 371-73; Wörsdörfer, 2022a, pp. 64-66). The fourth and final stage of the legislative process, known as trilogue negotiations, involves representatives from the ECOM, EPAR, and CoEU meeting to reconcile differing positions: it's crucial as it often requires compromises and ultimately shapes the final legislative text. Tech companies do recognise and exploit this opportunity, intensifying their lobbying efforts during trilogue negotiations to secure favourable outcomes, seeking to influence the final compromises and ensure that their concerns are addressed in the final legislative text. Apple has effectively leveraged this phase to influence discussions on tax policies, ensuring outcomes align with its business interests, compliance objectives, and broader global tax strategy (Bernhagen et al., 2017, pp. 146-49; CEO, 2022 April 23; CEO & LobbyControl, 2023 November; Dyreng et al., 2017, pp. 167-

70; Elbra & Mikler, 2017, pp. 184-86; McDonnell & Dall, 2020, pp. 88-96; Vogel, 2009 September 2; White, 2023 May 23).

Understanding how tech companies exert their influence throughout these stages is essential in assessing the balance between private interests and public welfare within EU policymaking.

Thus, it is important to emphasise: tech companies have margin to influence EU legislation in their favour during the four stages of the legislative process, which is possible due to the complexity of EU law-making (Alemanno, 2017; Bernhagen et al., 2017, pp. 151-53; Bunea & Ibenskas, 2015, pp. 433-35; McDonnell & Dall, 2020, pp. 88-94; Novak et al., 2021, pp. 477-78). Nevertheless, the ECOM's dedication to transparent consultations and stakeholder engagement (through the existence of the EUTR), allows tech companies to express vested interests and have an impact on the early stages of creating new laws shaping the direction of future regulations, providing tech firms the opportunity to support policies that benefit their industry. Hence, the legislative process allows significant amendments and revisions, especially during parliamentary committee discussions and CoEU deliberations, when tech companies lobby for specific amendments that align with strategic objectives, effectively tailoring the legislation to mitigate adverse impacts and enhance business opportunities. Companies do this through informal channels, networking events, providing interactions and facilitating the exchange of ideas, allowing lobbyists to build relationships with key decision makers, enhancing their ability to influence legislative outcomes (Chalmers, 2014, pp. 902-5; Coen, 2007, pp. 336-41; Dellis, 2023, pp. 321-22; ECOM, 2024d, pp. 9-10; Greenwood, 2011, pp. 120-26; Klüver, 2013, pp. 210-16; Rasmussen & Carroll, 2014, pp. 117-21; Rasmussen & Toshkov, 2013, pp. 371-73; Stoian & Tohanean, 2020 October, pp. 320-22; Tarrant & Cowen, 2022, pp. 219-21). In conclusion, tech companies wield considerable influence over EU regulations through strategic lobbying and close integration into the legislative process, engaging from the initial drafting by the ECOM, through EPAR and CoEU deliberations, to trilogue negotiations. Google, Apple, Meta, Amazon, and Microsoft effectively shape policies to align with their interests, through extensive resources, technical expertise, and established networks which enables them to impact the direction and content of legislation. This is key to evaluate the balance between private interests and public welfare in EU policymaking for our study.

Next, we will explore our case study: the EU's AI Act, which offers a detailed examination of the dynamics between major tech companies and the CoEU throughout the legislative process of AI regulation. The next section aims to explore the role of lobbying by these companies, analysing whether their efforts disrupted or interfered with the process, and identifying the most significant activities that shaped the final provisions of the AI Act; through scrutinising the dimensions, strategies, and targets of their lobbying activities, we will assess the extent of Apple, Amazon, Google, Meta, and Microsoft's influence on this critical piece of legislation.

Chapter 6. Data analysis

As shown before, tech companies target the CoEU's national representatives, engaging with MS governments, lobbying national ministries, providing input on the implications of proposed regulations, and building coalitions with other industry players to present a united front (Pyatt, 2022, pp. 143-44; Rasmussen & Toshkov, 2013, pp. 371-73; Wörsdörfer, 2022a, pp. 64-66). In the upcoming chapter, we will analyse our case study: the Artificial Intelligence Act (AI Act), focusing on how Apple, Amazon, Google, Meta, and Microsoft lobbied national representatives within the CoEU's digital work party and the impact this had on the legislative process.

First, we will focus on the AI Act. The EU's AI Act represents a pioneering effort to establish a comprehensive regulatory framework for AI systems within the EU, being the first AI regulation. This legislation, proposed by the ECOM in April 2021, agreed upon by the EPAR and the CoEU in December 2023, voted on the EPAR on 13 March 2024 and voted on the CoEU on 21 May 2024, is the first of its kind globally, setting a precedent for regulating AI by adopting a risk-based approach, wherein the regulatory requirements imposed on AI systems are proportional to their potential risks to society and fundamental rights (ECOM, 2024a, 2024c, 2024d; CoEU, 2024a; EUR-Lex, 2024). This Act aims to foster the development and adoption of AI technologies, depicting categories of AI systems based on risk levels. High-risk AI systems are subject to stringent requirements, including conformity assessments, transparency obligations, and continuous post-market monitoring, with certain AI practices deemed to pose unacceptable risks, such as social scoring and real-time biometric identification for law enforcement purposes, being outright prohibited within the EU (CoEU, 2024a; ECOM, 2024b, 2024d; EUR-Lex, 2024). In addition to regulating high-risk AI systems, the Act promotes a supportive environment for innovation through measures such as AI regulatory sandboxes, allowing businesses to test and validate new AI technologies under regulatory supervision, emphasising the importance of transparency and accountability, requiring high-risk AI systems to be registered in an EU database and ensuring that users are informed when they are subject to AI-based decision-making processes (CoEU, 2024a; ECOM, 2024b, 2024c; EUR-Lex, 2024). The AI Act also introduces a governance architecture to ensure effective implementation and enforcement through the establishment of an AI Office within the ECOM, a scientific panel of independent experts, and an AI Board comprising representatives from MSs, which will oversee compliance, provide technical guidance, and facilitate stakeholder engagement in the EU, thereby underscoring the EU's commitment to balance technological progress with the protection of fundamental rights, striving to position EU as a leader in safe and ethical development of AI (CoEU, 2024a; ECOM, 2024a, 2024c).

There's substantial evidence of lobbying by the tech companies during the legislative process of the AI Act, disclosed by several reports, research and investigations; these reveal a concerted effort by major tech firms to influence the regulatory framework in their favour, having utilised direct and

indirect lobbying tactics to shape the AI Act's provisions and mitigate regulatory impacts on their operations. A key aspect of these lobbying efforts was the pushback against stringent regulations on "foundation models" (the most advanced AI generative systems like ChatGPT), with big tech companies having argued that overly restrictive regulations could stifle innovation, thereby having lobbied for more lenient self-assessment protocols for high-risk AI systems (Axiones, 2023, November 27; Bryson, 2023; CEO, 2023, November 24; CEO, 2024 March 12; Davies, 2023, November 29; Duffy, 2024 March 12; ECOM, 2024d, pp. 9-15; Hodson, 2023 May 18; Petitjean, 2024 March 11; Tallberg et al., 2024; Tolepbergen, 2023). According to Corporate Europe Observatory (CEO), tech companies have publicly called for AI regulation while privately opposing it through extensive lobbying, with some research indicating that, during the AI Act's negotiations process in 2023, 66% of AI-related meetings with EMs involved corporate interests, up from 56% between 2019 and 2022; once the EPAR aimed to regulate "foundation models", tech companies targeted the ECOM and CoEU's national representatives, with executives from Google, Meta, and Microsoft actively and frequently met with EU policymakers (Google's Ceo Sundar Pichai's even met with three Commissioners in a single day) (CEO, 2023; Vranken, 2023 November 24). Therefore, this extensive lobbying may have had tangible effects on the development of the AI Act, causing modifications to the proposed regulations (particularly concerning oversight and requirements for general-purpose AI systems), reflecting the success of lobbying efforts in watering down some of the AI Act's more stringent provisions.

In this dissertation, building on prior scientific research, we demonstrate the existence and impact of lobbying in the legislative process of the AI Act. The present research aims to understand the role of lobbying in AI Act's drafting and how Apple, Amazon, Google, Meta, and Microsoft lobbied CoEU's national representatives. Our goal is to understand the role of lobbying by these companies in the legislative process, identify the dimensions, origins, targets, strategies, and activities, and understand how it shaped the AI Act during the CoEU legislative phase, by analysing the interference and disruption in the legislative process. As outlined in the methodology, we conducted interviews with several CoEU's national representatives. Their testimonies were rich in detail, offering valuable insights that greatly contribute to the depth and comprehension of this study.

The selection of the participants in the interviews was based in participants' #1, #2, #3, #4, #5, #6 and #7 role in the legislative process of the EU's AI Act, with these interviews providing a comprehensive and detailed overview of Apple, Amazon, Google, Meta, and Microsoft's presence and lobbying efforts. By examining the convergences and divergences in these testimonies, it becomes clear that lobbying was not only widespread but also varied in its impact, depending on the company, the phase, the target, and the specific individuals involved. Throughout these interviews, it is possible to gain a deeper understanding of how tech companies strategically navigated the legislative landscape, the techniques employed, the responses from policymakers, and the broader implications of their actions.

Despite their different identities, roles and levels of involvement, the interviewees share several key insights about the lobbying activities of tech companies and the broader legislative process for the

AI Act, universally agreeing on the presence and importance of lobbying in Brussels. They describe lobbying as a "normal" part of the legislative process, especially on a complex file like the AI Act, which involves cutting-edge technology and wide-reaching societal impacts. Interviewees #1, #5, #6 and #7 highlighted the presence of tech company representatives at various stages of the legislative process, explaining that lobbying by these firms, though commonplace, was especially visible in the AI Act due to the high stakes involved (Interview #1; Interview #5; Interview #6; Interview #7). The same sentiment is echoed by Interviewees #2 and #4, who admitted that the nature of Brussels as a political hub makes lobbying a constant feature, regardless of the specific legislation being discussed (Interview #2; Interview #4). Meanwhile, Interviewee #3 confirmed that had regular interactions with lobbyists and was not surprised by the intensity of lobbying efforts surrounding the AI Act, as is common in the EU's landscape (Interview #3). This commonality in perspective reveals an underlying reality of how lobbying is normalised in the EU legislative environment, particularly when dealing with highly technical subjects such as AI; the consensus among the interviewees shows that lobbying is seen not as an exception but as a standard element of the law-making process, raising questions about the balance of power between public interests and private sector influence. All seven interviewees underscored the critical role that position papers played in the lobbying efforts of big tech companies, with position papers often cited as one of the primary methods used by these companies to influence the decision-making process. Interviewees #1, #5 and #6 mentioned that these documents were crucial in presenting tech companies' stances on particular aspects of the AI Act, often with well-structured arguments and technical examples that helped policymakers better understand the implications of different regulatory approaches, emphasising that these papers, while serving a lobbying purpose, also provide valuable insights into the technical dimensions of AI (since CoEU's national representatives might not always be equipped to navigate on their own) (Interview #1; Interview #5; Interview #6). Interviewees #2 and #4 similarly noted the utility of position papers but offered a more nuanced view. While acknowledging that these papers were often "disguised as information", it was pointed out that some of the proposals presented were genuinely useful, particularly regarding more technical aspects like biometric identification and alternative methods for monitoring AI systems (Interview #2; Interview #4); this perspective reflects an understanding that lobbying materials, while designed to push a corporate agenda, can simultaneously provide meaningful contributions to the legislative process when well crafted. Interviewees #3 and #7 offered a slightly more critical perspective, describing how the sheer volume of position papers the CoEU received led to confusion and delays in decision-making; while position papers could be informative, many were either redundant or poorly constructed, making it harder to distil meaningful insights from the overwhelming amount of input (Interview #3; Interview #7); this points to the challenges policymakers face when inundated with lobbying material, which, in some cases, can hinder rather than facilitate progress.

Another point of agreement among interviewees is the strategic nature of tech companies' lobbying. Interviewees #1, #4, #5 and #6 highlighted how companies initially cast a wide net, engaging

with various MSs before narrowing their focus to MSs (with whom interests aligned with national positions); through selective lobbying that demonstrates a sophisticated grasp of the EU's legislative landscape, companies, then, adapt strategies to align with the political dynamics of individual MSs (Interview #1; Interview #4; Interview #5; Interview #6). Interviewees #2 and #7, echoed this observation, noting that tech companies often lobbied in coalitions through industry associations; by aligning their interests and pooling resources, tech companies could present a united front, which allowed them to exert greater influence on specific regulatory aspects, such as the definition of high-risk AI systems or the treatment of general-purpose AI models (Interview #2; Interview #7). While these coalitions were generally effective, Interviewee #2 also pointed out that the interests of individual companies were not always aligned, leading to occasional friction within these lobbying groups (Interview #2). Interviewee #3 added that tech companies often shared information with one another to align their strategies, with this coordination enabling them to amplify their lobbying efforts and maintain a consistent message across different discussions and forums. However, Interviewee #3 expressed dissatisfaction with how some companies, particularly Google, conducted their lobbying, describing their tactics as "nagging", "aggressive" and "overbearing" (Interview #3). Interviewees #4 and #7 also demonstrated discomfort with some of the approaches of technology companies (Interview #4; Interview #7). The interviewees touched on the role of lobbying in shaping the discussion around general-purpose AI models, a particularly contentious aspect of the AI Act (Interview #5; Interview #6; Interview #7). Interviewee #1 explained that tech companies lobbied intensely to delay or soften regulations on these models, ultimately resulting in a compromise within the CoEU, with the decision to address general-purpose AI through delegated acts rather than immediate regulatory provisions were seen as a direct consequence of these lobbying efforts (Interview #1). Interviewees #2 and #4 reinforced this perspective, acknowledging that tech companies were able to sway discussions around general-purpose AI but did not achieve all of their desired outcomes, whose decision to regulate these models more flexibly allowed companies more time to adapt and shape future delegated acts (Interview #2; Interview #4). Interviewee #3, while not focusing as heavily on this specific issue, implied that the delays caused by lobbying efforts indirectly benefited tech companies, particularly in areas like general-purpose AI, where further deliberation gave them more time to prepare for the eventual regulations (Interview #3). Finally, Interviewees #1, #2, #3, #4, #6 and #7 also noted the tendency of big tech companies to lobby in ways that reinforced their market dominance, particularly through their support of regulation that would create barriers for smaller competitors (Interview #1; Interview #2; Interview #3; Interview #4; Interview #6; Interview #7)

While there were many points of convergence across the three interviews, notable divergences also emerged, particularly in relation to the effectiveness of lobbying, the perception of big tech tactics, and the role of civil society. One of the most striking divergences between the interviewees concerns the perception of the lobbying tactics employed by tech companies. Interviewees #1 and #5 took a generally positive view, recognising that lobbying provided important technical insights that helped

policymakers understand the implications of certain provisions, acknowledging the resource advantage that tech companies brought to the table, which allowed them to contribute meaningful data and arguments to the legislative discussions (Interview #1; Interview #5). In contrast, Interviewees #3 and #7 had a much more negative view, particularly regarding Google's approach, with #3 describing Google's lobbying tactics as aggressive and persistent, to the point of being intrusive and with #7 calling Google as "naggers". Interviewee #3 recounted being contacted repeatedly by Google representatives, sometimes even on their private phone numbers, and expressed frustration at the lack of substance in their arguments; the aggressive behaviour contrasted sharply with the more polite and restrained approach like Apple and Amazon, which were less forceful in lobbying efforts (Interview #3; Interview #7). Interviewees #2 and #4 offered a more balanced perspective, acknowledging that while tech companies pushed hard for regulations that would benefit them, some of their proposals, such as those related to biometric identification, were genuinely useful (Interview #2; Interview #4). Another area of divergence lies in the perception of how lobbying contributed to delays in the legislative process. Interviewees #1 and #5 downplayed the role of lobbying in causing delays, suggesting that while it certainly shaped the discussions, the primary delays were due to the complexity of the issues at hand, particularly around defining high-risk AI and general-purpose models (Interview #1; Interview #5). Interviewee #3, however, saw lobbying as a significant factor in delaying the legislative process, arguing that the overwhelming volume of input from tech companies and other stakeholders created confusion and extended the timeline, giving companies more time to prepare for the eventual regulations, with this perspective reflecting a more critical view of lobbying, seeing it as not only influencing the content of the legislation but also manipulating the timing of its development, with interviewee #7 also sharing this perspective (Interview #3; Interview #7). Interviewees #2, #4 and #6 acknowledged that tech lobbying contributed to the complexity of the discussions, with the delays being primarily due to external pressures and the dense nature of the file itself, arguing that the tech companies' main focus was to shape the legislation's content in ways that would be favourable to them (Interview #2; Interview #4; Interview #6). A notable divergence between the Interviewees concerns their interactions with civil society organisations. Interviewees #1, #5 and #7 focused primarily on the tech companies and did not provide much commentary on the role of civil society, which was largely shaped by their engagement with big tech, particularly in relation to technical aspects of AI regulation (Interview #1; Interview #5; Interview #7). Interviewees #2 and #4, on the other hand, emphasised the importance of balancing input from tech companies with that of civil society organisations, noting that civil society played an important role in shaping certain aspects of the AI Act, particularly in relation to privacy concerns and the ethical implications of AI. While acknowledging that tech companies were often more vocal, civil society organisations provided valuable counterpoints that helped create a more balanced regulatory framework (Interview #2; Interview #4). Interviewees #3 and #6 took an even stronger stance in favour of civil society, expressing a clear preference for engaging with these groups over big tech companies, founding civil society organisations to be more informed and better aligned with the broader public interest,

whereas viewed tech companies as primarily self-serving in their lobbying efforts (Interview #3; Interview #6). This divergence underscores the diverse approaches policymakers take when engaging with various stakeholders and the varying degrees of trust they place in them.

6.1. Observations

The discussion surrounding general-purpose AI models is one of the most significant areas where lobbying efforts were concentrated, according to all seven interviewees. As this area represents a major technological advancement with wide-ranging applications, tech companies like Google and Microsoft were particularly invested in influencing how these models would be regulated (Interview #4; Interview #6). Interviewee #1 noted that the decision to address general-purpose AI models through delegated acts was seen as a compromise, heavily influenced by lobbying from big tech, with this allowing companies more time to adapt to future regulations and offered flexibility in how these models would eventually be governed (Interview #1). Interviewees #2 and #5 echoed this perspective, explaining that while tech companies were successful in delaying immediate regulatory decisions on general-purpose AI, they did not get everything they wanted, with the final decision reflecting a balance between the CoEU's concerns and the lobbying efforts of tech companies (Interview #2; Interview #5). Interviewees #3 and #7, though less focused on the specific topic of general-purpose AI models, pointed to the broader delays in the legislative process as being beneficial to tech companies, allowing them more time to prepare for the eventual regulatory landscape, highlighting how lobbying efforts not only shaped specific provisions but also affected the overall timeline of the AI Act (Interview #3; Interview #7).

All Interviewees agreed that position papers played a critical role in shaping discussions around the AI Act, particularly in providing technical insights into complex issues like AI risk classifications and regulatory thresholds. Interviewees #1 and #5 found position papers to be particularly useful in understanding the technical aspects of AI, especially where government expertise was lacking, viewing these papers as a valuable tool in the policymaking process, helping to clarify the potential impact of different regulatory approaches (Interview #1; Interview #5). Interviewees #2, #4 and #6 offered a more critical view, acknowledging that while position papers were useful, they were often "disguised as information" and designed to push a corporate agenda, admitting, despite this, that some of the proposals presented in these papers were genuinely valuable, particularly around biometric identification and alternative regulatory mechanisms (Interview #2; Interview #4; Interview #6). Interviewees #3, #4 and #7 took a more negative stance, arguing that the overwhelming volume of position papers contributed to confusion and delays in the legislative process, feeling that many of the papers were redundant or poorly constructed, making it difficult to distil meaningful insights from the large amount of input they received (Interview #3; Interview #4; Interview #7).

One of the most significant impacts of lobbying, according to Interviewees #3, #4 and #7, were the delays and confusion it caused in the legislative process, pointing out that the sheer volume of input

from tech companies, particularly through position papers and meetings, created a complex and often chaotic environment, leading to delays in reaching decisions (Interview #3; Interview #4; Interview #7). While Interviewees #1 and #5 acknowledged that lobbying shaped certain aspects of the AI Act, did not see it as the primary cause of delays; instead, attributed the extended timeline to the inherent complexity of the issues at hand, particularly around defining high-risk AI and general-purpose models (Interview #1; Interview #5). Interviewees #2 and #6 offered a more balanced perspective, noting that while lobbying contributed to the complexity of the discussions, the primary delays were due to external pressures and the dense nature of the file itself, arguing that tech companies did not necessarily intend to delay the process but rather sought to shape the content of the legislation in ways that would be favourable to them (Interview #2; Interview #6).

Thus, the interviews provide a comprehensive and nuanced view of how tech companies lobbied during the legislative process of the EU AI Act. While there is consensus on the commonality of lobbying and its general impact on the legislative process, the interviewees diverge in their perceptions of the tactics used and the overall effectiveness of these efforts. Position papers, strategic engagement with MSs, and coalition lobbying emerged as key tools for tech companies, with both positive and negative consequences for the legislative process. For some policymakers, lobbying provided valuable technical insights and helped inform decision-making, while for others, it created delays and confusion, complicating the already dense legislative process. Through these interviews, it becomes clear that lobbying played a significant role in shaping the AI Act, not only in terms of its specific provisions but also in the broader dynamics of the legislative process. The varied perspectives of the Interviewees highlight the complexity of policymaking in the EU, where lobbying is both a necessary part of the process and a potential source of disruption, depending on how it is conducted and perceived. These insights provide valuable context for understanding the interplay between public policy and corporate influence, particularly in the fast-evolving field of AI.

6.2. Analysis and discussion

In the present section, we will delve into the analysis and discussion of the results based on the research objectives set out at the beginning of this dissertation. We aim to critically examine the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft on the legislative process of the EU's AI Act within the CoEU. By cross-referencing the literature and primary data collected, we will assess the impact of these lobbying activities on shaping the final provisions of the AI Act and explore the extent to which these efforts may have disrupted or interfered with the legislative process. As seen in Chapter 2, lobbying in the context of the digital sector within the EU legislative process is defined for this investigation as the strategic efforts by technology companies to influence policymaking and regulatory decisions through a variety of direct and indirect activities, which aim to shape legislative outcomes to favour their

business interests and technological innovations, while also considering the broader public and ethical implications of digital advancements.

In the context of the AI Act, the big five tech companies have been particularly active in shaping the legislative framework, with the literature review revealing that these companies employ sophisticated lobbying strategies, including direct engagement with policymakers, coalition building, and public advocacy, which are aimed at protecting their business interests in a rapidly evolving regulatory environment (Axiones, 2023 November 27; Bryson, 2023; CEO, 2023 November 24; Davies, 2023 November 29; Duffy, 2024 March 12; ECOM, 2024d, pp. 9-15; Gorwa et al., 2024; Hodson, 2023, May 18; Tolepbergen, 2023). Primary sources, the interview data with CoEU's national representatives cited before, corroborate the presence of lobbying activities by these tech giants during the legislative phases of the AI Act, highlighting that Apple, Amazon, Google, Meta, and Microsoft frequently engaged with members of the CoEU through formal meetings, policy briefings, and position papers, aligning with prior findings that the CoEU is a key target for lobbying activities, particularly in areas related to technology regulation The lobbying activities were described as "persistent" and "strategically timed," particularly during the amendment phases of the AI Act, where provisions on data privacy, transparency, and market fairness were being debated (Interview #1; Interview #2; Interview #3; Interview #4; Interview #5; Interview #6; Interview #7). From both the literature and primary data, it is clear that lobbying by these companies was not only present but also influential, with evidence suggesting that lobbying was a key mechanism through which these firms sought to shape the AI Act to their advantage, especially in areas that could potentially restrict their business models (like algorithmic transparency and data governance).

The primary research question of this dissertation focuses on the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft in shaping the legislative process of the AI Act. The present analysis indicates that these companies played a significant role in influencing the final provisions of the AI Act, particularly during the CoEU's legislative phase, exerting influence through a variety of lobbying strategies that were aimed at mitigating the impact of the regulation on their business operations. Three strategies were highlighted as the most common: direct engagement with policymakers, coalition building and collective advocacy, and advocacy through media. As the literature review revealed, direct engagement is one of the most common strategies employed by tech companies in the EU (Coen & Richardson, 2009; Chavagneux, 2016, pp. 49-56; ECOM, 2024d, pp. 9-15; EDR, 2020, pp. 4-9; EUTR, 2021, pp. 3-11; Geradin, 2020, pp. 105-11; Tarrant & Cowen, 2022, pp. 219-21). Primary data supports this, with the interviewees showing and arguing that all five companies actively lobbied the CoEU's national representatives through one-on-one meetings, policy briefings and other mechanisms. Interviewees noted that tech companies focused heavily on influencing key provisions related to transparency and accountability in AI systems, stating that Google was particularly vocal about the potential costs and technical challenges of implementing strict algorithmic transparency rules, arguing that such measures would stifle innovation and undermine their competitive edge (Interview #1;

Interview #2; Interview #3; Interview #4; Interview #5; Interview #6). Interviewees #2 and #4 revealed that lobbying during the negotiation phase led to the inclusion of more flexible provisions in the final version of the AI Act, which allow for exceptions in cases where full transparency could pose intellectual property risks or competitive disadvantages, with another significant finding relates to the coalition-building strategies employed by tech companies (Interview #2; Interview #4). The literature supports this outcome, with several studies highlighting how lobbying efforts by large corporations often result in regulatory frameworks that accommodate business interests while maintaining a public-facing narrative of consumer protection and innovation, also emphasising the importance of forming alliances with other stakeholders, such as industry groups and think tanks, to amplify lobbying efforts, with Apple, Amazon, and Microsoft were found to be key players in the DigitalEurope association (which represented the interests of the broader tech industry in negotiations with the CoEU), lobbying for "a more business-friendly regulatory" environment (Almansa-Martínez et al., 2021 September, pp. 240-42; CEO & LobbyControl, 2023 November; Davies, 2023; ECOM, 2024d, pp. 9-15; EUR-Lex, 2024; Gorwa et al., 2024; Vranken, 2023 November 24). Interviewees #3 and #7 indicated that big tech companies collectively advocated for a tiered risk-based approach to AI regulation, which distinguishes between high-risk and low-risk AI applications, which approach was eventually adopted in the final AI Act, allowing companies to avoid stringent compliance measures for lower-risk applications, thus preserving their ability to innovate in less regulated areas of AI development (Interview #3; Interview #7). This result aligns with findings from prior literature, which shows that coalition lobbying often results in more favourable outcomes for corporate interests, especially when regulatory bodies are pressured by multiple stakeholders representing a unified stance (Clemons et al., 2022; ECN, 2019, pp. 3-14; Gorwa et al., 2024, pp. 3-9; Greenwood, 2011; Klüver et al., 2015, pp. 452-54; Mahoney, 2008, pp. 120-24; Sorurbakhsh, 2016, pp. 212-14; Pautz, 2018). In addition to direct lobbying and coalition building, public relations and media advocacy also played a key role in shaping the AI Act, with the literature review highlighting how tech companies use media campaigns and public advocacy to influence public opinion and indirectly pressure policymakers (Arcila, 2024 May 2; Bombardini & Trebbi, 2020, pp. 393-95; Davies, 2023; EUTR, 2021, pp. 3-11; Pautz, 2018, pp. 88-95; Tarrant & Cowen, 2022, pp. 219-21; Thomas & Hrebenar, 1999, p. 4). Primary sources confirm, notably Interviewees #1, #2, #3, #4, #6, and #7, that Meta, Amazon, and Google engaged in extensive public relations efforts during the legislative process, positioning themselves as advocates for innovation and consumer rights (Interview #1; Interview #2; Interview #3; Interview #4; Interview #6; Interview #7). Thus, Apple, Amazon, Google, Meta, and Microsoft framed the AI Act as potentially harmful to European competitiveness, particularly in the global tech market. By emphasising the need for regulatory frameworks that promote innovation rather than hinder it, these firms successfully shaped the public discourse, which in turn influenced CoEU deliberations, with the final provisions of the AI Act reflecting a compromise that balances innovation with regulatory oversight, a result that aligns closely with these companies' objectives. Apple, Amazon, Google, Meta, and Microsoft benefit of the existence

of the "right amount" of regulation, as it provides them with a competitive advantage, reinforcing consumer trust while still allowing them to leverage their dominant market positions, minimising constraints on their operations and innovation compared to smaller or emerging competitors.

One of the secondary research questions addressed in this dissertation was whether the lobbying efforts of these tech companies disrupted or interfered with the legislative process of the AI Act within the CoEU. Both the literature and primary data suggest that while lobbying efforts were extensive, they did not necessarily disrupt the process in a traditional sense. Instead, they influenced the pace and direction of legislative discussions. Primary data reveals that the lobbying activities of Apple, Amazon, Google, Meta, and Microsoft often resulted in prolonged debates and delays, particularly on contentious issues such as algorithmic transparency and data privacy; however, interviewees from the CoEU stated that these delays were seen as part of the normal legislative process, especially in complex areas such as AI regulation where the stakes are high for both industry and consumers, which is consistent with previous research, which argues that lobbying, while often perceived as disruptive, can also contribute to more comprehensive and well-rounded legislation by ensuring that all stakeholder concerns are addressed (CEO, 2022 April 23; CEO & LobbyControl, 2023 November; Davies, 2023; Dyreng et al., 2017, pp. 167-70; Interview #1; Interview #2; Interview #3; Interview #4; Interview #6; White, 2023 May 23). The literature also supports the idea that lobbying, particularly by powerful industry players, can lead to a more iterative and deliberative policymaking process; on the other hand, there is also evidence that such lobbying efforts can lead to regulatory capture, where the interests of the industry take precedence over public welfare (CEPS, 2024; Coen & Richardson, 2009; ECOM, 2024d, pp. 9-15; Jann & Wegrich, 2017, pp. 70-75; Stigler, 1971; Stone, 2013b, pp. 90-92). In the case of the AI Act, while industry interests were certainly influential, the final legislation does include robust provisions for consumer protection and accountability, suggesting that the CoEU was able to balance these competing pressures.

The final secondary research question focused on identifying the most significant lobbying activities that shaped the final provisions of the AI Act. Based on the analysis, the most impactful lobbying activities were those related to algorithmic transparency, risk classification, and data privacy, which were the areas where tech companies stood to lose the most if stringent regulations were implemented, and thus, these were the areas where their lobbying efforts were most concentrated. The primary data, supported by the literature, indicates that Apple, Google, and Meta were particularly active in lobbying against overly prescriptive transparency requirements, which efforts resulted in the inclusion of more flexible provisions that allow companies to protect proprietary information while still adhering to transparency guidelines. Similarly, Amazon and Microsoft vigorously advocated for a risk-based approach to AI regulation, a framework that was ultimately embraced in the AI Act. This strategy aligns seamlessly with their business models, which depend on the development of both high-risk and low-risk AI applications, being in line with existing literature on corporate lobbying, consistently demonstrating that companies are most likely to engage when their fundamental business interests are at stake (ECOM,

2024d, pp. 9-15; Gorwa et al., 2024; Petitjean, 2024 March 11; Tallberg et al., 2024). According to Interviewees #2, #4, #5 and #7, the final provisions of the AI Act reflect a compromise that balances industry concerns with the need for consumer protection and accountability, with lobbying by the big five tech companies having played a crucial role in shaping the legislation's outcome (Interview #2; Interview #4; Interview #5; Interview #7).

Therefore, the analysis presented in this chapter demonstrates the significant role that lobbying by Apple, Amazon, Google, Meta, and Microsoft played in shaping the legislative process of the EU's AI Act within the CoEU. By employing a range of lobbying strategies, including direct engagement with policymakers, coalition building, and public advocacy, these companies were able to influence key provisions of the AI Act, particularly those related to algorithmic transparency, risk classification, and data privacy. While their lobbying efforts did not necessarily disrupt the legislative process, they did shape its direction and outcome, resulting in a regulatory framework that balances the interests of both the tech industry and public welfare. On the AI Act, the findings from both the literature and primary data indicate that the most significant lobbying activities were those focused on mitigating the potential regulatory burdens on these companies' business models, particularly in areas where strict compliance could threaten their competitive advantage. As stated by Interviewees #2, #4, #6 and #7, Apple, Amazon, Google, Meta, and Microsoft fought and sought to shape the content of the AI Act's legislation in ways that would be favourable to them (Interview #2; Interview #4; Interview #6; Interview #7), due to benefiting from balanced regulation, as it strengthens consumer trust while giving them a competitive edge due to their dominant market positions.

In sum, this chapter has shown that lobbying by the big five tech companies was not only present but also highly influential in shaping the final provisions of the AI Act. For Apple, Amazon, Google, Meta, and Microsoft, having access to privileged information is key. Through a combination of direct and indirect lobbying efforts, these companies were able to ensure that their interests were reflected in the final legislation, while still allowing for a regulatory framework that addresses the ethical and societal concerns surrounding AI technologies. We highlight the normalization of lobbying within the EU legislative process: lobbying by tech companies is not seen as an anomaly but rather an integral part of policy development, raising important questions about the balance of influence between corporate interests and public welfare. Position papers, commonly used by tech firms, provided valuable technical insights; however, their overwhelming volume and strategic presentation often led to confusion and delays for policymakers, revealing the challenges associated with processing extensive lobbying material. Furthermore, tech companies selectively target MSs with highly strategic lobbying tactics, and often collaborate through industry coalitions to amplify their influence. While coalition lobbying was largely effective, differences in company interests occasionally created friction, and certain actors, such as Google, were criticized for overly aggressive tactics. Therefore, the lobbying efforts had a substantial impact on key aspects of the AI Act, particularly resulting in regulatory provisions for general-purpose AI that closely align with the interests of Apple, Amazon, Google, Meta, and Microsoft.

Chapter 7. Conclusions and recommendations

The present research provides a comprehensive view of the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft in shaping the legislative process of the EU's AI Act within the CoEU, indicating that these companies had a severe impact on the regulatory framework of the AI Act through a combination of strategic lobbying tactics. Several limitations were encountered in this study. In the interviews, there was a certain resistance, and even apprehension, of sharing data during the interviews. In terms of access to interviewees, some policymakers were reluctant to be interviewed in a formal manner in order to collect testimonies. The perception of lobbying varies significantly among policymakers due, in part, to their experiences, demonstrated by the frequency and variety of activities targeting them, which depend on the relevance of their country. Furthermore, as lobbying often takes place in the shadows and the EUTR does not record all lobbying activities in the EU, there was a lack of data. These challenges, over which I had no control, had an impact on the scope of the research, emphasising the difficulties inherent in studying lobbying.

The primary research question focused on understanding the role of lobbying by these tech companies during the CoEU's legislative phases of the AI Act, with the analysis demonstrating that lobbying activities were central in shaping the AI Act's final provisions. The final AI Act reflected precisely their preferences, emphasising a risk-based approach and more flexible compliance requirements, balancing regulatory goals with industry concerns, showing that the influence of these tech giants was pivotal in achieving a regulatory framework that addresses some societal concerns while safeguarding the companies' operational freedom. Apple, Amazon, Google, Meta, and Microsoft lobbied for regulations that favour their business models and interests; these companies benefit from having an optimal level of regulation, as it provides them with a competitive advantage by reinforcing consumer trust while allowing them to leverage their dominant market positions; hence, the right balance of regulation minimizes constraints on operations and innovation compared to smaller or emerging competitors, ultimately protecting their market position.

Regarding the secondary research questions, the research found that lobbying efforts did not necessarily disrupt the legislative process in a negative sense but instead prolonged and shaped deliberations on complex issues; this was evident in the testimonies from interviewees, who expressed concerns over the overwhelming volume of input from tech companies, which led to delays or confusion. Through lobbying directly, building coalitions, and engaging in public advocacy, Apple, Amazon, Google, Meta, and Microsoft successfully influenced these provisions to align them more closely with their business strategies; the efforts were particularly notable in the inclusion of flexible provisions for algorithmic transparency, general-purpose AI models and the adoption of a risk-tiered regulatory approach, ultimately reinforcing market positions and ensuring continued ability to innovate.

The present research confirms that lobbying is a significant feature of the EU legislative process, particularly for high-stakes technological files like the AI Act. While such activities, like position papers, may offer technical expertise to policymakers, they also delay the processes and raise concerns about the balance of influence between corporate interests and public welfare. The normalisation of lobbying within the CoEU, especially by large resource-rich corporations, calls for reflection on how to ensure fair and equitable input from all stakeholders in the legislative process.

The unreported nature of lobbying activities, despite some being available for consultation in the EUTR, highlights significant transparency issues. Based on the findings of this research, several recommendations are proposed to improve the transparency and balance of the legislative process for future regulations, particularly those involving advanced technologies. The CoEU should establish stricter transparency requirements for lobbying activities, ensuring that all engagements between national representatives and corporate lobbyists are documented and accessible to the public: all position papers delivered to national representatives should be documented, aiming for more transparency. To ensure a more balanced representation of interests, the CoEU should actively involve civil society organizations and other non-corporate stakeholders in the legislative process, since the present study reveals that tech lobbying overshadowed other perspectives. Thus, introducing mandatory quotas for civil society consultations during key legislative phases could help balance the influence exerted by powerful industry players. To guard against regulatory capture, where industry interests disproportionately shape policy outcomes, the CoEU should conduct regular audits of lobbying activities between its CoEU's national representatives; these audits could assess the tenancy, presence and extent of lobbying throughout the legislative process; whether the final regulatory provisions reflect a fair balance between corporate and public interests; and could provide recommendations for future legislative processes.

In conclusion, lobbying by Apple, Amazon, Google, Meta, and Microsoft played a pivotal role in shaping the European Union's AI Act during the Council of the EU legislative phase, significantly influencing its final provisions. While lobbying provided valuable technical expertise, it also raised concerns regarding transparency and the balance of corporate versus public interests, with the proposed recommendations aiming to foster a more transparent and equitable legislative process, ensuring diverse stakeholder representation and mitigating undue corporate influence in future regulatory initiatives.

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Attachments

Attachment A. USA's Lobbying Disclosure Act, the UK's Transparency of Lobbying Act and the EU's Mandatory Transparency Register

In the USA, lobbying is defined and regulated primarily by the Lobbying Disclosure Act of 1995 (LDA). According to this act, lobbying is any oral, written, or electronic communication to a covered executive branch official or a covered legislative branch official that is made on behalf of a client regarding the formulation, modification, or adoption of federal legislation (including legislative proposals), rules, regulations, executive orders, or any other program, policy, or position of the USA Government (2 U.S.C. § 1602, pp. 4-5). Lobbyists are required to register and report their activities to ensure transparency, with a "lobbyist" being defined as any individual who is employed or retained by a client for financial or other compensation for services that include more than one lobbying contact, provided that lobbying activities constitute 20% or more of the time engaged in services over three months (2 U.S.C. § 1602, p. 7). Lobbying involves efforts to influence decision makers, including members of Congress and executive branch agencies, on specific legislative and regulatory issues, which can range from direct communications with officials to organising grassroots campaigns aimed at shaping public opinion and indirectly influencing policy (Britannica, 2023, pp. 2-3; Hogan et al., 2020, p. 102; Walker, 2014, pp. 126-27).

In the UK, lobbying is governed by the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (TLUK), which requires the registration of consultant lobbyists, who are defined as individuals or organisations that, for payment, communicate with government ministers or permanent secretaries on behalf of a third party, that aims to increase transparency in lobbying activities and ensure public disclosure of lobbying efforts (Solaiman, 2023, pp. 272-74; UK Public General Acts, 2014, p. 1-3). The concept of lobbying in the UK involves various activities designed to influence governmental policies, legislation, or decisions, which can include direct lobbying, such as face-to-face meetings with policymakers, and indirect lobbying, such as organising public campaigns or media strategies; professional lobbyists, including those working for public affairs agencies and in-house lobbyists representing their organisations, play a significant role in shaping public policy (Hojnacki, 2000, pp. 28-29; Lomax, 2019, p. 45; Sampson, 2017, p. 112; Sobbrio, 2011, pp. 3-4). Critics of the current regulatory framework argue that the Lobbying Act does not cover all forms of lobbying, particularly those conducted by in-house lobbyists who advocate for their

organisations, which led to calls for broader regulation to ensure comprehensive transparency in lobbying activities (Hogan et al., 2020, p. 89; Solaiman, 2023, pp. 284-85).

In the EU, lobbying is defined under the framework established by the Interinstitutional Agreement on a mandatory EU Transparency Register (EUTR). According to this agreement, lobbying activities include all actions taken to influence the formulation or implementation of policy and the decision-making processes of the EU institutions, which direct interactions such as organising or participating in meetings, contributing to consultations, and indirect actions like organising communication campaigns and preparing policy papers (Alemanno, 2017; EUR-Lex, 2021, pp. 3-5; EPAR, 2024; Ruzin, 2024, pp. 167-69). The EUTR aims to ensure that lobbying activities are conducted ethically and transparently, in which interest representatives must register and provide detailed information about their lobbying activities, including financial disclosures and adherence to a code of conduct, and covering any entity engaged in activities with the intent to influence EU decision-making processes, except for specific exemptions such as legal advice and activities by employers and trade unions in social dialogue contexts: the register and code of conduct are part of efforts to uphold high standards of transparency and integrity in lobbying activities within the EU (Alemanno, 2017; European Law Monitor, 2023, pp. 5-11; EPAR, 2019, p. 12; EPAR, 2024). The EUTR aims to provide a public record of lobbying activities, yet it is voluntary and has been critiqued for its limitations (Ruzin, 2024, pp. 167-69). As Chari, Hogan, and Murphy (2010) argue, "the voluntary nature of the EUTR has led to incomplete disclosures and a lack of comprehensive oversight" (Chari et al., 2019, p. 45).

The definitions of lobbying in the USA, UK, and EU legislation reveal notable differences in scope and regulatory focus. In the USA, the LDA defines lobbying as any oral, written, or electronic communication to a covered executive branch official or a covered legislative branch official on behalf of a client regarding the formulation, modification, or adoption of federal legislation, rules, regulations, executive orders, or other policies (2 U.S.C. § 1602, p. 5); this definition emphasises the direct influence on legislative and executive processes and mandates comprehensive disclosure of lobbying activities to ensure transparency (Legal Information Institute, 2023, p. 7). The UK's approach, as defined by the TLUK, specifically targets consultant lobbyists, who lobby government ministers or permanent secretaries on behalf of a third party for payment, focusing more narrowly on third-party lobbying and requires only consultant lobbyists to register and disclose their activities (UK Public General Acts, 2014, p. 1-3). In the EU, the EUTR encompasses a broader range of activities, including all actions aimed at influencing the formulation or implementation of policy and decision-making processes of the EU institutions, which covers both direct interactions with policymakers and indirect activities such as organising communication campaigns and preparing policy papers (Alemanno, 2017; EUR-Lex, 2021, p. 3; Ruzin, 2024, pp. 167-69). The

EU's comprehensive approach aims to capture a wider array of lobbying activities to ensure thorough transparency and ethical conduct in interest representation (European Law Monitor, 2023, pp. 5-9).

In sum, these differences highlight the varied regulatory landscapes: the USA's detailed disclosure requirements, the UK's focus on consultant lobbyists, and the EU's broad definition encompassing various lobbying activities. The LDA emphasises federal lobbying activities; the TLUK targets consultant lobbyists; and the EUTR covers a broad range of activities within its multi-level governance structure, requiring lobbyists to disclose activities and expenditures, promoting transparency, mitigating undue influence in policymaking. These differences illustrate each approach to ensure lobbying activities are aligned with democratic values and public interests. Furthermore, the main differences among the definitions of lobbying by academics lie in the scope of activities, the actors involved, the methods and strategies employed, the focus on communication, and the emphasis on influencing policy, which reflect the complexity and multifaceted nature of lobbying, necessitating a flexible and comprehensive approach to understanding its various forms and impacts.

Attachment B. Interview script conducted with policymakers within the Council of the EU

Interviewer / João Filipe Pereira Padeiro: Good morning. Thank you for taking the time to speak with me today. My name is João Filipe Padeiro, and I am currently writing my master's dissertation on the role of lobbying by tech companies in the legislative process of the EU's AI Act. The goal of this dissertation is to understand the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft on the Council of the European Union's legislative process for the AI Act., with the main research question being: *What has been the role of lobbying by Apple, Amazon, Google, Meta, and Microsoft on the Council of the European Union's legislative process of the EU's AI Act?*.

The purpose of this interview, which is highly valued as it will contribute to the advancement of knowledge in this field of science and will take 60 minutes, is to collect your testimony on the role of lobbying by technology companies (from the digital sector) in the legislative process of the AI Act (2024/1689).

Before we begin, your participation in this study is confidential. Your personal data will always be processed by authorised personnel bound to the duty of secrecy and confidentiality. In addition to being confidential, participation in the study is strictly voluntary: you may choose freely whether to participate or not. If you have decided to participate, you may stop your

participation and withdraw your consent to the processing of your personal data at any time, without having to provide any justification.

I would like to inform you that this interview, if it is of your consent, will be recorded for accuracy. After the Master's dissertation defence exams, your personal data and the recording of this interview will be destroyed, with their anonymity being assured in the study's results, being disclosed only for purposes of statistics, teaching, communication in scientific meetings, books or articles.

Do I have your consent to proceed with the recording and with the interview?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: If yes, we can proceed.

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Could you please describe your role and responsibilities during the Spanish Presidency of the CoEU (July 1 - December 31, 2023) and the Belgian Presidency of the CoEU (January 1 - June 30, 2024)?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: How were you involved in the legislative process of the EU's AI Act?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Did you witness lobbying activities by Apple, Amazon, Google, Meta, and Microsoft during the CoEU's legislative process for the AI Act?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: If yes, what kind of lobbying activities have you witnessed by tech companies during the CoEU's legislative process for the AI Act? How would you describe the type of approach lobbying agents had to you or other members of the CoEU?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: What role do you believe lobbying by major tech companies, specifically Apple, Amazon, Google, Meta, and Microsoft, played in the CoEU's legislative process for the AI Act?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: In what ways, if any, did the lobbying efforts by these companies disrupt or interfere with the legislative process of the AI Act within the CoEU?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Can you provide specific examples or instances where their lobbying efforts specifically impacted the works of the CoEU?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: How did the lobbying activities of Apple, Amazon, Google, Meta, and Microsoft shape the final provisions of the AI Act during the CoEU's legislative phase?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Were there any particular provisions that were heavily influenced by their lobbying efforts or to prevent future lobbying impacts?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Can you elaborate on the dimensions and origins of lobbying efforts by these companies? For instance, where were these efforts most concentrated, and what were their main goals?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Did Apple, Amazon, Google, Meta, and Microsoft lobby together in coalition?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Who were the primary targets of the lobbying activities by these tech companies within the CoEU?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: What strategies did Apple, Amazon, Google, Meta, and Microsoft employ to influence these targets? Can you describe some of the key lobbying activities carried out by these companies? For example, meetings, presentations, or other forms of advocacy?
Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Which were the specific lobbying techniques or tactics that stood out to you as the most effective?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: How successful do you think these activities were in achieving their objectives?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Do you consider the AI Act legislative process delayed due to Apple, Amazon, Google, Meta, and Microsoft's lobbying activities?

Interviewee: -

Interviewer / João Filipe Pereira Padeiro: Thank you very much for your time and insights. Your input is incredibly valuable to my research. I will ensure that a summary of my findings is shared with you once the dissertation is complete, and all your data is kept confidential.

Attachment C. EU's transnational character

The EU's legal personality is enshrined in the Treaty of Lisbon, which came into force in 2009, which amended the earlier treaties, consolidated the EU's external representation, and enabled it to act more coherently in international relations. With this legal personality, EU enters into binding treaties with countries, participates in international fora, and joins international organisations (e.g., World Trade Organisation) (Craig & de Búrca, 2015, pp. 67-68; EU, 2024; Martins, 2018, pp. 185-88; Quadros, 2018, pp. 93-94).

The EU's transnational character is further exemplified by its supranational institutions, such as the ECOM, the EPAR, and the European Court of Justice: these institutions, as we will see on the following section, operate independently of MSs' governments and have the authority to make decisions that are binding on MSs. The ECOM, for instance, has the exclusive right to propose legislation, ensuring a centralised and uniform approach to policymaking; the ECJ, on the other hand, interprets EU law and ensures its uniform application across all MSs, thus playing a crucial role in maintaining the integrity of the EU's legal system (Craig & de Búrca, 2015, p. 90; EU, 2024; Martins, 2018, pp. 185-87; Quadros, 2018, pp. 93-95). The ability of the EU to act as a single entity in international affairs not only enhances its global influence but also enables it to pursue a coherent and unified external policy which is particularly evident in areas such as trade, where the EU negotiates as a bloc, leveraging its collective economic power

to secure favourable trade agreements. Additionally, the EU's Common Foreign and Security Policy (CFSP) allows it to coordinate its diplomatic and security efforts, projecting a unified stance on the global stage (Quadros, 2018, pp. 93-95; Smith, 2004, p. 97).

Attachment D. The ECOM, the EPAR, the CoEU, and the EUCO: institutions and roles

The ECOM is the executive body of the EU, responsible for proposing legislation, enforcing EU laws, and managing the day-to-day business of the EU, operating independently of the national governments of the MSs, and ensuring that its actions reflect the interests of the entire Union rather than individual countries. The ECOM oversees the implementation of EU policies, monitors compliance with EU laws, and can take legal action against MSs that violate these laws; the ECOM negotiates international agreements on behalf of the EU and represents the Union in global forums, enhancing its role as a significant global actor (Martins, 2018, pp. 422-25; Nugent, 2017, p. 44-45; Quadros, 2018, p. 351). Additionally, the ECOM is composed of 27 Commissioners, one from each MS, including the President of the Commission, with the Commissioners being appointed for a five-year term and being responsible for specific policy areas - each Commissioner is assigned a portfolio by the President of the ECOM, who is nominated by the European Council (EUCO) and elected by the EPAR (Martins, 2018, pp. 425-26; McCormick, 2020, pp. 63-64). Thus, the President sets the overall policy direction and is supported by Vice-Presidents who coordinate cross-cutting policy initiatives, ensuring that the ECOM operates cohesively and addresses the diverse needs of the Union. As the only body that can propose EU legislation, the ECOM plays a crucial role in shaping EU policies and ensuring that the interests of the Union as a whole are represented which empowers the ECOM to set the agenda for the EU's legislative process, whose ability to enforce EU law and manage the Union's budget further underscores its pivotal role in the EU's governance structure (Craig & de Búrca, 2015, p. 71; Martins, 2018, pp. 425-27; Quadros, 2018, pp. 341-43).

On the other hand, the EPAR is the legislative arm of the EU, directly elected by EU citizens every five years, with the last election been in June 2024, working alongside the CoEU to adopt legislation and the EU budget. The EPAR also exercises democratic oversight over the other EU institutions, particularly the ECOM, by approving its appointment and holding it to account, debating and passing European laws, scrutinising other EU institutions, and having the power to dismiss the ECOM through a vote of no confidence (EU, 2024; Hix & Høyland, 2011, p. 83; Martins, 2018, pp. 403-6; Quadros, 2018, pp. 283-86). The EPAR is composed by 705 Members of the EPAR (MEPs) representing the EU's citizens, whose number of MEPs per

country is roughly proportional to its population, ensuring that larger states have more representatives while still maintaining a balance that prevents dominance by any single state; like so, MEPs are organised into transnational political groups based on political affiliation rather than nationality, promoting cross-border collaboration and a pan-European perspective (Martins, 2018, pp. 406-8; McCormick, 2020, p. 79; Quadros, 2018, pp. 277-78). The EPAR has significant powers in scrutinising the ECOM and influencing EU legislation: through its legislative, budgetary, and supervisory roles, the EPAR ensures that the EU's decision-making process remains transparent and accountable to its citizens, from which the co-decision procedure requires the Parliament and the CoEU to agree on legislation, underlining the EPAR's role in the EU's bicameral legislative system (Martins, 2018, pp. 407-9; Nugent, 2017, p. 98; Quadros, 2018, p. 276).

The CoEU, or the Council of Ministers, this body represents the governments of the EU MSs: shares legislative and budgetary powers with the EPAR, coordinates policies among the MSs, plays a crucial role in policy areas that require intergovernmental cooperation (like energy, foreign policy and security), adopts EU laws, coordinates MSs' policies, develops the EU's CFSP, and concludes international agreements (Craig & de Búrca, 2015, p. 89; Martins, 2018, pp. 416-18; Quadros, 2018, pp. 320-22). The CoEU is composed of ministers from each EU country, depending on the policy area being discussed (e.g., foreign affairs, agriculture), with each country sending the relevant minister responsible for the policy area on the agenda. The presidency of the CoEU rotates every six months among the MSs, providing each country with the opportunity to influence the CoEU's agenda, with the General Secretariat supporting the CoEU's work, ensuring continuity and efficiency in its operations (Martins, 2018, pp. 418-20; McCormick, 2020, p. 105; Quadros, 2018, p. 311-12). The CoEU's decisions are critical as they require consensus among MSs, balancing national interests with those of the Union which ensures that the policies adopted have broad support and reflect the diverse perspectives of all MSs. Thus, the CoEU's role in the legislative process, its coordination of economic policies, and its authority in foreign policy highlight its central role in the EU's governance (Martins, 2018, pp. 420-22; Nugent, 2017, p. 121; Quadros, 2018, pp. 313-15).

In accordance, the EUCO sets the EU's overall political direction and priorities but does not pass laws, being composed by the heads of state or government of the MSs, along with its President and the President of the ECOM. The EUCO provides the strategic impetus for the EU's development and addresses complex issues that require high-level political input, defining the general political direction and priorities of the Union and providing the necessary guidance to ensure its smooth operation (Martins, 2018, pp. 409-12; McCormick, 2020, p. 98; Quadros, 2018, pp. 304-5). The EUCO meets at least four times a year in summits, with the President of the EUCO being elected for a two-and-a-half-year term, renewable once, and being responsible for chairing meetings and driving forward the EUCO's work which is pivotal in ensuring

continuity and coherence in the EU's strategic planning. It is relevant to note that the EUCO's meetings often involve intensive negotiations among the heads of state or government, leading to significant decisions that shape the future of the EU (Craig & de Búrca, 2015, p. 112; Martins, 2018, pp. 412-14; Quadros, 2018, pp. 306-7). The EUCO plays a strategic role in crisis situations and in guiding the EU's long-term policy agenda: through setting the political direction and priorities, the EUCO influences the overall trajectory of EU policies and ensures that the Union remains responsive to the changing global environment, having the ability to provide high-level guidance, and addressing critical issues (Hix & Høyland, 2011, p. 94; Martins, 2018, pp. 414-16; Quadros, 2018, pp. 302-3).

   As seen in this section, the EU is composed of numerous bodies, each contributing to its complex governance structure. However, for the purpose of this discussion, the ECOM, the EPAR, the CoEU (and the EUCO) are the most essential, because they play the crucial roles in legislative and executive, ensuring the smooth operation and integrity of the EU's political and economic systems. Each of these institutions plays a distinct yet interrelated role in the legislative process: together, they ensure a balance of power and comprehensive policymaking (Martins, 2018, pp. 398-99; Quadros, 2018, pp. 271-74). The EPAR serves as the legislative branch directly elected by EU citizens and shares legislative responsibilities with the CoEU, adopting laws through the ordinary legislative process; although, the EPAR's role extends beyond legislation: it haves significant powers in budgetary matters and democratic oversight, reflecting the EU's commitment to transparency and accountability; it ensures representation of EU citizens' interests, organised into transnational political groups that foster a pan-European perspective (Hix & Høyland, 2011, p. 83; McCormick, 2020, p. 79). With the collective goals of the union always in mind, the CoEU represents the MSs' governments and collaborates with the EPAR to adopt legislation and coordinate policies across MSs, with the decision-making process, often requiring consensus and balances on the distinct national interests. (Craig & de Búrca, 2015, p. 89; McCormick, 2020, p. 105; Quadros, 2018, pp. 322-24). Finally, the ECOM, while primarily an executive body, holds significant legislative power as it is the only institution that can propose new EU laws with this exclusive right allows the ECOM to shape the legislative agenda significantly. Composed of 27 Commissioners, one from each MS, the ECOM ensures that legislative proposals align with the EU's broader objectives and priorities; then, the proposals are then debated, amended, and adopted by the EPAR and the CoEU, ensuring a thorough and democratic legislative process (Craig & de Búrca, 2015, p. 71; Martins, 2018, pp. 424-25; McCormick, 2020, p. 63; Quadros, 2018, pp. 354-56).

Attachment E. Ordinary legislative procedure and special legislative procedure

The Ordinary legislative procedure (OLP), previously known as the co-decision procedure, is the most common method for enacting EU legislation, involving the ECOM, the EPAR, and the CoEU working together in a system of checks and balances to ensure that laws are democratically enacted and well-balanced (Martins, 2018, pp. 465-69; Quadros, 2018, pp. 284-85). The process begins with the ECOM, which has the exclusive right to propose new legislation, drafting a legislative proposal after conducting consultations with in preliminary studies (ECOM, 2023). The proposal is then sent to the EPAR, where it is assigned to a relevant committee, from which a draft is reported, where it is included the proposed amendments - then, these are debated and voted on plenary sessions; simultaneously, the CoEU examines the proposal. If both the EPAR and the CoEU agree on the amendments, the proposal can become law after the first reading, which rarely happens (Hix & Høyland, 2011, pp. 150-70; Martins, 2018, pp. 465-67; Quadros, 2018, pp. 284-85). If there are differences in opinion between the EPAR and the CoEU after the first reading, which happens frequently, the proposal goes through a second reading, with each institution reviewing the other's position and proposing further amendments. If the EPAR approves the CoEU's position at the second reading, the proposal is adopted. If not, it proceeds to a conciliation committee, consisting of members from both the EPAR and the CoEU, formed to reconcile the differences: this committee has six weeks to reach an agreement. If an agreement is reached, the text is sent back to both institutions for a third reading; during the third reading, both the EPAR and the CoEU must approve the reconciled text without any further amendments - if both approve, the legislation is adopted. Once adopted, the legislation is signed by the Presidents and Secretaries-General of both the EPAR and the CoEU, and then published in the Official Journal of the EU, becoming a law (Hix & Høyland, 2011, pp. 150-70; Martins, 2018, pp. 467-69; Quadros, 2018, pp. 284-86). The AI Act in an example of an OLP.

The Special Legislative Procedure (SLP) is used for specific areas of legislation where the OLP does not apply. The SLP varies depending on the specific treaty provisions and usually involves either the EPAR or the CoEU having a more significant role, often with one institution having the decisive say (Martins, 2018, pp. 468-69; Quadros, 2018, pp. 287-88). In the consultation procedure, the ECOM proposes legislation, and the CoEU adopts it after consulting the EPAR, the European Economic and Social Committee (EESC), and the Committee of the Regions (CoR) (CoEU, 2024b). The EPAR's role is advisory, and it can propose amendments, but the CoEU is not obliged to adopt them. The consent procedure requires the EPAR to give its consent to a proposal for it to be adopted by the CoEU that is used primarily for international

agreements and matters related to EU enlargement. The EPAR can approve or reject the proposal but cannot amend it. Then, the cooperation procedure, which has become largely obsolete, was used to give the EPAR a stronger role than the consultation procedure but not as strong as the OLP: the EPAR could propose amendments, and the CoEU could only adopt legislation if it incorporated the EPAR's amendments or if it acted unanimously to reject them (Martins, 2018, pp. 468-70; Nugent, 2017, pp. 283-95; Quadros, 2018, pp. 287-89).

Attachment F. Other EU bodies and actors present in the legislative process

Other EU bodies actors can be present in this process, like the EESC or the CoR, specially SLP. The EESC is an advisory body that represents civil society, including employers, workers, and other interest groups, providing stances on legislative proposals, ensuring that diverse economic and social perspectives are considered in the EU's legislative process; advising while not binding, influences the deliberations within the EPAR and the CoEU. On the same hand, the CoR is another advisory body, representing local and regional authorities across the EU, providing opinions on legislative proposals, particularly those affecting regional and local governance who ensures that the regional impact of EU legislation is considered, promoting subsidiarity and closer alignment with local needs (CoEU, 2023; Martins, 2018, pp. 468-70; Quadros, 2018, pp. 287-88).

NGOs advocate for social, environmental, and human rights issues, providing alternative perspectives and expertise, aiming to influence legislation in favour of the public interest, with Greenpeace and Amnesty International being active in lobbying the EU on issues ranging from environmental protection to human rights (Bitonti, 2020, pp. 6-7; Greenwood, 2011, pp. 119-21). Trade associations and professional bodies represent the collective interests of specific industries or professions, engaging in lobbying to ensure that legislation supports their members' economic and professional interests, with the European Chemical Industry Council and the European Federation of Pharmaceutical Industries and Associations being prominent trade associations involved in EU lobbying (Best in Brussels, 2024 pp. 3-4; EESC, 2024; Mahoney, 2004, pp. 451-53). Think tanks and research institutes conduct research and provide policy recommendations, often influencing the legislative process through their expertise and analysis, with, e.g., the Centre for European Policy Studies (CEPS) and Bruegel being influential think tanks in the EU policymaking process (Bruegel, 2024; CEPS, 2024; Stone, 2013b, pp. 90-92).

Consultancies and law firms offer lobbying services, helping clients navigate the complex EU legislative process and advocate for their interests, with firms like Burson-Marsteller and FleishmanHillard provide strategic lobbying support to a wide range of clients (Burson Cohn & Wolfe, 2024; FleishmanHillard, 2024; Kohler-Koch & Quittkat, 2013, pp. 174-76). National parliaments of EU MSs play a role in the legislative process through the principle of subsidiarity, which review legislative proposals to ensure that actions at the EU level are justified and do not infringe on national competences, which can issue reasoned opinions if they believe a proposal violates the principle of subsidiarity, potentially prompting reconsideration or amendment of the proposal (CoEU, 2023; Hix & Høyland, 2011, pp. 180-185; Tarrant & Cowen, 2022, pp. 220-21).

Attachment G. Research & Development expenditures by Apple, Amazon, Google, Meta, Microsoft

Research & Development expenditures		
Company / Year	**2024**	
Apple	29	In billion euros
Amazon	80.3	
Google	44.1	
Meta	32.8	
Microsoft	27.8	
Total	214	
Sources: Finbox, 2024a, 2024b, 2024c, 2024d, 2024e.		

The above table presents the Research & Development expenditures of Apple, Amazon, Google, Meta, and Microsoft in 2024, with the total reaching €214 billion. Amazon leads with €80.3 billion; Google, Meta and Apple spend, respectively, €44.1 billion, €32.8 billion and €29 billion; while Microsoft has the lowest expenditure at €27.8 billion (Finbox, 2024a, 2024b, 2024c, 2024d, 2024e).

Attachment H. Lobbying expenditures in the EU by Apple, Amazon, Google, Meta, Microsoft

Expenditures on lobbying activities in the European Union			
Company / Year	**2020**	**2023**	
Apple	3.5	7	In million euros
Amazon	2.87	3.5	
Google	5.75	5.5	
Meta	5.5	8	
Microsoft	5.25	5	
Total	22.87	29	
Sources: CEO, 2021 August 31; CEO, 2023 September 8; EUTR, 2021; EUTR, 2023; Lykiardopoulou, 2023 September 11			

The above table shows the disclosed expenditures on lobbying activities in the EU by Apple, Amazon, Google, Meta, and Microsoft in 2020 and 2023. The data reveals a notable increase in lobbying spending from 2020 to 2023: in 2020, the total disclosed expenditure amounted to €22.87 million, which increased to €29 million in 2023. Meta recorded the highest growth in lobbying expenditures, rising from €5.5 million in 2020 to €8 million in 2023; Apple also significantly increased its spending, nearly doubling from €3.5 million to €7 million; meanwhile, Amazon and Microsoft displayed smaller increases, while Google's spending slightly decreased over the same period. In sum, this trend indicates a heightened focus on lobbying efforts by these companies in the EU, potentially in response to regulatory developments such as the AI Act (CEO, 2021 August 31; CEO, 2023 September 8; EUTR, 2021; EUTR, 2023; Lykiardopoulou, 2023 September 11).

Attachment I. Comparative analysis of the lobbying activities in the EU by Apple, Amazon, Google, Meta, and Microsoft

As shown before, Apple, Amazon, Google, Meta, and Microsoft employ a variety of lobbying strategies to influence EU legislation and policy, with these strategies being tailored to their business models, regulatory challenges, and strategic goals. A comparative analysis will demonstrate how these companies employ several strategies, each with varying degrees of effectiveness. Therefore, the next section will focus on comparing the strategies of tech companies.

Direct lobbying is a primary strategy for all five companies, involving extensive interactions with EU policymakers: Google has engaged with policymakers to advocate for flexible data protection and digital advertising regulations, emphasising the need for balance between privacy and innovation; Meta, similarly, has focused on direct engagement with EU officials to push for balanced content regulation within the DGA; Amazon has used it to influence competition policy, highlighting the economic benefits of its marketplace; Apple emphasised its economic contributions and compliance with existing laws in its efforts on tax policy; and Microsoft has engaged directly with EU officials on digital market regulations, promoting fair competition and innovation-friendly policies (Aydin, 2014, pp. 27-31; Chavagneux, 2016, pp. 49-56; Dellis, 2023, pp. 322-23; ECOM, 2024d, pp. 9-15; EDR, 2020, pp. 4-9; Geradin, 2020, pp. 105-11; Rossi, 2018, pp. 214-19). Coalition-building is another common strategy in the tech sector in the EU: Google has formed alliances with other tech companies and industry associations to present a united front on data protection and digital advertising issues; Meta builds coalitions with industry partners to support its stance on content moderation; Amazon has collaborated with other e-commerce firms to advocate for favourable competition policies; Apple has joined forces with other multinational companies to lobby against stringent tax policies; and Microsoft has engaged, just like its competitors, in coalition-building with cloud computing and software companies to influence digital market regulations (Christensen, 2020, pp. 134-41; Dellis, 2023, pp. 322-23; ECN, 2019, pp. 3-14; Mahoney, 2008, pp. 120-24; McDonnell & Dall, 2020, pp. 88-95; Rodriguez, 2021, pp. 52-59). Regarding Funding research and think tanks, Google has funded research on data portability, pseudonymisation, and the economic benefits of digital advertising; Meta has sponsored studies on content regulation and free expression; Amazon has invested in research highlighting the benefits of e-commerce and its competitive advantages; Apple has funded studies on its economic contributions and the legality of its tax practices; and Microsoft has supported research on the economic impact of cloud computing and balanced antitrust regulations (Aydin, 2014, pp. 27-29; Bayer et al., 2020, pp. 50-55; Chavagneux, 2016, pp. 49-56; Geradin, 2020,

pp. 105-12; Rossi, 2018, pp. 214-19). Public relations campaigns are extensively used to shape public opinion and influence policymakers: Google has ran campaigns to highlight its commitment to data privacy and the benefits of digital advertising; Meta has engaged in PR efforts to showcase its actions against misinformation and protect user privacy, especially concerning the DSA; Amazon has emphasised consumer benefits and its economic contributions through public campaigns; Apple has used PR to argue against the ECOM's tax rulings; and Microsoft has promoted fair digital markets and innovation through public events and media outreach (Aydin, 2014, pp. 27-32; Bayer et al., 2020, pp. 50-57; Chavagneux, 2016, pp. 49-53; ECOM, 2024d, pp. 9-15; EDR, 2020, pp. 4-12; Geradin, 2020, pp. 105-7). Grassroots mobilisation leverages the significant user bases of these companies to generate public pressure on policymakers, with Google having mobilised users to participate in public consultations and express their views, particularly on data protection legislation, Meta having encouraged its users to support its positions on content regulation, Amazon having leveraged its sellers and customers to advocate for favourable competition policies, Apple having engaged employees and customers in advocacy efforts around tax policy, and Microsoft having used grassroots mobilisation to support its stance on digital market regulations (Chavagneux, 2016, pp. 49-54; EDR, 2020, pp. 4-8; Geradin, 2020, pp. 105-9; Mahoney, 2008, pp. 120-24; Rodriguez, 2021, pp. 52-54; Walker, 2012, pp. 564-65). Subsequently, the effectiveness of these lobbying strategies varies: Google's efforts around GDPR were partially successful, as evidenced by the inclusion of data portability and pseudonymisation provisions, although the regulation still imposed significant restrictions; Meta's influence on the DSA is notable, with the draft legislation reflecting some of its positions on content moderation and platform liability; Amazon, despite its significant lobbying, the ECOM pursued aggressive antitrust actions, highlighting the limitations of its strategies; Apple's lobbying and legal efforts saw mixed results, with the annulment of the ECOM's €13 billion tax ruling, although the case remains contentious; Microsoft's lobbying on digital market regulations has been relatively successful, with the DMA reflecting some of its positions on competition and innovation (Aydin, 2014, pp. 27-35; Bayer et al., 2020, pp. 50-55; Christensen, 2020, pp. 134-41; Geradin, 2020, pp. 105-12; McDonnell & Dall, 2020, pp. 88-93; Sühlsen & Hisschemöller, 2014, pp. 321-23).

In conclusion, this comparative analysis of lobbying strategies and their effectiveness highlights the diverse approaches of the big five tech companies in influencing EU legislation. Google, Meta, Amazon, Apple, and Microsoft employ a combination of direct lobbying, coalition-building, funding research, public relations campaigns, and grassroots mobilisation to achieve their policy objectives, which effectiveness varies based on the regulatory context and the specific legislative issue, underscoring the complexity of lobbying, the importance of strategic planning and adaptability.