

The European Union's External Energy Policy

Actorness in Sight?

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Abstract

This thesis examines the external energy policy of the European Union in a two-step approach. First, an analysis of the degree of actorness that the EU has achieved in this new policy field is carried out on the basis of the theoretical concept introduced by Bretherton and Vogler. It is argued that the EU only possesses fragmented actorness in all three dimensions examined. Second, this is followed by a comparative case study of three member states – United Kingdom, Germany and Poland – and their respective behaviour in external energy policy. With the help of rational choice and sociological institutionalism, the analysis of important government documents from these member states reveals that a combination of factors – the political power, the perceived (in-) security and the resulting domestic framing of the issue – determine the willingness of the member state to transfer sovereignty in external energy policy to the European Union level.

Key words: European Union, external energy policy, actorness, energy security, institutionalism

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1 Introduction

1.1 The Re-emergence of Energy Policy

Javier Solana put it bluntly: “The days of easy energy are over” (Solana 2006 p. 1). The pace and intensity with which the topic of energy policy came to the top of the international political agenda is indeed remarkable. After a long period in which energy was treated like “just another commodity”, the view has changed immensely. Energy policy has part of become foreign policy and will be one of the defining security issues of the twenty-first century (Helm 2007a p. 1, Truscott 2009 p. 1).

This changing perspective on the character of energy is accompanied by a structural change in the way energy is produced and consumed (Baumann 2010 p. 79). The growing demand from emerging economies, the problem of climate change and the increased need for investment in energy infrastructure constitute the background against which energy policy has to be formulated. In this respect, “the scale and breadth of the energy challenge is enormous” (IEA 2009c p. 41). This “paradigm shift” requires a rethinking of the instruments formerly used in energy policy – privatisation, liberalisation and competition; otherwise the world might face a new energy crisis (Helm 2007a p. 12, Mueller-Kraenner 2008 p. 1).

The causes for this paradigm shift are manifold. First of all, the worldwide energy consumption will increase by 50% by 2030 (Mueller-Kraenner 2008 p. 1). The oil and gas prices already trebled between 2002 and 2007 (Youngs 2009 p. 1). A further “business-as-usual” would lead to rapidly increasing dependency on fossil fuels, with severe consequences for the climate and energy security. Secondly, many countries have developed assertive energy policies which should secure their long-term security of supply (van der Linde 2008 p. 18). Thirdly, terrorist groups have discovered energy infrastructure as a profitable potential target (Baumann 2010 p. 79). Consequentially the long-standing negligence of energy policy as a field which could be left to market forces has been replaced by a more political approach.

This has many implications which can be seen in international politics, where energy is one of the most politicised topics (Baumann 2010 p. 80). The traditional framing of energy policy as trade policy cannot be upheld (McGowan 2008 p. 102), as a structural power shift from the consuming countries to the producing countries has occurred. The specialty of energy policy – which encompasses other fields such as trade, environment, climate and social policy, but also has a “hard” security dimension (Westphal 2006 pp. 47 and 60) – makes it hard to categorise, but very worthwhile to have a closer look at it.

Although the re-emergence of energy policy is a worldwide concern, Europe is especially affected by it. One reason for this is its growing energy import dependency and its geographical position close to energy-exporting countries. Consequentially, security of energy supply became one of the predominant topics in European energy policy-making. However, this issue is not limited to certain countries and thus cannot be solved through domestic energy policy alone (Helm 2007a p. 5, van der Linde 2007 p. 300). More precisely, some events triggered the upgrading of energy policy on the EU agenda. Besides the massive rise of fossil fuel prices since 2004, the interruption of gas supplies from Russia in January 2006 and 2009 served as a springboard for European debates and pushed energy security to be identified as a major challenge for the EU27 (IEA 2008 pp. 78f).

However, it is criticised that the EU so far fails to “speak with one voice” in energy policy and thus limits its potential effects on the energy landscape (Keuke-laire and MacNaughtan 2008 p. 245). This is due to the fact that security of supply has traditionally been a primary concern of national energy policies (Matlárý 1997 pp. 26/27), although since the mid 2000s, analysts and diplomats concurred that energy security is the most pre-eminent international issue. A view that is also shared by the European citizens, which listed climate change and energy dependency as their top two security issues. Europeans also supported a more common EU energy policy, as Eurobarometer polls suggest (Youngs 2009 pp. 1/2 and p. 24).

The EU member states’ governments largely rejected “hard-power” approaches to energy security, but at the same time recognised the fact that the “market-governance” approach being the basis for much of EU legislation on energy policy is not adhered to by producer countries (Youngs 2009 p. 49). This different perception led the EU to admit that its leverage was diminishing relative to other powers which framed this field in more strategic and geopolitical terms (Umbach 2008 p. 5). More precisely, the reaction to the Ukraine-Russia gas dispute in 2006 has shown that the EU was shorttaken by the assertive use of energy by Russia as a geopolitical power tool and thus led to a “moment of perceived crisis” (Youngs 2009 pp. 170/171).

What has become evident is that the term “energy policy” has multiple meanings. It is indeed a multidimensional term which consists of competitiveness, sustainability and security of supply – called the “iron triangle”. More exact, energy policy consists of “all forms of intervention in the production, distribution and consumption of all sources of energy” (Pointvogl 2009 p. 5705). Energy security is thus a subfield of energy policy, concentrating on the third dimension, security of supply. Usually, energy security is defined as reliable supplies at a reasonable price (Baumann 2008 p. 4) or – stressing the security dimension – as “the ability to access the energy resources required for the continued development of national power” (Tagarinski and Avizius 2009 p. 2). In this paper, the third dimension of energy policy, security of supply, will be at the centre of the analysis. This concept again comprises several dimensions, such as infrastructure security, diplomacy, the internal market for energy etc. However, the emphasis will be on the external face of the security of supply issue in the EU, hence the relations that the EU has with third states in energy matters. Therefore, the term “external energy

policy” (EEP) will be used. The reason is that it comprises more than just the traditional forms of security policy and hence transcends the traditional CFSP pillar, so it fits best for an objective analysis of this policy field. Moreover, it is frequently used when dealing with the external impact of European energy policy (e.g. Umbach 2008)

1.2 The Dilemma of European External Energy Policy

Against the background of the current events and long-term trends, it has become clear that countries and organisations such as the EU have to react to these challenges. This points to the central research problem of this thesis. Given the vulnerability of the EU when it comes to its energy supplies, and having in mind the long-term growing demand for energy, one should expect that the EU would develop a common European external energy policy (Baumann 2008 p. 10). This would at the same time mean that the EU could act as a unitary actor in this policy field. The main questions thus are:

- (1) *Has the European Union gained actorness in external energy policy?*
- (2) *Why are the member states reluctant to transfer sovereignty in this policy field?*

The answer to these questions will be compiled in a two-step analysis. The first question will be tackled by an assessment of the degree of actorness of the European Union in external energy policy, using Bretherton and Vogler’s concept of “actorness” (Bretherton and Vogler 2006). In a second step, the member states will be examined in more detail. The member state level is important because the countries decide whether or not to “communitarise” this area. An overall picture of the EU EEP is only complete if one takes the two parts of the analysis – EU actorness and member state level – together.

Although the European integration started with energy matters (European Coal and Steel Community and Euratom), energy security has always been a highly divisive issue (Youngs 2009 p. 15). Throughout the years, a “strong national reflex to keep energy security a prerogative of the nation state” (Westphal 2006 p. 58) can be detected, avoiding to give up sovereignty – which would mean a “process of incremental cohesion of internal and external measures on energy issues” (Baumann 2010 p. 83). Despite calls for more solidarity in energy policy, the majority of member states still rely on bilateral agreements with oil and gas suppliers without any coordination with other EU member states (Tagarinski and Avizius 2009 p. 29). Moreover, in most of the countries it is the state which is at the centre in energy policy and thus energy is considered as a “core element to national sovereignty” and treated as “high politics” (Sauter 2008 pp. 103/104). To sum up, energy policy is probably the most contested area of policy-making in the EU

(Pointvogl 2009 p. 5704). So far, decisions in this area have only been taken within the remit of other policies, such as environment, technology, competition and the internal market (Westphal 2006 p. 52). The observation that (some) member states are not willing to transfer competences to “Brussels” does not mean that the motives for such a behaviour are clear. In order to shed light on this point, it is necessary to look at the member states themselves and their reasoning for not giving up sovereignty in EEP.

With the help of a comparative case-study method, this study will make use of institutionalist approaches in order to arrive at an explanation for the conditions that have an influence on member states’ behaviour in EEP. Thus, the central hypothesis is that the EU has not gained actorness in this policy field because of the member states’ reluctance to give up sovereignty – which can be explained by a combination of power arguments, the specific context, ideational factors and historical legacies.

This research will concentrate on the period 2005-2009. During this time, energy policy ranked high on the agenda, the EU worked in a stable institutional set-up (on the basis of the Nice Treaty), and this period also reflects the tenure of both the European Commission and the European Parliament. Moreover, the analysis will primarily concentrate on one single source of energy, namely natural gas as a regional energy source (Helm 2007c p. 444). In contrast to oil, for which a functioning global market exists and which is easy to store, the gas market is more fractioned and influenced by geopolitics (Noël 2008 p. 2). This is due to the fact that “any decision on a pipeline route, once made, might pre-empt the development of an alternative for a long time to come (...) Therefore the international gas trade involves geopolitical and strategic approaches” (Westphal 2006 p. 49). Moreover, and again contrasted to oil, the demand for gas is expected to grow rapidly because it is a comparably “clean” energy source (with low greenhouse-gas emissions) and available in Europe’s neighbourhood (IEA 2009c p. 49). This makes it attractive for Europe (which sees gas as a centrepiece of its energy supplies), and thus an interesting phenomenon to study in more detail.

1.3 Scope and Outline of the Study

Following its standing in EU policy in general, energy policy did not attract much attention from scholars for a long time. Until the early 1990s, it was no priority for the EU and the energy markets were organised by the member states. However, with the adoption of the Maastricht Treaty in 1993, the Commission sought to liberalise the member states’ energy markets and to integrate this field into the European agenda. For that reason, much research has been carried out with regard to these aspects of energy policy (e.g. Matlárý 1997). Moreover, in the end-1990s climate policy also attracted academic attention. Besides these two issues (internal market/competitiveness, sustainability) the third part of the iron triangle, security of supply, was not emphasised until 2005. But with the explosion of energy prices

and producer states which politically instrumentalised energy policy, scholars re-discovered energy security as a part of international relations (IR) (Umbach 2008 and 2010), under the internal market lens (Noël 2008) or in between (Westphal 2006).

Additionally, it is striking that the EU's international "actorness" (Bretherton and Vogler 2006) has been analysed and assessed in international environment policy or trade policy, but seldom focused on external energy policy. Consequentially, and as a first step, this research seeks to fill the gap between the two perspectives and brings together the EU's efforts in EEP by assessing them under the "actorness" perspective. This theoretical standpoint may also give some general indications as the EU's international actorness is decisive in this policy field. Presumably, if the EU could speak with one voice in the international arena, this would enhance its actorness and could lead to better policy outcomes for the member states. An analysis of EU actorness in external energy policy will also help to identify the "weak spots" of European energy policy.

The existing research on the EU EEP predominantly asserts that member states do not transfer sovereignty or that they should do so – the last is especially true for normative studies. But, there do not exist systematic analyses explaining why or under which circumstances member states would transfer sovereignty. Most of the research notes that member states' energy structure (import dependency, geographic position etc.) influences the way how these countries behave in an EU and international context (Matlárý 1997) or that energy policy is placed "between geopolitics and the market" (Youngs 2009), but without systematically assessing how and why. All in all, there is so far no systematic comparison why certain member states are more reluctant than others to give up sovereignty in external energy policy. A research concentrating on this issue is also relevant as energy policy ranks high on the EU agenda as an important policy field and constitutes probably one of the decisive challenges of the 21st century.

The paper is structured as follows: In chapter 2, background information on the EU's energy situation will be given. In this context, the legal status of energy policy in the treaties, the relations between the EU and third countries and the initiatives it has pursued in EEP will be discussed. Chapter 3 comprises the analysis of EU actorness in EEP. Chapter 4 presents the methodological and theoretical approach that will be applied in chapter 5 in an analysis of three representative EU member states – United Kingdom, Germany and Poland. This study ends with a conclusion in which important results are summarised and suggestions for further research are made.

2 Europe's Energy Situation and Institutional Set-up

2.1 The EU's Energy Situation

Besides the United States and the emerging economies in Asia, Europe is one of the biggest markets for energy products. The world market for energy is asymmetrical as the distribution of energy demand and supply is highly uneven, with the remaining reserves of fossil fuels often inconveniently placed (Tagarinski and Avizius 2009 p. 3, Truscott 2009 p. 18). Europe is a key player in this evolving "great game" (Truscott 2009 p. 3), as it is already the largest importer of energy with a high degree of external dependency which will increase even further: from 52% (2003) to 95% (2030) for oil, and from 36% to 84% for gas (Youngs 2009 p. 2). Moreover, the EU's dependence is concentrated on only few countries. Its declining own production from the North Sea oil and gas fields will further aggravate the dependency. Even if the EU increases energy efficiency and intensifies the use of renewable energy sources, it is unlikely that it could stop this trend. Additionally, further investment in power generation capacities and transmission grids are required (IEA 2008 p. 60 and pp. 89/90). This situation becomes even more serious as there are no basic "rules of the game" for energy politics and business, as in other areas, such as trade under the World Trade Organization framework (energy is explicitly excluded in the WTO Treaty) (Youngs 2009 p. 46).

However, in order to get the full picture, one should distinguish between the different energy products as they have very different market structures. In the EU **natural gas** will soon become one of the most important energy sources, as the demand is set to rise quickly. The reason for this is that gas is a comparably clean energy source and will thus move from a marginal to a central fuel in the next years (Youngs 2009 p. 7). In 2005, the EU could still cover 43% of natural gas consumption from internal sources. This figure will decline quickly; as demand is further growing and internal production is going to phase out (IEA 2008 p. 61). It is expected that import dependency will rise to 80% over the next 25 years; with the share of gas in total primary energy demand rising from 23% at the moment to 32% in 2030 (Umbach 2010 p. 1236). Most problematic is that three countries – Russia (42%), Norway and Algeria – supply 84% of gas imports into the EU (IEA 2008 p. 62). The imports are channelled via tank ships – as Liquefied Natural Gas (13% of imports) – or through pipelines. The most important entry points to the EU are from Russia directly or via Ukraine or Belarus, from Norway, from Alge-

ria via Morocco and Tunisia, from Libya, and from Iran/Azerbaijan via Turkey (IEA 2008 p. 67).

The situation is quite different for **oil**. Although the EU only covers 14% of its consumption by internal production and Russia and Norway account for 44% of EU oil imports (IEA 2008 p. 63), the situation is not comparable to the gas market, as the EU relies on the functioning global market for oil (Noël 2008 p. 8).

Other energy products in the EU are **hard coal** and **lignite**, and **nuclear materials**. In lignite, the EU has vast domestic resources, but it imports hard coal – which is, however, not a problem, as it is abundantly available worldwide. The share of coal in power generation will decline, since it is politically wanted to limit this “dirty” fuel. For nuclear materials, the main trading and import partner is Canada, accounting for 24% of supplies, followed by Russia and Niger (IEA 2008 pp. 65/66).

When one discusses the energy situation in the EU, one should not neglect the important topic of co-existence of the state and the market in energy policy. In energy trade, one can see both private companies dealing with each other, but also a high degree of government intervention in the market. It is quite usual that “government-to-government relations are used to secure business-to-business deals on both supplies and the infrastructure to facilitate these supplies” (van der Linde 2007 p. 288). As secure energy is widely seen as a public good (Umbach 2008 p. 1), it is logical that more and more governments – despite the liberalisation and privatisation trends in Europe – feel obliged to protect their societies against failures in the global or regional energy supply system (Umbach 2010 p. 1230). State-owned or state-controlled companies (such as in Saudi Arabia, Russia, Brazil and other countries) run around 85% of oil and 70-80% of gas reserves and are able to outspend their private rivals when paying for licenses, as their investments are more driven by their governments’ strategic interests as by short-term profit considerations (Youngs 2009 p. 151). The clash between the “market-governance” approach and a “geopolitical” outlook is also present in the EU (Youngs 2009 p. 174). Where the internal market is meant to be structured along the lines of privatisation and liberalisation, with a separation of politics and economics, the external face of energy supplies looks quite different as important supplier countries do not necessarily share the European norms about the workings of market forces in energy policy (Umbach 2010 p. 1230).

2.2 The Legal Status of EU External Energy Policy

European integration started with energy policy and because of that, it is quite a paradox that there is – until today – no legal basis for an EU EEP. Traditionally, energy policy was a neglected policy field (Matlárý 1997 p. 12). Prior to the agreement on the Maastricht Treaty in 1992, the Commission tried to include a chapter on a Common Energy Policy, which has been, however, rejected by Britain, Germany and the Netherlands. They feared that the Commission as supranational body would favour particular energy types over others (Matlárý 1997 pp.

62-64). However, the Commission has de facto gained an agenda-setting role in European energy policy (Matlár 1997 p. 141).

Formally speaking, the EU has so far no explicit competence in this field, except for aspects of nuclear energy. In this respect, the original European Economic Community Treaty did not address energy policy and this has remained the same until today. Although the European Community (EC) Treaty included “measures in the sphere of energy” in the list of Community activities in Article 3, this did not give the institutions the required powers in this field, other than developing trans-European networks in energy infrastructures (Adelle et al. 2009 p. 18).

By and large, member states have refused to delegate sovereignty in energy policy to EU institutions, even if limited legislation under provisions of the EC has been accepted – for example the legislation to liberalise the market for electricity and natural gas, or the promotion of renewables which was adopted under the internal market and environmental provisions. This is most evident in Article 175 (2) ECT which requires unanimity for “measures significantly affecting a Member State’s choice between different energy sources and the general structures of its energy supply”. But given the changing nature of energy trade and policy in recent years, member states have begun to think over their position (Adelle et al. 2009 pp. 18/19). This idea is partly reflected in the Treaty on the Functioning of the European Union (TFEU), which in Article 4 (2) enumerates energy as an area of shared competence between the Union and the member states. In Article 176a, the goals to be attained are concretised, such as the “functioning of the energy market”, the “security of energy supply in the Union” and the promotion of “interconnection of energy networks”. What seems to be impressive at first glance is, however, limited in Article 176a (3) which again states that measures taken at EU level “shall not affect a Member State’s right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply”.

During the debates on the Lisbon Treaty, it was especially Poland which wanted a stronger commitment to “solidarity” in the Treaties and threatened to use its veto if this would not be included. In the end, the “spirit of solidarity between member states” which is set out in Article 122 TFEU was a Polish success, although the provision is not as concrete as the Polish government wanted it to be (Youngs 2009 p. 26).

To sum up, throughout the European integration process, member states have always been “reluctant to move on the competence issue” (van der Linde 2007 p. 282), as energy was located in the domain of “high national politics” (Braun 2009 p. 430). As the European Commission’s President José Manuel Barroso notes, “the Union has the required size (...) and required instruments (...) but it lacks the political will to forge a common European energy policy” (Geden et al. 2006 p. 11).

2.3 Relations to Third Countries

Given the lack of “hard” instruments, the EU pursues a wide range of other activities in the sphere of EEP, which are more low-profile and on ad-hoc basis, embedded in the network of the EU’s different international partnerships (Youngs 2009 p. 23). The main instruments are dialogues with energy-exporting countries which are institutionalised to different degrees. In the present form, these are a good example of the EU trying to reproduce its own norms such as the rule of law, the prioritisation of multilateral cooperation and the focus on market-based solutions beyond its borders (Youngs 2007 p. 2).

2.3.1 Russia

The EU and Russia are natural partners in energy matters, as Europe is one of the biggest energy markets in the world and Russia possesses abundant stocks of fossil fuels. This interconnection is also reflected in energy trade figures: The EU25 imported 65% of all Russian gas exports, while it obtained 50% of its total gas imports and 30% of its oil imports from Russia (Youngs 2009 p. 80). This reliance on one supplier was at the centre of energy security debates in the last years (Mueller-Kraenner 2008 p. 77). There are concerns that Russia could not uphold its current levels of production, as domestic gas consumption is growing and the Russian production is relatively mature and thus needs investment (Youngs 2009 p. 80, Noël 2008 p. 5). Consequentially, the partnership between Russia and the EU can be better described as one of “mutual interdependence” (Truscott 2009 p. 22), because Europe relies on Russian energy exports and Russia depends on European investment and know-how for its energy infrastructure.

In the EU, certain groups of countries can be identified with their different dependency on Russian energy products: Whereas Spain, Sweden, the UK, the Netherlands, Portugal, Belgium and Ireland are only little dependent, France, Italy and Germany have a medium dependency. The group with high dependency consists of Austria, the Czech Republic, Greece, Hungary, Poland, Romania, Slovenia, Finland, Latvia, Lithuania and Slovakia (Youngs 2009 pp. 79/80). In absolute terms, the biggest clients of Gazprom are Germany and Italy which account for almost the half of all Russian gas in the EU (Noël 2008 p. 2).

Although the EU and Russia are long-standing energy partners, the recent past has shown that they are divergent in their interests, norms and values. Whereas the EU seeks to depoliticise the gas relationship and play by market rules, the current Russian government strives for keeping politics in (Noël 2008 p. 2). For the EU with its commitment to supranational rules of economic and political conduct it is difficult to handle that Russia shows an assertive foreign policy based on its energy exports in order to restore its international prestige (Emerson, cited in Keukelaire and MacNaughtan 2008 p. 245, Tagarinski and Avizius 2009 p. 12).

However, one should not only look on the EU level, but also focus on the member states themselves, as they also pursue own bilateral relations with Russia.

This is especially true for bigger member states such as Germany (Westphal 2006 p. 56). In effect, there is a growing division between member states and their handling of the EU-Russia relationship. Diplomats lamented that the Russian government could easily play a “divide and rule” game by offering bilateral deals to a selected number of EU member states (Youngs 2009 p. 82) which then make a common EU approach towards Russia impossible. The best example for this is the Nord Stream deal between the German and Russian governments. The former German Chancellor Schröder and Russian President (at that time) Putin agreed on a gas pipeline in the Baltic Sea from Vyborg in Russia to the German coast. This would bypass the transit states in Eastern Europe, such as Poland and the Baltic countries and thus take away leverage in energy matters from these countries (Westphal 2006 p. 57).¹

However, this is not the only example. Companies from other member states such as Belgium, France, Italy, Hungary and Austria also concluded bilateral deals with Gazprom. Interestingly, it was mostly the member states with the highest gas dependency which took the toughest stance against Moscow, such as Poland and the Baltic states, while the ones which could “afford” a tougher line because of their limited dependency, such as France, refrained from taking such a position. Thus there is not a straightforward relation between the degree of dependency and the position vis-à-vis Russia (Youngs 2009 pp. 82/83 and 94).

Despite the initiation of the EU-Russia energy dialogue in 2000 and despite the fact that the EU has more high-level political dialogue with Russia than with any other country except the United States, the energy relations are in a legal vacuum (Truscott 2009 p. 31). The main instrument, the Energy Charter Treaty which was concluded in 1994 has never been ratified by Russia. The main reason for this is the Transit Protocol which would force Russia to open up its internal networks for foreign companies (Youngs 2009 p. 80).

2.3.2 Central Asia

Besides Russia, Central Asia is another important energy partner for the EU. The major project in cooperation with this region is the Nabucco pipeline which will – when it becomes operational in 2013 – link the resource-rich Caspian Region with Europe via Turkey, Bulgaria, Romania, Hungary and Austria.²

For the EU, Nabucco is one of the most important energy infrastructure projects. The former energy commissioner Andris Piebalgs called it “more than just a pipeline: it is the embodiment of the existence of a common European energy policy” (Youngs 2009 p. 109). However, large energy projects bring a high risk with them, as they have to be commercially viable and depend on sound political

¹ The shareholders of this project are Gazprom (Russia), BASF/Wintershall (Germany), E.ON Ruhrgas (Germany) and Gasunie (Netherlands) (Nord Stream 2010).

² This infrastructure project is supported by six equal shareholders, namely the energy companies OMV (Austria), MOL (Hungary), Transgaz (Romania), Bulgargaz (Bulgaria), BOTAS (Turkey) and RWE (Germany) (IEA 2008 pp. 69-72).

grounds (Truscott 2009 pp. 8 and 33). Additionally, Russia – which would lose some leverage as a transit country for Caspian gas if Nabucco became operational – develops the Southstream pipeline crossing the Black Sea and already convinced some EU member states to support it. This would be a direct threat to Nabucco and EU unity, because two pipelines for the same route would not be commercially viable. And “if Southstream is build first, Nabucco may well falter” (Truscott 2009 p. 34).

The Nabucco project would be meaningless if there was no energy-producing region “behind it” to fill the pipeline. The EU hence developed energy partnerships with the main supplier countries in the region, e.g. Azerbaijan and Kazakhstan, after it had long neglected Central Asia on its political map. In November 2004, the Black Sea and Caspian Sea cooperation initiative was launched and under the German Presidency in 2007, an EU-Central Asia Strategy Paper was agreed. But in effect, the diplomatic presence and awareness of this region still remains rather limited, because no member state feels “responsible” (Youngs 2009 pp. 23 and 104-106).

2.3.3 Africa

North and West Africa are the latest destinations for Europe’s energy diplomacy, after Africa’s energy potential was neglected in the 1990s (Truscott 2009 p. 47, Youngs 2009 p. 126). Compared to Russia, the EU position towards African countries is marked by a higher degree of coherence, although bilateralism is also present. Especially Spain and Italy justify their bilateral efforts because the EU long overlooked the continent and was preoccupied with the Russian dimension of energy policy (Youngs 2009 p. 173). The re-emergence of European interest in Africa was possibly also triggered by the new dominant actors on the continent: China and the United States both developed strong energy relations with resource-rich countries such as Angola and Sudan (Youngs 2009 pp. 129/130). Europe’s energy relations with African countries are embedded in sub-regional energy dialogues with the Maghreb and Mashreq countries under the Euro-Mediterranean Partnership and the European Neighbourhood Policy. The relations are – opposed to US and Chinese efforts – however more low-key, as high-level commitment remained limited and energy-related initiatives were based on development policies (Youngs 2009 pp. 23 and 126).

The most important energy-trading partner is Algeria which is currently the third largest supplier of gas to the EU with 19% of the EU’s imports (Truscott 2009 p. 47). It was mainly France, Spain and the United Kingdom which sought to develop deeper energy relations with this country. Policy-makers admitted that Algeria was not that “difficult” to handle compared to Russia. Besides Algeria, also Libya gained more attraction (Youngs 2009 p. 63). In sub-Saharan Africa, Nigeria and Angola were the most important energy suppliers (Truscott 2009 pp. 49-52).

2.3.4 Middle East

Traditionally at the centre of international oil policy, the Middle East is also the region which generated the first attempts for European energy policy coordination during the oil crisis in 1973 – namely the commitment to common oil-sharing (Youngs 2009 p. 50). And despite the rise of other producers, the Middle East is still one of the most important energy hubs for Europe: Spain and Italy buy significant amounts of gas by pipeline, while Belgium, France, Spain and the UK imported gas as LNG (Youngs 2009 p. 52). Despite this important position, the degree of institutionalisation in energy matters is not that high as with the Mediterranean. As with Russia, bilateralism prevails (Youngs 2009 pp 64 and 78). One exception is the common EU position towards Iran, whose nuclear program is criticised by all member states, despite Iran being a good partner for Europe to diversify its energy supplies (e.g. through the Nabucco pipeline) (Youngs 2009 p. 70).

2.4 Initiatives on the EU Level

Although no big steps forward in the Primary Law can be detected since the 1950s, the EU nevertheless began to develop a toolbox of “soft law” in the form of policy frameworks which had an influence on energy policy in Europe (Adelle et al. 2009 p. 20). A first example for this is the 2003 European Security Strategy which included one sentence stating Europe’s energy dependency. By 2007 energy was a big issue in all EU external political dialogues, while also member states began to think about this issue domestically (Youngs 2009 pp. 22-24).

Most of the initiatives taken on the EU level were low-key “Community tools” which could only slightly disguise the fact that the EU (or the European Commission, to be precise) did not have the tools to pursue a full-fledged EEP (Braun 2009 p. 439). The Commission knew about the reluctance of member states and their sensitivity and used its trade competences and the coordination of bilateral relations rather than to propose new competences for itself (van der Linde 2007 p. 306). Consequentially, the “hard” component of EEP is still non-existent and EU initiatives so far do not go beyond the various dialogues (Baumann 2008 pp. 10/11).

Earlier than most member states, the European Commission started to think about energy security in the late 1990s. In **2000**, it published a **Green Paper** that argued for an upgrading of energy policy in the EU context, as it had “assumed a new Community dimension without the fact being reflected in new Community powers” (Adelle et al. 2009). With this document, the Commission defined itself as a strategic actor shaping Europe’s interests, challenges and possible responses in energy matters – however lacking the instruments and the mandate for a European policy in the Treaties (Keukelaire and MacNaughtan 2008 p. 242).

At their summit in Hampton Court in 2005, the European heads of state and government agreed on a formal commitment to a common European energy pol-

icy. In a **Green Paper** published in **2006**, the Commission reacted to this shift and argued that the “new energy landscape of the 21st century” would need a common European response (Adelle et al. 2009 p. 20). As “Europe has entered into a new energy era”, a coherent external policy would be necessary to deliver sustainable, competitive and secure energy (CEC 2006 p. 3). And as the EU had no formal instrument for doing this, new formal, targeted instruments to deal with emergency situations would be needed. Further suggestions were a “network of energy correspondents”, “a Strategic EU Energy Review”, “coordinated response mechanisms in crisis situations” and the “development of interconnecting energy systems” (CEC 2006 pp. 14-16). It can be seen that the Russia-Ukraine gas conflict served as a wake-up call for the EU to place energy security higher on the agenda (Youngs 2009 pp. 23/24).

The 2006 Green Paper was further developed with the **2007 Energy Action Plan**. During the discussions in the Council before its adoption, there were – contrary to the wishes of the European Commission – “very few requests or suggestions for the development of new instruments, with the possible exception related to energy efficiency and gas storage” (Council of the European Union 2006a p. 1). While consistency at the EU level was a worthwhile goal, the member states argued that specific characteristics should be taken into account (Council of the European Union 2006b p. 7), leaving them the competence to decide on their energy mix and the way they handle their primary energy sources (Council of the European Union 2006c pp. 2/3). In the end, the Action Plan indeed highlighted the need for the EU to develop a common EEP, but member states made clear that they were reluctant to share the commitment towards new instruments and tools that the Commission proposed in its 2006 Green Paper. Remarkably, the solidarity between member states in the event of an energy crisis was highlighted both in the 2007 Action Plan (CEC 2007 p. 10) and in the European Council Presidency Conclusions in 2008 (European Council 2008 p. 7).

As proposed in the 2006 Green Paper, the European Union issued a **Strategic Energy Review in 2008**. This document can be characterised as a shift away from geopolitics toward a focus on results (Braun 2009 p. 445). Despite reservations of the Council, the Commission again opted for an extension of EU competences, e.g. with regard to oil and gas crisis mechanisms (van der Linde 2007 p. 282). But the discussions in the Council prior to the Strategic Review were rather reserved, as the topic was seen as “less acute” than in 2006 and thus less in need of fundamentally new policies (Youngs 2009 p. 28). In its conclusions on the Strategic Review, the Council agreed towards “defining a common agenda towards energy partner countries and developing new broad-based partnerships” and to “exchange of information”, but refused to transfer competences to the EU level (Council of the European Union 2009 pp. 9/10).

Besides the soft law in energy policy described above, the Community has also issued hard law in other areas of energy policy which do not directly aim at the external sphere. These are, for example, directives on the functioning of the internal market in energy, the promotion of renewables or the building of energy infrastructure in the Trans-European Networks Energy Programme. Moreover, other forums of cooperation have been established, such as the gas co-ordination

group and the Network of Energy Security Correspondents. Additionally, proposals were set out to establish an organisation of energy network operators and a European Regulatory Agency (IEA 2008 p. 80/81). The directive with the biggest effect on external energy security could, however, be the proposed revised **Gas Supply Directive** of 2009. Herein it is argued that

“(…) the security of gas supply is a concern whose Community dimension is becoming more and more important, therefore justifying the involvement of Community institutions and the Commission in particular. In a Community emergency situation, the Commission is best placed to coordinate the actions of the Competent Authorities of the Member States and to facilitate the dialogue with third countries” (CEC 2009 p. 3).

The member states again reacted reluctant to transfer competences to the Commission in the case of emergency situations (Geden 2009 p. 4).

Naturally, the two other dimensions of energy policy, competitiveness and sustainability, are also tackled on the EU level – and more successfully so. In climate change, a consensus has arisen that the EU is the best level to handle this issue (Westphal 2006 p. 50). The situation is a bit different when it comes to the internal energy market, where discussions about the restructuring are still going on, especially between the Commission and certain member states with their “national champions”. In this context, one can also see different logics for ensuring energy security: While the Commission and pro-liberalising member states argue that a competitive EU internal energy market would enhance overall energy security as it could react more flexible to crisis situations, other members such as France and Germany see their national champions as preconditions for energy security as they have the size and power to create a level playing field vis-à-vis companies in energy-exporting countries.

3 EU Actorness in External Energy Policy

Based on the empirical evidence in the last chapter, the concept of actorness as introduced by Charlotte Bretherton and John Vogler will be applied to EEP in order to examine the role of EU and its international presence (Bretherton and Vogler 2006). After a short overview about the reasons for choosing this theoretical framework, it will serve as a blueprint for assessing the degree of actorness of the EU in EEP. The aim of this chapter is to assess the degree of actorness, and – in a second step – draw conclusions about why the EU may lack it in this field while it has developed a higher degree in other areas. Moreover, the EU is a worthwhile entity to analyse as it “can, to some extent, be viewed as a unit of the international energy structure” (Belyi 2003 p. 355). “To which extent?” is the important question this chapter addresses.

The approach will be a qualitative case-study, meaning a “detailed examination of an aspect of an historical episode” (George and Bennett 2005 p. 5). A case study is especially strong where statistical measures are hard to apply – as is the case in this weakly institutionalised policy field. Moreover, case studies are also strong in the period of theory-developing which is the overarching aim of this study (George and Bennett 2005 p. 19). The analysis focuses on the period 2005-2009. Consequently, the most important historical steps on the way towards a common EEP are taken into consideration. The documents representing these steps are Commission communications, green papers, action plans, Council conclusions and press releases – accompanied by secondary sources.

3.1 An Actor in its Own Right?

In recent years, the impact of the EU as an entity in the international system has gained increased scholarly attention. Especially with the development of an “EU foreign policy” enshrined in the Common Foreign and Security Policy, the external face of the Union has become a favoured research object. However, the CFSP is not the only external of the EU policies. The traditional Community activities such as agriculture, trade, the internal market and environment policies also have an impact going far beyond the member states. However, the influence that the EU bears on third actors varies from policy field to policy field. Often it is assumed that the EU speaking with one voice – instead of 27 member states speaking – would have more influence in the international arena.

A “politics of scale” in foreign policy would constitute more than the sum of foreign policies of the member states (Ginsberg 2001 p. 27). Hence, the criterion of an integration of foreign policies into one Community foreign policy would be that the “potential gains from joint action through ‘increased scale’ are greater than the costs of lost sovereignty” (Ginsberg 2001 p. 27). These cost-benefit calculations made by the member states could – to a certain degree – explain the different degrees of policy integration in external policies of the Union. In debates about the external leverage of the EU, it is assumed that the more supranational a policy field is, the more actorness the EU possesses therein. Likewise, more inter-governmentalism would lead to a lower degree of actorness. Recent findings show that this is not consequentially the case (Groenleer and van Schaik 2007 p. 970). Thus, in spite of external energy policy being an intergovernmental policy field, it is worthwhile to assess the degree of actorness. Although Groenleer and van Schaik also introduce a model of actorness in their research, this thesis will use the concept of Bretherton and Vogler, which takes the external impact more into account and acknowledges the sociological aspects of actorness. Moreover, their model is more detailed as it comprises three different dimensions of actorness. Finally, it is a well-accepted approach in EU foreign policy analysis.

In EEP, the outsiders’ perception of the degree of coherence of the European Union is important, as this would preclude a “divide and rule” behaviour of third actors. Hence the model will be applied in order to answer the question “which internal and external factors have permitted, promoted or constrained the development of the EU’s roles in global politics; how and to what extent is the EU perceived as an actor by its various ‘audiences’” (Bretherton and Vogler 2006 p. 13). The authors present a framework which consists of three dimensions constituting or constraining actorness – opportunity, presence and capability. To assess the degree of actorness in each dimension, a three-part scale will be used, with the values low, middle, and high. This is a rather rough scale, but in a qualitative and explorative study such as this, a more detailed scale would pretend to express results which are, in reality, not as easy to grasp. Therefore a three-fold scale can be considered to be sufficient.

3.2 Opportunity, Presence and Capability

The first dimension is **opportunity**. In this sphere, one looks at the “factors in the external environment of ideas and events which constrain and enable actorness” (Bretherton and Vogler 2006 p. 24). In this respect, opportunity represents the structural context in which the EU acts.

In EEP, the *structural context of events* would urgently call for EU action. The rising resource nationalism in producing states, the growing demand for energy in general and for natural gas in special and the resulting competition between energy-importing countries is a structural context in which the EU is well placed to find an answer. Its multilateral structure, its dialogues with producing states and its geographical position close to resource-rich regions would make it an impor-

tant player in energy matters worldwide. Consequently, the European Commission tried to seize “windows of opportunity” which opened up especially during the gas crisis in January 2006, where the structural context made it easy for the EU to present itself as a “broker” and legitimate spokesperson for the EU member states’ interests.

Turning to the *structural context of ideas*, one can see that the EU (to be more precise, the European Commission) seeks to construct itself as the legitimate polity to pursue EEP. This effort is reflected in the Commission’s Gas Supply Directive in which it is stated that a Community dimension is the right place to answer questions concerning security of gas supply (CEC 2009 p. 3). Via its various dialogues with energy-exporting countries, the EU also wants to shape what is seen as legitimate in energy trade – in the EU perspective the reliance on market forces and a multilateral legal framework such as the Energy Charter Treaty.

However, both the environment of ideas and events which together constitute opportunity possess the inherent danger for the EU of a “capability-expectation gap” (Hill 1993 p. 306). Opportunity can indeed be discursively constructed (“Europe has to speak with one voice”), but lacks credibility in the long run if the material conditions for seizing these opportunities are non-existent. To sum up, in the opportunity dimension the EU has a middle degree of actorness, as the structural context of both ideas and events would enable the EU, but the lacking resources make this discursively constructed identity incredible in the long run.

The second dimension of the concept consists of **presence**. Presence means the “ability of the EU, by virtue of its existence, to exert influence beyond its borders” (Bretherton and Vogler 2006 pp. 24 and 27-29). One can further subdivide this dimension into the *character*, thus the material existence of the Union, and the *identity*, shared understandings about what the EU is and what it does. Moreover, the *external consequences of the Union’s internal priorities and policies* shape the presence of the EU.

First, if one looks at the Treaties and Secondary Law, a strong character of the EU is non-existent as it lacks clear competences in EEP, enshrined in the Treaties. Things look a bit different with regard to identity, thus the shared understandings about the EU’s role. At least rhetorically there is a strong commitment of the member states to fundamental EU values such as solidarity. One can see this for example in Article 122 TFEU which calls for a “spirit of solidarity between member states”, especially in energy matters. Furthermore, in many Council conclusions the member states committed themselves to a more coherent energy policy for the EU. However, these rhetorical commitments are challenged by the actual behaviour of the member states which regularly contravene against the spirit of the Treaty by either supporting their “national champions” or by pursuing bilateral policies at the expense of others.

Secondly, the external consequences of the Union’s internal priorities and policies are twofold. On the one hand the EU priority on internal gas market liberalisation did not have an impact on EEP or the behaviour of energy-exporting countries so far. The failed liberalisation and the fragmented nature of the European gas market make it easy, e.g. for Russia, to play a game of “divide and rule”,

and fosters a bilateralisation of gas supply contracts. However, the EU member states together would have an impact on the external environment by their role as “big buyers” of energy shaping the world and regional energy market. So far, the EU though did not benefit from this role as “economic giant”. On the other hand, the EU managed to shape the international political agenda with its insistence on making energy policy an issue. The internal EU prioritisation of energy policy made it possible that this topic was also on the agenda in international settings such as the G8 (e.g. at the summit in St. Petersburg in 2006). It is, however, questionable whether the EU has the same impact in bilateral negotiations.

To conclude, there is only a low degree of actorness in the presence dimension of external energy policy. The reason is that both the material character of the EU and its identity in energy matters are weak, and the agenda-setting function of the EU – hence the external impact of the EU’s internal focus on energy – did not materialise in results so far.

The third and last dimension of actorness is **capability**. Bretherton and Vogler identify four sub-dimensions of capability. The first one is a *shared commitment* to a set of overarching values. The second prerequisite is the *domestic legitimisation of decision processes and priorities* relating to external policy. Third, the *ability to identify priorities and formulate policies* adds to capability. And last, the *availability of, and capacity to utilize, policy instruments* is important (Bretherton and Vogler 2006 pp. 29-35).

As already indicated by the presence dimension there is indeed a shared commitment to common values – “solidarity” and “speaking with one voice in external energy policy”. However, the member states in reality do not follow this commitment and they do not materialise in an institutional set-up safeguarding these values. Focusing on the legitimisation for an EEP at the EU level, Eurobarometer polls show that there is no majority for such a step. In 2006, 39% of the Europeans opted for an EU energy policy while 42% favoured decisions to be taken on the national level (Eurobarometer 2006 p. 4).

A third aspect of capability is the ability to identify priorities and to formulate policies. As one can see, the EU is capable of doing this, as it prioritises the issue of energy policy. Moreover, the formulated policies are to a high degree consistent horizontally – e.g. going hand-in-hand with other Community policies – by linking energy efficiency policies with external energy policies, or the climate change proposals which would also enhance European energy security. However, the vertical consistency of the EU’s energy policies is a problem. Often, the member states counteract Community legislation by their national priorities. An example for this is the still not functioning internal market for natural gas. Again, the bilateral energy contracts concluded by some member impede a common EU approach and thus add to inconsistency.

The fourth aspect of capability is the availability of, and capacity to utilise, policy instruments such as diplomacy, negotiation, economic tools and military means. As the Treaties and Secondary Law suggest, there are no sharp instruments available so far. The energy mixes and foreign policy are still national affairs, thus the EU lacks the most important levers in external energy policy. It in-

deed uses the means of “soft” diplomacy and negotiations extensively, for example in its various energy dialogues. Nevertheless it can be doubted how much real impact these instruments have. One should, however, not neglect the informal impact of other (more internal) instruments that the EU (i.e. the Commission) has at its disposal. In contrast, in related areas such as competition, the Commission has a “sharp sword”, for example to break up “national champions” in the energy market if they infringe Community law. Moreover, the EU’s efforts in climate change policy could well have an impact on the energy mixes of the member states, because it indirectly favours some forms of energy over others.

All in all, the EU ranks low to middle on the scale of capability. There is a set of overarching goals in the Union and some degree of support by the EU citizens for a Community action, but also inconsistencies between the member states and the Union’s policies and priorities in energy matters. The most powerful instruments that the EU has are not directly rooted in external energy policy, but in neighbouring policy fields (competition, climate), yet they still have an impact.

3.3 “Fragmented Actorness”

Overall, the European Union has a low to middle degree, hence “fragmented” actorness in external energy policy. Although there is no clear mandate in the Treaties, especially the European Commission has managed to use its position to place the issue high on the agenda and to insert energy matters in its traditional domains such as dialogues with third countries. Moreover, it skilfully uses other policies such as climate change to pursue its goals in EEP. However, strong forces against the “Europeanisation” of this policy on part on the member states prevent the EU from developing a higher degree of actorness. Because of that, the instruments are rather weak and there are inconsistencies between the EU rhetorical commitment and member state actions.

It has become clear that – if one wants to know why the EU only has a low or at the maximum middle degree of actorness – one has to focus on the member states which are the key players in this policy field (Pointvogl 2009 p. 5705). And even if there are some signs of EU action, member states are still the bearer of sovereignty – even more so as foreign policy is a traditional “*domaine réservé*” for the nation state. Given the politicisation of this issue it seems questionable if the European Commission manages to “smuggle in” more competences for itself without the member states noticing it.

EU actorness external energy policy

DIMENSION	SUB-DIMENSION	DEGREE OF ACTORNESS
Opportunity		Middle
	External environment of ideas and events	Middle
	Windows of opportunity	Middle
Presence		Low
	Character (material existence) and identity (shared understandings)	Low
	External consequences of Union's internal priorities and policies	Low/Middle
Capability		Low/Middle
	Commitment to a set of overarching values	Low
	Domestic legitimation of decision processes and priorities	Low/Middle
	Ability to identify priorities and formulate policies	Middle
	Availability of, and capacity to utilise policy instruments	Middle

Table 1: Actorness in EEP, based on concept of Bretherton and Vogler 2006 p. 24

As one could already see in the analysis above, this policy field is not only driven by rational behaviour of actors involved, but also by more ideational reflections comprising ideas, identities and perceptions. Hence the framing of this issue in the domestic setting in the member states could be the decisive point in external energy policy because this includes or precludes certain possible ways of action (Princen 2007 pp. 33/34). Consequentially a less state-centric and more institutions-based theoretical framework for analysing the member states' behaviour in external energy policy is useful. It should take into account the full range of influencing factors – both rational and sociological/ideational – determining the mem-

ber states' positions towards a common EU approach. Thus, this study takes a closer look on these factors in a selected group of member states in the following chapters.

4 Methodological and Theoretical Foundations

4.1 Focusing on the Member State Level

Understanding the shortcomings in the EU EEP requires to look at the member states. These are the driving or breaking forces for such a project given the inter-governmental nature of this field (Geden et al. 2006 p. 3). The research question consequentially is: Why are the member states reluctant to transfer sovereignty in this policy field?

The examination will consist of a selected number of cases (EU member states) which are systematically compared in terms of their behaviour toward an EU EEP. A multiple-case design is preferred over single-case ones, as this allows a higher degree of possible generalisation – if one asks the same questions of each case. Case studies in general are the best option to answer “how” and “why” questions (Yin 2003 p. 53, George and Bennett 2005 p. 86).

Theoretical patterns help to identify the framework conditions (the independent variables) which have an influence on the member states’ behaviour. However, since there is no overarching theory present for explaining the policy field studied, this study should hence be seen as a possible first step for establishing theoretical propositions. As George and Bennett point out, “case studies are particularly useful for this phase in the scientific process, because they have advantages where statistical methods and formal models are weak” (George and Bennett 2005 p. 19). The comparison will thus assess whether or how some conditions in the member states matter, but less so how much they matter. Hence this study is more about the underlying mechanisms and patterns than about the frequency of certain outcomes (George and Bennett 2005 p. 25 and 31). Moreover, further positive framework conditions for case studies are when the investigator has little or no control over events, the boundaries between the phenomenon and its context are not clearly evident and when the focus is a contemporary phenomenon placed within a real-life context (Yin 2003 p. 1). All these preconditions are given in EEP.

4.2 Choice of Cases

The analysis in chapter 5 thus comprises a comparison of a set of member states. These case studies consist of text analysis of various sources such as member

states governments' strategy papers and press releases, and important national strategies in energy and security matters. It is assumed that the government's position reflects the position of the respective country and the preferences of its citizens. Moreover, it will be looked at data concerning the energy situation in the member states. Finally, a large amount of secondary literature on each selected member states serves as a background for the analysis.

As this thesis lacks the resources to analyse all 27 member states and their positions, some have to be picked. Scholars who did research in this area before frequently turned to the bigger member states or tried to group the member states according to their import dependency in energy (Belyi 2003 p. 357 and Le Coq and Paltseva 2009 p. 4481). However, one has to consider that there are "no 'natural' groups of member states with common energy interests beyond the classification of importer-exporter" (Matlary 1997 p. 44). Moreover, just looking at the import dependency rate or the energy mix would be too narrow. Therefore, it is not possible to choose a perfectly representative set of member states by picking one country from each possible "group" of states with similar structures.

To find a solution for this problem, a "diverse" choice of cases which is useful in an explorative design such this will be used (Seawright and Gerring 2008 p. 300). In a diverse design, the researcher chooses cases representing the maximum variance along relevant dimensions, meaning both extreme values and mean or median values as well (Gerring 2007 p. 97/98). In this case, "diverse" means variation on both independent variables and dependent variable – thus cases that clearly display different logics and hence influence EU actorness. Taking this into consideration, Germany, the United Kingdom and Poland have been chosen as diverse cases. These three countries represent a good part of the whole range of possible differences which are present in the EU.

4.3 Theoretical Insights into External Energy Policy

4.3.1 New Institutionalism

In spite of the re-emergence of energy policy in the international arena, there are so far no elaborated theoretical propositions. First attempts only concentrate on narrative evidence describing this new policy field, often ending with the result that member states are not willing to give up sovereignty, because that would not be "in their interest". But, to understand the reasons behind the member states' behaviour, one cannot only concentrate on a certain "national interest", but should also have a closer look on ideational and identity-related driving forces in this policy field. Recent work on energy policy slowly points in this direction and takes ideas and history into account (e.g. Pointvogl 2009 p. 5705). For this reason, the member states' behaviour will be analysed with the help of both rational choice and sociological institutionalism. These two will thus serve as a blueprint for the multiple-case comparison (Yin 2003 p. 29).

New institutionalism is a well-accepted approach in EU studies and helped to overcome the intergovernmentalist/neofunctionalist dichotomy. It goes also further than traditional IR regime theory which tries to explain under which circumstances states are willing to cooperate, as it takes member states' preferences not as pre-given or completely exogenous (Princen 2007 p. 26). Institutionalism therefore works well as this study focuses on the creation of a new institution – a common EU external energy policy – which is the dependent variable. Thus “institutionalisation constitutes the outcome to be explained, and it partially provides part of the explanation” (Stone Sweet et al. 2001 p. 225).

The different strands of institutionalism provide various assumptions and arguments on the question under which circumstances new institutions emerge. First, change can happen when exogenous shocks – which might be caused by political decisions – outside the policy space occur which then in turn leads to a perception that change is needed. Secondly, institution-building can be part of “normal” politics. Finally, the use of framing by policy entrepreneurs – some interested actors give meaning to certain issues and propose and exclude possible ways of handling this “problem” – is a powerful tool to underline the need for new institutions (Stone Sweet et al. 2001 pp. 19/20).

Institutionalism is a broad camp, and at least three different forms can be identified: rational choice, historical and sociological/constructivist perspectives. Although all institutionalisms are different in what they highlight, there is room for greater interchange among them (Hall and Taylor 1996 p. 955) – and reality calls for all approaches (Kaarlejärvi 2003 p. 20). As dialogue can be fruitful, elements from rational choice and sociological institutionalism will be “borrowed” for this study. All institutionalisms share the assumption that “institutions encompass both formal and informal structures that influence human behaviour” (Aspinwall and Schneider 2000 p. 4). These institutions affect outcomes, but actors' positions also affect the institutions *as* outcomes. When being the dependent variable, “[institutions] include those equilibria and patterns of behaviour that characterise the process of European collaboration” (Aspinwall and Schneider 2000 p. 5).

On a scale, the three strands of institutionalism can be structured as follows: rational choice institutionalism in one corner – highlighting the “calculus” approach of political actors, sociological institutionalism in the opposite corner – focusing on the “cultural” approach, and historical institutionalism somewhere in the middle (Hall and Taylor 1996 p. 950). However, other scholars subsume historical institutionalism under sociological approaches (Aspinwall and Schneider 2000 p. 16). For this reason, rational choice and sociological institutionalism will be taken as starting points, with historical legacies subsumed under sociological approaches. The unintended consequences and the path dependency which are at the centre of historical approaches are not obvious in EEP. The reason for this is that there are only few European institutions in this field which would shape further action. Additionally, “historical institutionalism does not predict movement toward or away from integration, rather it predicts that agency rationality, strategic bargaining and preference formation are conditioned by institutional context” (Aspinwall and Schneider 2000 p. 18). This is not the focus of this study, because especially the movement toward or away from integration is to be explained.

However, the historical dimension of external energy policy will not be completely disregarded, for example in the legacy in the member states concerning perceived energy insecurity.

The multiple-case study carried out in this thesis will not test the two institutionalisms, but takes their theoretical propositions as structuring elements for a theoretical “mapping” of EEP. Thus the studied independent variables are rather framework conditions for outcomes than “variables” in a strict sense.

4.3.2 Rational Choice Institutionalism

Rational choice institutionalism is based on the assumption that actors have a fixed set of preferences and behave instrumentally and strategically in order to attain these. Institutions serve as means for solving collective action problems and distributional conflicts as well as for reducing transaction costs between actors. Actors create institutions because they benefit from them, since all participants are “better off” with the institutions than without. These “equilibrium ways of doing things” (Shepsle 2006 p. 26) remain unchanged as long as institutions provide benefits to the participants (Hall and Taylor 1996 pp. 943-945). Still, the actual process of creating new institutions encompasses an element of bargaining which may reflect asymmetries of power between the relevant actors (Aspinwall and Schneider 2000 p. 7). In this respect, rational choice institutionalism is especially strong in explaining the emergence of new institutions in the international arena, as actors have – at least theoretically – an equal standing and are accustomed to strategic action (Hall and Taylor 1996 p. 953).

Although rational perspectives are well-suited in explaining some aspects of international cooperation, it also has blind spots. For example, it disregards the possible cognitive limitation to strategic behaviour (Shepsle 2006 p. 26) and thus overestimates the competences of actors involved (Hall and Taylor 1996 p. 952). Another shortcoming of rational choice institutionalism is its assumption that interests are pre-given. Especially in the EU, one can argue that national interests are framed in the context of the EU, although this does not automatically lead to member states behaving altruistically (Lewis 2009 pp. 112ff and p. 124).

However, applied to a common EU external energy policy, rational choice institutionalism helps to identify important driving forces for the member states’ behaviour. First of all, the focus on interests is a natural blueprint for analysing the development of this field. For example, Matlárý argues that in energy policy such basic “structural” interests exist which are grounded in different energy mixes and energy dependency rates (Matlárý 1997 pp. 3 and 12). In most countries, energy policy is seen as “high politics” and constitutes a “national interest”, since energy is a major factor of production in all industrialised countries and thus its supply is of vital national importance (Matlárý 1997 p. 25). Moreover, energy policy is characterised by the antagonism between exporting and importing countries and by the co-existence of market and state (van der Linde 2007 p. 274). This needs strategic behaviour of governments, as they both have to deal with their market (companies etc.) and other governments in producing countries.

Due to different structures of the energy market in member states, and due to different instruments at the disposal of governments, the perspective whether the EU EEP can be seen as a “collective action problem” varies. The different interests in energy policy can also be determined by the geographical position of the member state and, possibly resulting from this, the relation a state has towards important supplier countries. These “fragmenting forces” (Hill 1998 p. 47) can be seen as the result of different size and power of countries – both in terms of political leverage and market power in the energy market.

To sum up, rational choice institutionalism helps to define two main determining conditions for member state behaviour in EEP, being **power** and **context**. “Power” comprises the strength of the member state and its possibility to go “alone”, e.g. by pursuing bilateral relations to energy-supplying countries. “Context” points to the fact that interests might result from the position and structure of member states, i.e. the energy import dependency rate and its distance to suppliers.

4.3.3 Sociological Institutionalism

The basic assumption of sociological institutionalism is that institutions not only encompass formal rules, procedures or norms, but also the symbol systems, cognitive scripts and moral templates that together constitute the “frames of meaning” which then guide human behaviour (Hall and Taylor 1996 p. 947). These have long-term effects and shape the preferences of the actors which find themselves in an environment where these frames apply. Institutions create a set of rules by which political struggles are played out and by that even construct what can be seen as “rational action” in a certain environment (Aspinwall and Schneider 2000 pp. 5/6, Hall and Taylor 1996 p. 949).

Regarding the creation of new institutions, sociological institutionalism stresses the impact of important events or other abrupt changes which might lead to a reinterpretation of the present institutional environment (Aspinwall and Schneider 2000 p. 7). This is not primarily guided by strategic calculations enhancing the efficiency of institutions, but by the strengthening of the social legitimacy of the organisation or its participants (Hall and Taylor 1996 p. 949). It is assumed that the actors working on the basis of such an institution adhere to the unwritten rule of what is “collectively accepted” and possibly internalise these norms, rules, and values. This “logic of appropriateness” then enhances or discredits certain actions (Lewis 2009 p. 117). Another strength of sociological institutionalism is that it does not assume strict rationality of the actors. In reality the cognitive constraints of decision-makers, due to the limited time to gather information and due to possible biases leads to “bounded rationality” (Andreatta 2005 p. 31).

A central concept which can be attached to sociological institutionalism is framing. This means that certain issues or problems are constructed as being legitimate or important enough to be handled at a certain political level and with a specific political instrument. Moreover, framing means making a convincing link

between a “problem” and a “solution” (Princen 2007 p. 30). This process of giving meaning to certain issues to become political problems and thus to gain political attention is not only guided through the interpretation by the relevant actors, but also by power struggles over the whole process. As framing shapes policy choices, it is a “powerful tool” (Stone Sweet et al. 2001 p. 20). To get things “on the agenda”, a highly publicised external event or a major crisis is helpful. In the EU context this does not only involve the policy options available, but also constructs the appropriateness of the EU as the right level of governance to tackle the policy problem (Princen 2007 pp. 30-32). Moreover, focusing events – such as the Russia-Ukraine gas dispute in EEP – are used to construct the EU as appropriate level for policy answers.

Applied to the EU EEP, sociological institutionalism can give further insights by complementing the traditional rational choice perspective. First of all, the argumentation that new institutions are created because they enhance the legitimacy can be observed in this policy field. It is especially the European Commission, but also certain member states that frame energy policy as a means of showing “solidarity”. Constant calls to “augment solidarity” and avoid “energy blackmailing” are signs of trying to enhance this value (Tagarinski and Avizius 2009 p. 1). Of course, this insistence of the European Commission is not completely altruistic, as this body of the EU institutional structure can also be seen as a “competence-maximiser” which seeks to increase the competences of the Community in general and its own in special (Pollack 2003 p. 35). But this is still in line with sociological institutionalism, as this approach does not strictly deny strategic behaviour, also on part of the member states (Hay 2006 p. 65).

Sociological institutionalism furthermore stresses the influence of ideas on shaping policy choices – both as strategically instrumentalised policy frames, but also as cognitive blueprints for action. For example, a “legacy aspect” of energy policy, the perceived energy security, based on historical experiences, shapes policy choices and thus guides actors’ behaviour (Pointvogl 2009 p. 5710). The different perceptions of risk in this policy field make it especially prone to different handling:

“[This is] particularly the case for energy security, when looking at the historical experience and political culture of some of the actors. Energy security can thus not only be understood as a rational, objective and material problem, but must also be seen as an issue that shapes its form and urgency according to the position and perception of the actor” (Güllner 2008 p. 151).

The overall framing of EEP points to the same direction. EEP is an issue of contention in the EU, but also domestically in the member states. Framing energy security as “high politics” (Sauter 2008 p. 105) and thus stressing the security aspect of it, precludes certain causes of action, e.g. treating energy as “just another commodity”. This “upgrading” does not automatically have to be guided by strategic calculations, but could nevertheless shape the cognitive script on what is considered rational behaviour.

In addition, the degree of trust is also a driving force for or against the Europeanisation of EEP. More precise, this means the trust towards the EU and its institutions that it can “deliver” the public goods in energy policy (such as reliable

supplies at reasonable prices) and thus replace the nation-state as a locus for energy policy. That trust plays an important role in energy policy can be seen in the fact that some member states are very resistant even to share to most basic information of their bilateral deals with its EU partners (Youngs 2007 p. 7, Youngs 2009 p. 172).

To sum up, one can derive two different dimensions from the sociological institutionalist approach. First, **ideas** play a role in shaping the development of EEP. On the one hand, this means the domestic framing of the issue, being market-based or geopolitical. On the other hand, this also encompasses the degree of trust towards the EU as the legitimate and efficient level of action. Second, **legacy** plays a role as well. The perceived, historically induced degree of (in-) security and possible “fear” shapes the handling of EEP in a domestic political setting and thus can be a strong driving force for or against a Europeanisation of this field.

4.4 Research Design: Power, Context, Ideas and Legacy

The main hypothesis of this study is that the EU has not gained actorness in external energy policy because member states – due to a combination of power arguments, the specific context, ideational factors and their political legacy – are not willing to transfer sovereignty. As the research will not be theory-testing, but rather has a theory-developing focus, “the studied variables are better understood as conditions for certain outcomes than as independent variables, underlining the exploratory approach” (Pointvogl 2009 p. 5708). Moreover, it is heuristic in nature, as it identifies new variables, hypotheses, causal mechanisms, and causal paths (George and Bennett 2005 p. 75).

Thus the propositions that the two institutionalisms indicate are applied to EEP and conditions and hypotheses are derived from them. These conditions are not designed in dichotomous or ordeal fashion, but should be understood as a narrative, qualitative scale.

The rational part of the framework conditions is based on the assumption that one has to look at the interests of the member states and identify whether or not they would gain from a Europeanised EEP. This part is subdivided into two dimensions (**power** and **context**), each consisting of two factors. The first variable under the power dimension is *the strength of the member state*. Thus, the first hypothesis is that the stronger the member state (both in terms of political leverage and of important “national champions” as catalysts of EEP), the less will to conduct this policy on the EU level is present (H1). Related to this, the second variable *special relation to energy-exporting country* is based on the hypothesis that the closer a special relationship is, the less will there is for an EU approach – as the member state in question could only lose by communitarise this relation (H2). In the context dimension, under the *dependency* variable it is assumed that the higher the dependency, the more will for a common EEP is present (H3). This is

due to the fact that a European approach would weaken this dependency or lower the risk of supply disruptions by spreading the risk. Related to this, the next hypothesis (H4) is that the further the energy-suppliers are away, the more will to Europeanise this policy field (*geographical location*). The reasoning is that the bigger the distance, the higher is the risk of supply disruption (e.g. by political decisions in transit countries).

Research Design

CONDITION (INDEPENDENT VARIABLE)	UNITED KINGDOM	GERMANY	POLAND
Power			
Strength of member state			
Special relation to exporting countries			
Context			
Import dependency			
Geographical location			
Ideas			
Framing of the issue			
Degree of Trust towards the EU			
Legacy			
Perceived (in-)security			
OUTCOME VARIABLE: Will to transfer sovereignty in EEP?			

Table 2: Research Design

In the sociological part the assumption is that ideational factors also influence the member states' behaviour. Ideas thus shape whether or not institutions are created, depending on the degree of additional legitimacy that these can deliver to its participants. The sociological part is also subdivided into two dimensions, **ideas** and **legacy**. In EEP, one could subsume the *framing of energy policy* (be it geopoliti-

cal or market-based, securitising it or not) under ideas. The assumption is that the more energy policy is framed as “high politics”, the less will there be in the member states to give up competences to the EU level (H5). The reasoning behind this is that when the “national interest” is at stake, member states stick to traditional, state-centred foreign policy which precludes EU action, at least in the short run. The second variable is the degree of trust a country has towards the EU to “deliver” desirable results in this policy field. This might also influence its behaviour, as a higher degree of trust would lead to a higher willingness to give up sovereignty (H6). Finally, the legacy – *perceived (in-) security* – also plays a role. The assumption is that the more member states stress the historical dimension and the negative aspects of it (“fear”), the more they are willing to Europeanise this field (H7).

5 Comparative Study of Selected Member States

5.1 United Kingdom: Cautious Europeanism

Power

The United Kingdom has traditionally been one of the countries benefiting from a high degree of energy independency because of its North Sea reserves. With its focus on liberalisation and privatisation starting in the 1980s, Britain was also a front-runner compared to others (Helm 2003 p. 372). However, in spite of its size and resource-richness, this has led to the somewhat paradoxical situation that the UK cannot project its political leverage in its national EEP, especially in the gas sector: “In continental Europe, the UK’s market-based gas policy was widely seen to have led to a rapid depletion of Britain’s own reserves and to have left the country dangerously exposed” (Youngs 2009 p. 36). As a consequence of the early liberalisation, big energy companies of other member states such as E.ON, RWE (Germany) and EDF (France) have increasingly taken over substantial parts of the British power industry (Helm 2003 p. 373). The privatisation of the former monopoly British Gas led to a situation in which now six companies have more than 5% market share (Honoré and Stern 2007 pp. 249-251). While Royal Dutch Shell and British Petroleum are still important players in the international oil and gas exploration business, the UK does not have a “national champion” controlling the domestic gas market which weakens the leverage towards energy-exporting countries in the present situation.

Compared to other member states, the UK’s relationship to energy-exporting countries is also more conflictual – the best case is Russia (Sander 2007 p. 19). Although the British government identified Russia as an important strategic partner (Thornton 2006 p. 170), several incidents such as the Litvinenko affair, the forced shutdown of British Council offices in Russia and Foreign Secretary David Miliband’s solidarity with Georgia during the war with Russia in 2008 had a bad influence on the Anglo-Russian relations. Another sign for this also is the British blocking of a Gazprom offer to buy the British energy company Centrica (Lee 2007 p. 37). But so far, the UK is not that much dependent on Russian energy deliveries, as most of their natural gas comes from North Africa and Norway. This might change rapidly, as the UK import dependency rate is set to rise quickly (Mueller-Kraenner 2008 pp. 79/80). However the ties between Norway and the United Kingdom are very close, qualifying them as a “special relationship” (Geden et al. 2006 p. 15).

To sum up, given the size of the country and its influence in other policy areas, the UK does only score middle on the power dimension. Although it has a special relationship with Norway in energy matters, this asset will lose its value in the long run as UK gas import dependency will increase rapidly. Moreover, the lacking of a strong national energy company projecting the UK interest in the energy market leads to disadvantages compared to other member states.

Context

As indicated, the United Kingdom has for a long time been the largest natural gas producer in Europe. In 2009, the UK and the Netherlands together accounted for three quarters of total EU gas production (Noël 2008 p. 6). This situation is set to alter quickly, with the gas import dependency going up to 80% by 2020 (Honoré and Stern 2007 p. 229). This “erosion of Britain’s self sufficiency (...) will put [it] in the same boat as Germany – reliant on imported gas” (Helm 2003 p. 373).

The UK’s geographical position which has long been an advantage now could become a problem – as it is located (except for Norway) both far away from the energy sources in Russia and North Africa. To put it another way: “Given this undoubted fact, if Russia starts to use gas as a ‘stick’ to beat its European neighbours, it is the UK that is at the very end of a very long pipeline” (Thornton 2006 p. 170).

Ideas

The UK was one of the member states in which political debates about energy security began to emerge quite early. In a Foreign Policy White Paper in 2004, the security of UK and global energy supplies were identified as one of the eight strategic priorities of UK foreign policy. This is also explicitly linked with a “hard” security dimension of disrupted supplies; and also a link is created between natural resource dependency and conflict which would threaten UK energy security (FCO 2004 pp. 13-16). In the industry itself, peak oil and possible threats to energy security are seen as bigger threats to society than terrorism and the short-term impacts of climate change (Truscott 2009 p. 17). Although the security dimension is stressed in the UK discourse, the government and the companies were in general still market-oriented in their approaches (Youngs 2009 p. 169). This is logical, due to the fact that Royal Dutch Shell and British Petroleum in special are heavily reliant on functioning market frameworks for their exploration of natural resources in third countries.

Compared to other member states, Britain has a very sceptical view on what the EU can “deliver”. In a recent Eurobarometer poll, only 23% of the UK population trusted the European Union (Eurobarometer 2009 p. 16). In energy matters, again only 23% of the population sees the EU as adequate political level (Eurobarometer 2006 p. 5).

Legacy

In the British case, the legacy in energy policy is especially important. Since almost a hundred years, Britain profited from being energy self-sufficient because of its coal and North Sea reserves – a situation that will change quickly in the upcoming years (Youngs 2009 p. 2). This is likely to become a disadvantage for the UK, as other member states which have a long history of dependency already developed their special relations with energy-exporting countries. However, the debate about energy security in Britain is not overshadowed by “fear” arguments. For example, the Russia-Ukraine gas dispute was hardly noticed in Britain (Lee 2007 p. 30).

Transferring Sovereignty?

In energy policy, the United Kingdom is a “good European” (Gower 2006 p. 258). As indicated, it began early with the privatisation and liberalisation of its energy sector and so was a front-runner in these matters. Consequentially, Britain has been a supporter of a single EU energy market (Matlár 1997 p. 86) and even welcomed more extensive supranational competences for the European Commission, e.g. in anti-trust matters in the energy sector (Youngs 2009 p. 33).

In EEP, the UK has – at the beginning – been a strong supporter of a common European policy. A sign for this is the summit in Hampton Court which was organised under the British Presidency in 2005 when the issue first emerged on the agenda. The approach of the UK is characterised by a cautious support for a European involvement in this policy, first of all because it strives for a further opening of markets which would benefit its own companies (Geden et al. 2006 p. 25). In addition, the British industry itself also called for a common European energy policy vis-à-vis third countries (Youngs 2009 p. 156).

The government voiced its support in reactions towards the 2006 EU Green Paper on Energy. It stated that “the UK strongly supports developing a clearly defined external energy policy which is pursued consistently at every level” and that “energy should be integrated into other policies with an external dimension” (United Kingdom 2006a p. 5). This would, in the view of the UK, not mean that the EU could decide on the energy mix of its member states, but that all members should come to a common understanding about the future energy challenges and how these could be met at European level (United Kingdom 2006b p. 2). Interestingly, it was the UK that proposed the development of an overall strategic objective for the EU based on a Europe-wide energy mix benchmarking assessment. This would involve the EU in evaluating the energy mixes of the member states with their possible implications for energy security and would thus be a basis for the development of future objectives proposed in the annual Strategic EU Energy Review (United Kingdom 2006a p. 4 and 2006b p. 16). This is certainly a step forward towards a more common EU energy security policy, as this could lead to “naming and shaming” of member states which would threaten overall EU energy security. However, one should not overstate this, as the UK expressed clearly that a common EEP would not need new institutions, but could work on the basis of

the existing ones (United Kingdom 2006b p. 8). The UK still opts for greater transparency between member states, but it warns the Commission not to claim new competences and to violate the “legitimate interests of Member States [which should not be] prejudiced in areas where the Community has no competence” (United Kingdom 2006b p. 25).

To conclude, the UK’s position on a common EU external energy policy can be described as “cautious Europeanism”. It was the UK to bring up the issue at a European Council summit and thus to put it on the EU agenda. But this first-mover status does not mean that the UK wants new institutions in this area. However, the proposal for a EU-led benchmark assessment of the member states’ energy mixes can be characterised as a first step towards an EU EEP.

5.2 Germany: Bilateralism Prevailing?

Power

German energy policy, and especially its external dimension, can be structured around two poles: The first is the intertwinement of politics and economics, and the second is the internal cleavage within the German government and administration.

Traditionally, private companies and energy politics closely interact. As a report from the government notes, there is a clear division of tasks: private companies bear the business-related risks, whereas state and politics develop the political and institutional framework (Bundesministerium für Wirtschaft und Technologie and Auswärtiges Amt 2006 pp. 5/6). Two energy summits that have been held in 2006 underline this, since they included representatives from the main private actors. This division of labour between state and the market is predominantly accepted, yet sometimes criticised, by the political side, since the companies not only play a role in the definition, but also in the implementation of energy policy and are thus heavily included in the decision-making process (Sander 2007 p. 24). This involvement of private actors in political matters also shows in the external sphere, for example during the discussions on the Nord Stream pipeline, in which political actors took a largely supportive role (Sander 2007 p. 20).

This dominance is also reflected in the structure of the German energy market. In the electricity market, only four companies dominate by owning the transmission grids. This makes it hard for competitors to gain access. And in the gas market, there is only one company with more than 5% market share (Honoré and Stern 2007 pp. 249-251). This oligopoly in the German market has for a long time been politically supported. The reasoning by the government was that only “national champions” could bargain on par with companies in third countries. The former Foreign Minister Frank-Walter Steinmeier explains that “Germany needs global players who are able to make large investments and cooperate with companies in the producer nations” (Beste and von Hammerstein 2007).

The second cleavage in German energy policy is reflected by the internal disputes in the government about competences in energy policy which is pursued by three different ministries: the Foreign Ministry for the external face of it, the Economic Ministry for the general energy policy and the Environment Ministry for all aspects related to the environment, such as climate change, the surveillance of nuclear power plants etc. This competition between bureaucracies and their political representatives sometimes leads to incoherence in the German energy policy (Sander 2007 p. 19).

The “special relations” that Germany maintains with certain energy-producing countries are at the heart of its external energy policies. The contacts to Russia, and especially the close cooperation between the gas giant E.ON Ruhrgas and Gazprom can be characterised as “special” (Sander 2007 p. 18). The traditional guideline of German foreign policy towards the East, stemming from cold war times – “change through rapprochement”, is also present in the energy sector (Westphal 2008 p. 94, Mueller-Kraenner 2008 p. 85). However, Germany’s EU partners are concerned about this special relationship as the energy dependence on Russia may have unwanted implications for the EU’s energy, foreign and security policies (Umbach 2008 p. 7). This is even more the case for Germany’s eastern neighbours, especially Poland which feel threatened by the German-Russian pipeline (Sander 2007 p. 20). And moreover it is felt that “Russian actors are the ones who define the framework of the bilateral relationship and formulate the conditions for cooperation” (Sander 2007 p. 21).

To sum up, Germany scores high on the power dimension. Although the structural cleavages within the German government on energy matters negatively affect coherence and thus affect power, the “national champions” in the gas and electricity sector and the strong “special relation” that Germany pursues to Russia certainly make it a strong country in the given definition.

Context

In 2005, Russia was the most-important energy supplier for Germany. 32% of total German oil consumption and 35% of gas consumption came from Russia. This dependency even exceeds the 30% threshold which the G7 recommended as critical import dependency indicator in 1983 (Westphal 2008 p. 96). Other important suppliers are the Netherlands and Norway (Bundesministerium für Wirtschaft und Technologie 2008 p. 25). With these figures, Germany already is the world’s second largest importer of gas and stands for 18% of the overall European gas demand (Umbach 2008 p. 11).

Concerning the geographical position, Germany benefits from its status in the centre of Europe. This leads to a situation in which Germany is both an important consumer, but also a transit country for Russian deliveries going further westwards. The Nord Stream pipeline would even enhance this position, since it strengthens Germany’s position towards its Eastern neighbours by bypassing them as energy transit countries.

Ideas

For a long time, Germany's energy policy has been driven mainly by economic and private interests, and not by political or strategic concerns (Sander 2007 p. 16). The security of energy supply issue was left to private utility companies which had the responsibility for attaining this goal. The long-standing assumption was, however, challenged by the German political elite during the gas conflict in 2006, in which Germany recognised that the "dominance of private actors in this field has resulted in several politically costly developments" (Sander 2007 p. 16) as these actors took only their short-term economic benefits into account and not the medium- and long-term national interests (Umbach 2008 pp. 5-8).

Consequentially, a "Working Group on International Aspects of energy policy", chaired by the Foreign Ministry, highlighted the new role of the government in energy security and energy foreign policy (Umbach 2008 p. 8). In effect, "Germany has just realized that energy policy is a part of foreign policy" (Geden et al. 2006 p. 14). Foreign Minister Steinmeier concluded that "what the government has to say on energy issues is more important than in other sectors" (Beste and von Hammerstein 2007). This new framing of the issue as a distinctively political one since 2006/2007 is a sharp turn from the former economic approach. Recently, German representatives repeatedly spoke about the geopolitical and strategic dimension of the issue (Natorski/Herranz Surrallés 2008 p. 80). This is also reflected in a report by the Economic Ministry which states that foreign, foreign economic, development, EU, energy and security policies have to step in when market mechanisms step aside and when energy is used as power currency (Bundesministerium für Wirtschaft und Technologie and Auswärtiges Amt 2006 p. 6). Moreover, in a White Book on Defence issued in 2006, a chapter on energy has been included in which it is stated that for the future of Germany and Europe, a sustainable and competitive energy supply is of strategic importance (Bundesministerium der Verteidigung 2006 p. 20)

This does not represent a complete break from the past, but constitutes a remarkable re-definition of the issue. Interestingly, in EU circles Germany – in spite of its relation to Russia – rejects the notion that it would pursue a geopolitical approach and that there is any hard power dimension in its energy policies (Youngs 2009 p. 42). This points to the fact that the pursuit of hard-power approaches seems to be socially not acceptable on the EU level. Thus, Germany follows a "logic of appropriateness" – at least in its rhetoric.

Although Germany is a traditionally pro-European country, the degree of trust in the EU is at the moment not that high. Only 44% of the population trusts the EU (Eurobarometer 2009 p. 16). Concerning energy matters, 40% of the population views the EU as most appropriate level for political decisions, while 43% opt for the national level (Eurobarometer 2006 p. 5). The bilateral moves – e.g. Nord Stream – show that Germany secures its national interests in energy matters on its own, and does not rely on the European level to "deliver". The missing consultation of its EU partners – Poland, the Baltic States, and Sweden – highlights that Germany still views energy policy as a national matter in which other countries should not interfere.

Germany represents an interesting puzzle in EEP. Its long-standing focus on economic matters has been replaced by a more political and strategic calculus in energy matters. This domestic re-framing of the issue also changed the way in which Germany acts on the EU level. This is accompanied by a rather low degree of trust towards the EU in energy matters.

Legacy

Compared to other EU member states, Germany does not suffer from historical fears or perceived insecurity in energy policy. Since the 1970 Germany imported energy from the Soviet Union and later on, the Russian federation. This long-lasting relation to Russia still shapes the German perspective on the country which it considers a reliable supplier (Sander 2007 p. 18). Moreover, economic cooperation was seen as a means for a political rapprochement (Westphal 2008 p. 95).

Transferring Sovereignty?

Whereas Germany is considered to be a “good European” in most other policy areas, this is certainly not the case in energy policy. Even if there might be a rhetorical commitment to a common European energy policy (as under the German Presidency in 2006), this did not account for German support for the Commission’s proposal to implement a common policy. The overall fear is that Germany’s relative advantages in energy policy would be diminished by a distinctively European approach. Foreign Minister Steinmeier for example noted that “[t]he topic of solidarity has been brought to the front. We will not neglect it, but we will not accept a solution in which German advance investments are Europeanized” (Steinmeier 2006 p. 2). This was aimed at the German gas storage facilities, but can stand as a good example for the German position in general. The same is true for the long-term partnership with Russia, which Germany fears would be weakened by a common EU EEP (Westphal 2009 p. 27).

Germany “doing its own thing” (Youngs 2009 p. 156) is also reflected in the submissions that the German governments made to the Council during the discussions on the 2006 Commission Green Paper. While it admits that the legal framework of energy policy should be set at the EU level, “the choice of energy mix and general structure of energy supply as well as compliance with the legal framework will remain a matter for the Member States” Moreover, the “central role of the Energy Council in energy-related matters must be preserved” and each country itself should “build up sufficient gas reserves for crisis situations”. Finally, “EU activities should exploit synergy effects of the activities of existing institutions” (Council of the European Union 2006d pp. 2-4). In effect, these statements clearly reflect the German position on energy policy. First, it is stated that the main arena for energy policy should still be the nation state. Second, if this issue is handled on the European level, it should be the Council that is in the driving seat. Third, Germany does not want its assets Europeanised and thus is very sceptical towards Community-based crisis mechanisms. And finally, Germany does not see any need to build up new institutions in this area.

5.3 Poland: Claiming Solidarity

Power

In the 2004 “big bang” enlargement, Poland was the largest newcomer to the EU. With almost 40 million inhabitants and its regional influence, Poland is now a crucial EU actor. In energy policy, Poland pursues a two-track approach. On the one hand, it tries to Europeanise the question of energy supplies, but on the other hand, it also seeks to form ad-hoc coalitions with like-minded states in Central Europe (Miller 2008 p. 17). This regionalisation of the issue is in stark contrast with unilateral tendencies in other member states. By building alliances with other countries which are also heavily dependent on Russian energy supplies and thus in the same energy situation, Poland aims at leveraging its power (Wyciszkiewicz 2007 p. 37).

This strategy pursues one central goal, namely energy security. In contrast to the EU (or at least the European Commission’s) view in which all three aspects of energy policy – security of supply, competitiveness and sustainability stand on an equal footing – the Polish government strongly prioritises energy security. Other dimensions such as diversification, increasing competitiveness and efficiency as well as environmental aspects are barely means for achieving the first goal (Gołębiewska 2007 p. 244). Domestically, the central company helping to achieve this aim is PGNiG, the state monopoly for prospecting, extracting, storing, distributing and trading gas in Poland.

To a certain extent, “[Poland’s] relationship to Russia might be representative [...] of the vision of the central European states” (Geden et al. 2006 p. 4). The security debate within the country is mainly influenced by the relatively difficult relations with Russia (Wyciszkiewicz 2009a p. 580). Poland especially fears the special relationship between Russia and Germany. Their common project, the Nord Stream pipeline, is seen as detrimental to Polish security of supply, because it would weaken Poland’s status as a transit country and thus its political leverage (Geden et al. 2006 p. 19). In effect, Poland does not have a special relationship to third countries in energy matters. This is also remarkable as other countries from Central Europe, such as Slovakia and Hungary, have developed close contacts with Gazprom. One reason might be found in the Russian strategy which aims at a separation of the Central European countries. By offering certain countries favourable conditions for energy supplies, Russian tries to play countries against each other and divide the regions into “friends and foes”, Poland certainly belonging to the second category (Wyciszkiewicz 2009a p. 579).

In general, one can consider Poland to be in a middle position in the power dimension. Although it cannot benefit from special relations to energy-exporting countries, it still bears influence as a regional power.

Context

With regard to the figures it is at first not easy to understand why the Polish government puts much effort into securing energy supplies. Compared to other Central and Eastern European countries, Poland benefits from a high degree of energy autonomy. Some 60% of the Total Primary Energy Supply (TPES) is provided by coal or lignite – a source of energy which does not have to be imported, but is domestically available (Geden et al. 2006 p. 7). However, if one considers the figures for oil and gas supplies, the situation is quite different. 98% of oil and 61% of gas demand is covered by Russian deliveries (Wyciszkievicz 2009b p. 18). But in contrast to other European countries in which Gazprom secured a stake in national energy companies, Poland so far refused to sell parts of its energy system to the Russian company (Gołębiewska 2007 p. 253). Consequentially, the Polish EEP mainly focuses on Russia, given the high degree of dependency on this supplier and the difficult relations (Wyciszkievicz 2009b p. 24).

This is even enhanced by the fact that Poland slowly seeks to decrease its reliance on coal which is an unsustainable energy source. This goes hand-in-hand with growing dependence on natural gas as an alternative (EIU 2008 p. 23). To link itself more to a developing world market for gas, Poland considers the construction of an LNG terminal in Swinoujście (Wyciszkievicz 2009b p. 24). Another option which is debated is nuclear energy, although plans for this are still at the early stages (Wyciszkievicz 2009a p. 580/581). All these efforts must be seen against the background of Polish energy dependency.

As indicated above, Poland is an important corridor for Russian oil and gas. But compared to other countries, Poland has chosen not to use this leverage to secure stronger bilateral deals with Gazprom (Wyciszkievicz 2009a p. 578). Moreover, this “power status” as a transit country is seriously questioned by the German-Russian gas pipeline which would bypass Poland. Since Germany is the largest gas market in Europe and gets a large part of its supplies from Russia, this would significantly decrease the amounts of gas running through Polish pipelines. As a compromise, the construction of the Nord Stream pipeline began in April 2010, Poland seeks to link itself to the German gas pipeline system which would enhance its energy security (Handelsblatt 2009).

Thus, in the context dimension, Poland is in a rather weak position. Although it has vast natural energy resources such as coal, this does not translate into a secure energy system, as Poland is reliant on oil and natural gas from Russia to a high degree. Moreover, the geographical position as a transit country is likely to be undermined by the Nord Stream pipeline.

Ideas

In the words of the Polish Prime Minister Donald Tusk, “energy security means a ‘basic level of independence’ that will allow us to make choices” (Miller 2008 p. 16). Consequentially, ensuring energy security has been considered being even at the heart of national sovereignty (Wyciszkievicz 2007 p. 36). Not surprisingly, this issue became one of the top foreign policy priorities for Polish authorities and

remains a focus of public debate (Gołębiewska 2007 p. 237). Domestically, this lead to a securitisation of energy policy – thus a focusing on the security component of energy issues (Wyciszkiewicz 2009b p. 18). For example, the term “external energy policy” is hardly used in Poland. Instead, the notion of “energy security”, understood as “security of supply” has been at the heart of the security debate (Wyciszkiewicz 2007 p. 34).

This securitisation and the difficult relations to Russia are also present in the Polish National Security Strategy, published in 2007, where it is stated that “the Russian Federation, taking advantage of the rising energy prices, has been attempting intensively to reinforce its position on a supraregional level”, that “the importance of the economic dimension of security, especially energy security, has been growing” and even that “the dependence of Polish economy on supplies of energy resources – crude oil and natural gas – from one source is the greatest external threat to our security” (Ministry of National Defence 2007 p. 8). A possible solution for this is “cooperating more closely inside NATO and the EU” and to “work out a common position with respect to European Union’s energy solidarity” (Ministry of Defence 2007 pp. 8 and 17). In a subsequent National Defence Strategy, “economic risks, especially those relating to energy security, top the list of non-military threats” (Ministry of National Defence 2009 pp. 4/5).

Due to the progressive securitisation of EEP, it is not surprising that trust plays an overarching role for the Polish government. The concept that Poland pursues is “solidarity”, understood as the mutual help between European countries in case of a crisis situation. In the EU context, it was Poland which was the main proponent of solidarity, especially after the Nord Stream pipeline deal has been concluded in September 2005 (Natorski and Herranz Surallés 2008 p. 81). This agreement between Russia and Germany was even compared to the Molotov-Ribbentrop pact in which Hitler and Stalin divided up Eastern Europe (Miller 2008 p. 16). This comparison shows that the security dimension of energy supplies is a central focus of Polish foreign policy. Therefore Poland also began to use the EU arena strategically in order to promote its assumption that the principle of solidarity should be a cornerstone of EU energy security (Wyciszkiewicz 2009b p. 21).

This policy aiming at greater solidarity was most visible during the debates for a new legal basis for the EU. The Lisbon Treaty now has a provision on energy included. The “spirit of solidarity”, “notably in the area of energy” in Article 122 TFEU was a Polish invention. Although the practical consequences resulting from these changes are still unclear, this can be seen as a “foot-in-the-door tactics, which lacks substance now but can create benefits in the future” (Wyciszkiewicz 2009b p. 26). That the EU is one of the main points of reference for Polish energy policy is also reflected in the fact that the trust in the EU is higher than in average in the EU, with 52% of the Polish population trusting the EU. However, in energy matters, only 31% of the Polish population sees the EU as the right level (Eurobarometer 2006 p. 5).

Probably this is also the reason why the other point of reference for Polish EEP is the NATO – this is a stark contrast to other member states. Against the background of the Russia-Ukraine gas conflict in 2006, Poland proposed the so-

called European Energy Security Treaty which would ensure solidarity between its signatories (EU and NATO member states) in case of a threat to the national energy systems. These threats could be supply shortages induced by natural disasters or by political decisions (Banat 2007 p. 48). In this proposal Poland tried to combine politically-driven strategies with a market-oriented approach, and all this in a new legal, political and institutional framework (Wyciszkievicz 2007 p. 38). Especially the mutual energy guarantees led to a quick baptism of the Polish proposals as “Energy NATO” (Wyciszkievicz 2007 p. 37). In the end, both the European countries and the United States treated these proposals with reserve (Banat 2007 p. 48). The main criticism was that member states did not want to create new institutional structures outside of the EU and found NATO the wrong place to handle these issues. However, the proposal has been regarded more as inappropriate in form than in content (Wyciszkievicz 2007 p. 40).

The Polish proposal can still be regarded as a success, because the main argument, solidarity, later found its way into the 2006 Green Paper and even the Treaty of Lisbon (Banat 2007 p. 48). Interestingly, the Polish initiative also shows that especially the Baltic States and Poland were not convinced that the EU alone could provide security in energy matters and therefore turned to NATO instead or as well (van der Linde 2008 p. 22).

Legacy

Within the of member states analysed in this paper, the importance of legacies for EEP is certainly most visible in Poland. In special, the difficult history of Polish-Russian relations – e.g. the Soviet war crimes in Katyn, the division of Poland between Stalin and Hitler and the subsequent Soviet dominance – played a major role in the definition of Polish energy policy. Whereas other countries pursued a “frosty pragmatism” towards Russia which would balance governance concerns and strategic interests, it was concluded that Poland would “still be fighting the cold war” (Youngs 2009 p. 96). Especially the Kaczynski government was considered to be more driven by identity politics than by a carefully weighted approach to energy security. So did the Polish government block the re-opening of the negotiations for a Partnership and Cooperation Agreement with Russia, since Russia declined the import of Polish meat. In this respect, Poland for the first time used the EU as a forum to make its voice heard and to put pressure on Russia. This conflict has been solved in the meantime, but the relations between the two countries can still be characterised by steady ups and downs (Eberhardt 2007 p. 139). It seems that the relations are – after the tragic crash of the Polish President’s airplane near Smolensk in April 2010 – set to improve again.

It has become evident that the historical dimension of Polish experiences has a big impact on the domestic framing of the issue. In this respect, the Polish case is different to Western European member states, but possibly quite similar to experiences of other new EU member states, e.g. the Baltic countries.

Transferring Sovereignty?

For Poland, the EU is an important forum through which EEP is shaped and pursued. It is one of the most active member states in this policy field, a standpoint which was triggered by the construction of the Nord Stream pipeline and the 2006 gas dispute (Wyciszkievicz 2007 p. 36). Within Poland's view, the European level represents an arena of opportunities which can be strategically used to make its voice heard (Geden et al. 2006 p. 19). One example is the Polish blocking of EU funding for the Nord Stream pipeline (Banat 2007 pp. 49/50). This even became clear in the pre-accession period when Poland already wanted to make energy security an issue, without success at that time (Wyciszkievicz 2007 p. 35). But, as the Lisbon Treaty has shown, Poland has finally got the result it wanted – an inclusion of the notion of solidarity in the Lisbon Treaty and in several papers on EU energy policy.

This “Three Musketeer principle” (Wyciszkievicz 2007 p. 34) in energy policy – one for all, all for one – is, however, not primarily guided by altruism, but uses the European level to advance its national interests. And in EEP, a more robust EU intervention would be in the Polish interest to counteract other member states' bilateral moves at the expense of Poland (Wyciszkievicz 2009a p. 581). The Polish understanding of “European interests” and solidarity is thus filtered through the Polish lenses of its national interest (Wyciszkievicz 2007 p. 39).

Nevertheless, with this generally positive attitude towards an EU EEP, Poland can be considered more “European” than others (Miller 2008 p. 17). Poland even welcomed to insert more supranationalism into energy policy-making, including a stronger role for the Commission (Wyciszkievicz 2007 p. 39). Going further than many other member states, Poland proposed that other member states and the Commission should regularly exchange information and consult each other about bilateral agreements with third countries which would affect interests of other member states or of the EU as a whole (Wyciszkievicz 2009b p. 25). Since a complete communitarisation of energy policy is not acceptable to most other member states, Poland opts for an intergovernmental approach, since this would also allow Poland to maintain its sovereignty over its primary energy sources and the choice of its energy mix (Wyciszkievicz 2007 p. 39).

To sum up, the Polish position is certainly more “European” than that of many other member states. Due to a feeling of insecurity, induced by the Polish legacy and resulting in the framing of EEP as security policy, Poland's position favours a more robust EU approach over unilateral moves. This does not mean that Poland would give up its national energy policy, but stresses that this member state acknowledges the European level as more powerful and possibly more successful for pursuing its interests.

5.4 Key Findings

After the detailed examination of the three cases, the results will in the following be summarised and analysed briefly. The aim of the member states' comparison was to find out defining framework conditions which have the strongest impact for the member states' behaviour in EEP. Although this multiple-case study cannot be considered representative for all 27 EU member states, it still shows various dynamics and different positions which are existent throughout Europe.

In general, the three cases certainly represent the diversity of the EU member states, as they all highlight different aspects of the issue and all function differently concerning the EU EEP. The analysis of the three countries has shown that the power dimension, the ideas and – related to that – the legacy are the strongest factors for explaining the member states respective behaviour in this policy field, i.e. the will to transfer sovereignty to the EU level. Opposed to that, the context dimension does not seem to have a major influence – despite the fact that in the literature on energy policy this is often considered the single most important factor.

The three-case comparison has shown that **power** plays a role in the member states' behaviour. Following the theoretical framework (which focuses on the aspects of power most prominent in energy policy), Germany is the most powerful of the three countries which means that it enjoys a high degree of autonomy in its decisions. Its special relation to Russia and the structure of the internal energy market with its national champions give Germany – at least in short-term perspective – the possibility to pursue an energy policy of its own, without the need for Europeanising the issue. The situation is slightly different in the United Kingdom. Britain indeed also has a special relation to Norway, but is still more open for an EU involvement in energy policy than Germany. This is probably due to the fact that Norway plays by EU norms and market rules, so that embedding this special relationship into a genuine EU EEP would not change energy trade conditions for the UK. Poland in turn is a good example for a member state strategically using the EU level for pursuing their national interest. In energy policy, Poland pursues a double approach: Using the EU level where possible and building regional alliances as an alternative.

The correlation between the **context** factors and the will to transfer sovereignty in EEP seems to be the weakest of all dimensions examined in this study. For example, although both Germany and Poland have a high import dependency, they follow different lines in their external energy policy. Interestingly, the context factors such as positions and the import dependency are the ones which are most prominent in the public debate on energy policy. This study has shown – at least for these three member states – this conventional wisdom does not paint the whole picture in this field. This finding is in line with a new evaluation of these factors in the academic debate in which it is also stated that a country's energy dependency and the nature of its foreign policy position is variable (Youngs 2009 p. 94).

Key findings

CONDITION (INDEPENDENT VARIABLE)	UNITED KINGDOM	GERMANY	POLAND
Power			
Strength of member state	Middle	High	Middle
Special relation to exporting countries	Yes	Yes	No
Context			
Import dependency	Low/Middle	High	Middle/High
Geographical location	Negative	Positive	Negative
Ideas			
Framing of the issue	Market-based	Market-based/Geopolitical	Geopolitical
Degree of Trust towards the EU	Low	Low	High
Legacy			
Perceived (in-)security	Low	Low	High
OUTCOME VARIABLE: Will to transfer sovereignty in EEP?	Low/Middle: Stronger EU competence, but no new institutions	Low: EEP should be handled at member state level	Middle/High: Use different fora (NATO or EU) for ensuring solidarity.

Table 3: Results of Case Study

The context dimension still highlights an important point which requires further research. It is interesting to see – and the case of the UK points into that direction – how countries which were self-sufficient in energy for a long time now are more open for European solutions. Probably these countries see their new vulnerability more threatening whereas countries with a long history of energy dependency are accustomed to this situation and (at least some) have developed special relations to energy-exporting countries to react to this situation.

The **ideas** dimension is certainly the most interesting, and also the most important one in explaining the member states' behaviour. The UK is a good example for a market-based framing of EEP. While the security and political dimension is not completely neglected in Britain, the focus is on market solutions. Logically,

the more market-based the issue is framed, the more is the EU the right level to tackle the issue, as it already has the competence for organising the basic structures of the internal energy market. This is one factor that explains the British support for European solutions. The situation is different in Germany and Poland. Both countries frame this issue in geopolitical and strategic terms. However, the conclusions that these countries draw are still different. While Poland strives for European (or NATO-embedded) solutions, Germany pursues unilateral moves. In this respect, the degree of trust that a country has towards supranational or multi-lateral organisations plays a role. Trust towards the EU is higher in Poland than in Germany, so the EU is seen as a legitimate and trustworthy arena to organise the security of energy supplies. Where trust is low, states go their own way, such as Germany.

A second point is quite interesting in the ideas dimension. It is remarkable that the European Commission itself for a certain period of time framed EEP in distinctively (geo-) political terms (e.g. in the 2006 Green Paper). But it is likely that precisely that framing made solutions on the European level more difficult to achieve, as member states in turn also began to frame this issue in security terms (e.g. Germany). This could have led to the conclusion that the EU is not the right level to tackle these problems as they were considered to be at the heart of national sovereignty, precisely because the security aspect of energy was so much stressed (Natorski and Herranz Surrallés 2008 p. 84).

However, one cannot neglect the small steps forward that the EU has taken in energy policy. The various Action Plans and Green Papers as well as the establishment of a network of energy correspondents represent progress compared to a long-standing inertia. Possibly even more important is a change in the discourse on energy policy. At least rhetorically, all member states now call for a common approach in external energy policy. This is a remarkable change, as it shows that it is socially no longer acceptable to pursue traditional “hard” national interest courses of action. Of course this is just a first rhetorical commitment to solidarity, but could “entrap” member states to follow this “logic of appropriateness” in the next severe crisis situation.

The **legacy** dimension is closely interlinked with the domestic framing of energy policy. This means that the effect of historical events and memories is mirrored in the member states’ perceptions of EEP. This three-case analysis has shown that the higher perceived (in-) security – Poland is the prime example – the more likely a framing of the issue in security terms is. Some other conclusion can be drawn from the German case: Here it is positive experiences with Russia – a reliable supplier since the 1970s – that shape its view on this energy partner. In effect, in all member states “a complex set of relations has survived from these historical roles in current member states’ foreign policy orientations” (van der Linde 2008 p. 25).

6 Conclusion

Recent developments in international and European energy politics as well as business indicate that this policy field is of crucial importance in the coming years. One central part of energy policy is the secure supply of energy products which is at the heart of external energy policy. This thesis followed a two-step approach. It first assessed whether the EU – which is especially in need for securing its energy supplies – has gained actorness in EEP, followed by a more detailed case study of three EU member states and their behaviour in order to find out the determining forces.

The analysis of the EU EEP between 2004 and 2009 has shown that, according to the model of Bretherton and Vogler, the EU only possesses a low to middle degree, hence “fragmented” actorness. Although the Treaty basis for such a policy still lacks, the European Commission used its agenda-setting function to make energy policy an issue. This prominent debate on the matter did, however, so far not translate into the creation of instruments or institutions required to achieve a higher degree of actorness. As the majority of member states are opposed against a Europeanisation of energy policy, there are limits to the Commission’s attempts to handle the issue through related policies, such as climate change or internal market. At the same time, one can observe an incremental development, especially in the presence dimension of actorness. When it comes to the ideational side of the policy the European Commission seeks to build on a step-by-step approach, locking in certain aspects of EEP to be handled on the European level (e.g. “organising solidarity” in the case of crisis). But in general, the actorness analysis already points out what the major obstacle for a common European energy policy is: there is still no consensus on a common understanding what a potential EU EEP should aim at, which shared overarching values it should be based upon and which instruments it should provide.

These key findings of possible reasons that obstruct a higher degree of EU actorness are also present in the multiple-case study conducted in this paper. The analysis of three member states shows that their understandings of external energy policy, e.g. the framing, is quite different due to the domestic settings and thus translates into various perceptions of what the EU can deliver in this policy field. The domestic framing is, in turn, heavily influenced by the historical experiences within the member states, and also by the degree of trust towards the EU. As different as the framing of energy policy is, as common is the reliance of these member states on their respective power in energy policy. All three countries do not neglect this assumed “rational” behaviour in the EU setting, while varieties to project this power persist. In some cases, the EU is considered the right level to tackle the issue, as overall EU reasoning is in line with the own understanding (as in the UK), in others the EU is an arena to strategically “upgrade” the own na-

tional interest (e.g. Poland). For Germany, the European level is so far discredited as a “troublemaker” into national energy affairs. What has become evident through the case-study is that the power of the member state, the legacy, and most importantly, the ideational framing of EEP influence the will to transfer or not to transfer sovereignty in this field.

So far a majority of member states is, because of the factors mentioned above, reluctant to hand over competences to “Brussels” (be it in a supranational setting or in intergovernmental forms) which would in turn increase EU actorness. In this respect, one should not overlook the power struggles between the institutions on the European level. While member states (i.e. the Council) are reluctant to treat the matter on the European level, they are even more reluctant to involve the Commission. Thus, the debate in energy policy is not only about the power of individual member states, but is also displayed between the European institutions (van der Linde 2008 p. 28). Interestingly, the “dynamics of convergence” present in other areas of the CFSP agenda are weaker in external energy policy (Youngs 2009 p. 172). At the moment it seems unthinkable that proposals to base this field on qualified majority voting – a procedure that has been considered constructive in climate change policy – will be implemented (Youngs 2009 p. 25). Reacting to this failure, especially the European Commission changed its approach in EEP: While it has tried to rely on hard law before, it now turns to softer instruments. This also includes benchmarking mechanisms and peer review systems which avoid the Commission’s former top-down approach (Braun 2009 p. 433 and 446, van der Linde 2008 p. 42). Another aim is the completion of the internal gas market as a means for streamlining external energy supplies (Noël 2008 p. 8). Finally, external developments such as a change in market structure by the growing impact of non-conventional gas sources, such as shale gas, could serve as a catalyst and alter Europe’s energy situation and, as a consequence, the institutional set-up of this policy field (The Economist 2009).

This piece of research has been explorative in nature. It tried to figure out the most important factors constituting or obstructing EU actorness in external energy policy, and the conditions which make member states behave the way they do. However, the findings outlined above are only starting points for further research.

First of all, the Community dimension needs further elaboration. It is the European Commission, possibly in the medium term also the European Parliament, which have an impact on external energy policy. This is even more the case as the results indicate that the framing of the issue, the problem definition and also the understanding of energy policy, is a focal point for the further development. And precisely the European Commission is a frontrunner in establishing frames for European policy problems. Additionally, the dynamics of the different institutions and their interplay would benefit from further elaboration – for example by focusing on the underlying power struggles, possible alliances and hidden agendas.

Secondly, tackling this research problem would also benefit from a broader set of member states. This would make the results drawn in this study more reliable and generalisable. Although the cases were carefully selected, other member states – for example from Southern Europe, stressing the Southern dimension of

external energy policy even more – would make the findings stronger and could possibly even add further insights into this field. As the EU of 27 member states is very diverse, a second round of analysis with other member states would contribute to a more colourful picture.

Third, as the framework conditions having the biggest impact on the policy field, ideas and power, are identified, further research on these issues would be very fruitful. It is the connection of the domestic discussions on energy security and the leverage of the respective member state which are the most convincing predictors for the behaviour. Possibly, a re-definition of the policy frames could either be brought about by powerful policy entrepreneurs, or by external events such as a major energy crisis. Further research on how in special a re-definition of policy frames in domestic and European settings “happens” would unveil the logics of this policy field even better.

Fourth, applying other theoretical models on actorness towards this policy field would be interesting. As Bretherton and Vogler’s concept is only one possible option – nevertheless a well-suited one – other theoretical models would possibly highlight other factors determining or obstructing EU actorness in external energy policy.

Finally, the first theoretical propositions made in the multiple-case study have to be further refined and probably adapted. As the categories used in this analysis are still very broad, more detailed theoretical statements about, e.g. the exact interplay between legacy, perceived insecurity and the resulting framing of energy policy, would enhance the understanding of this field.

In any case, the external energy policy of the European Union remains a worthwhile and interesting case for further research, as it evolves constantly and dynamically. One can conclude that “the debate about an energy policy for Europe has only just begun” (van der Linde 2007 p. 306).

7 Executive Summary

This thesis analyses the external energy policy of the European Union – a policy field that gained much attention in recent years, after it had long been neglected politically and left to market forces. But due to the rising energy prices and the assertive behaviour of some energy-exporting countries to use energy as a means of foreign policy, the European Union and its member states began discussions about their energy security policy. This is even more important as the member states are in the majority to a very high degree dependent on imported energy – first and foremost on natural gas and oil. However, in spite of events such as the gas crisis in early 2006 which would call for a more unified European Union approach, the member states were so far reluctant to transfer sovereignty in this policy field – which is considered to be at the heart of national sovereignty – to the EU level. So far, calls to “speak with one voice” in energy matters related to third countries, did not materialise in common EU policy solutions.

This thesis thus seeks to shed light on this policy problem and answers two research questions: First, it assesses what degree of actorness the European Union has achieved in external energy policy until today. Second, through a comparison of three selected member the question is answered why the members are so reluctant to transfer sovereignty in this field.

Although European integration started with energy matters, no big steps towards a further communitarisation can be detected in this field. In the Treaties, the EU lacks a competence in energy security matters, and thus in external energy policy – hence the relations that member states or the Union pursue towards third, energy-exporting countries. The EU has indeed developed dialogues to important energy-supplying countries such as Russia. But these are more on a low-key basis and often fail to materialise in results. Moreover, as the European Commission lacks the competence to issue “hard law” in external energy policy, it has, since 2005, published a number of policy papers in which it tried make this policy field more coherent.

An analysis of the actorness of the EU in external energy policy reveals, however, that the steps taken so far only add to “fragmented actorness”. Based on the theoretical framework of Charlotte Bretherton and John Vogler, the analysis shows that the EU scores low or at the maximum middle in all three dimensions – opportunity, presence and capability – of actorness. Although there is no clear mandate in the Treaties, the European Commission as “policy entrepreneur” has well managed to use its position to place the issue high on the agenda and to insert energy matters in its traditional domains such as dialogues with third countries. Moreover, it skilfully used other competences such as in climate change policy or the internal market matters to enhance the coherence of a common external energy policy. However, strong forces against the “Europeanisation” of this policy on

part on the member states prevent the EU from developing a higher degree of actorness. Because of that, the instruments are so far rather weak which leads to inconsistencies between the EU rhetorical commitment and member state actions. Most strikingly, the member states have not yet come to a common understanding about shared values in this field.

In order to explain this “fragmented actorness” of the European Union in external energy policy, one has to focus on the member states which still are the key players in this policy field. It is them to be the bearers of sovereignty – and even more so as foreign policy, hence also external energy policy, is a traditional core issue for the nation state. And as the analysis of EU actorness revealed, it is obvious that this field is driven not only by rational behaviour of the actors involved, but also by more ideational factors comprising ideas, identities and perceptions.

Thus, the second major part of this thesis comprises a comparative case study of three selected member states: United Kingdom, Germany and Poland. As external energy policy is a rather new phenomenon and policy field and only gained increased scholarly attention in recent years, no advanced theoretical propositions have been elaborated for analytically structuring the member states’ behaviour. For this reason, the comparison carried out in this thesis builds on some theoretical propositions which are derived from new institutionalist approaches. As a common external energy policy could be considered a new institution within the EU context, valuable propositions can be drawn from both rational choice and sociological institutionalism, especially concerning their reflections on under which circumstances new institutions emerge.

Rational choice institutionalism gives important insights into the member states’ strategic behaviour and under which conditions they agree to share sovereignty, namely when they are “better off” than before through reduced transaction costs or solved collective dilemmas. Applied to external energy policy, one can derive power-based explanatory factors and context factors from rational choice institutionalism which then help to understand the member states’ willingness to transfer sovereignty, i.e. to create a new institution on the EU level. Additionally, sociological institutionalism complements this traditional view on member states’ energy policy. Sociological approaches see new institutions emerging in order to enhance the common legitimacy of the participants involved. These “unwritten rules” or common values are enshrined in institutions which can come to life through the impact of important events or other abrupt changes which might lead to a reinterpretation of the present institutional environment. Another concept which can be attached to sociological approaches is “framing”, hence the construction of certain issues to be legitimate to be handled at a certain political level and with a specific political instrument, making a convincing link between a “problem” and a “solution”. In external energy policy, sociological institutionalism helps to identify the impact of ideas and legacies.

The theoretical model developed with the help of the two institutionalisms thus comprises “power”, “context”, “ideas” and “legacy” and structures the three-case comparison. In general, the cases represent the diversity of the EU member states, as they all highlight different aspects of the issue and are guided by the different factors present in this policy field. The analysis of the three countries shows

that the power dimension, the ideas and – related to that – the legacy are the strongest factors for explaining the member states' behaviour in this policy field, i.e. the will to transfer sovereignty to the EU level. Opposed to that, the context dimension does not seem to have a major influence.

Power plays a major role in explaining the member states' behaviour, i.e. its willingness to transfer sovereignty to the EU level. In this respect, power in energy policy helps the member state to make choices in this field. The member states analysed with the highest degree of autonomy to “go on its own” is Germany, as it pursues a special relationship to Russia, without the need for Europeanising this relationship. The United Kingdom is not that autonomous and thus is more open towards an EU involvement in energy matters. Poland, in turn, is a good example for a member state strategically using the EU level for pursuing its national interest. Doing this, Poland follows a double approach: Using the EU level where possible and building regional alliances as an alternative.

Equally important as power is the ideas dimension, which is a good indicator for explaining the member states' behaviour. The UK is a good example for a market-based framing of external energy policy. While the security and political dimension is not completely neglected in Britain, the focus is on market solutions. Logically, the more market-based the issue is framed, the more is the EU the right level to tackle the issue, as it already has the competence for organising the basic structures of the internal energy market. This is one factor that explains the British support for European solutions. The situation is different in Germany and Poland. Both countries frame this issue in geopolitical and strategic terms. However, the conclusions that these countries draw are still different. While Poland strives for European (or NATO-embedded) solutions, Germany pursues unilateral moves. In this respect, the degree of trust that a country has towards supranational or multi-lateral organisations plays a role. Trust towards the EU is higher in Poland than in Germany, so the EU is seen as a legitimate and trustworthy arena to organise the security of energy supplies. Where trust is low, states go their own way, such as Germany. What is striking is a change in the discourse on energy policy. At least rhetorically, all member states now call for a common EU approach in external energy policy. This is a remarkable change, as it shows that it is socially not acceptable any longer only to pursue traditional “hard” national interest courses of action. Of course this is just a first rhetorical commitment to solidarity, but could “entrap” member states to follow this “logic of appropriateness” in the next severe crisis situation.

The legacy dimension is closely interlinked with the domestic framing of energy policy. This means that the effect of historical events and memories is mirrored in the member states' perceptions of EEP. This three-case analysis has shown that the higher perceived (in-) security – Poland is the prime example – the more likely a framing of the issue in security terms is. Some other conclusion can be drawn from the German case: Here it is positive experiences with Russia – a reliable supplier since the 1970s – that shape its view on this energy partner.

Although the correlation between the context factors and the will to transfer sovereignty in EEP seems to be the weakest of all dimensions examined in this study, it still highlights an important point which requires further research. It is in-

teresting to see – and the case of the UK points in that direction – whether countries which were self-sufficient in energy for a long time now are more open for European solutions. Probably these countries see their new vulnerability more threatening whereas countries with a long history of energy dependency are accustomed to this situation and (at least some) have developed special relations to energy-exporting countries to react to this situation.

As a result, this thesis has thus shown that the EU so far only possesses “fragmented actorness” in external energy policy. A combination of power arguments, the domestic framing of the issue and historical experiences resulting in perceived (in-) security, explains why the member states are so far reluctant to create new, EU-level institutions in this policy field and thus to transfer sovereignty. This reluctance explains why the EU at present only achieved “fragmented actorness” in external energy policy.

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