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Comments on “the Energy Union and security-of-gas supply” by Ole Gunnar Austvik

1. Introduction

Although the Central and Eastern European countries (CEEC) and their energy policies have been the subject of an increased number of analyses in recent years, especially in connection to their energy security challenges (see for example, Hiteva and Maltby, 2014; Maltby, 2015; Mišík and Prachárová, 2016; Roth, 2011; Tosun, 2011), much more attention is still paid to the EU's external energy relations in general and its energy relations with Russia in particular (among many other Casier, 2011; Finon and Locatelli, 2008; Goldthau and Sitter, 2014; Goldthau and Sitter, 2015; Khrushcheva and Maltby, 2016; Kuzemko, 2013; Neuman, 2010; Proedrou, 2007; Siddi, 2016a). However, member states remain key actors within the EU when it comes to securing energy supplies from third countries, which is a crucial energy issue for the CEEC. Each new analysis trying to shed more light on the CEEC's positions is thus a most welcome addition to this still under-researched area.

Austvik's paper (2016) on the divergent views of EU member states on the Energy Union is therefore a much needed contribution to the discussion on the further development of the EU's energy policy and the position of member states (in particular, the CEEC) towards the deepening of integration in this area. However, in order to foster the nascent discussion (Mišík, 2016; Siddi, 2016b; Sitter et al., 2017; Szulecki et al., 2016), prevent fragmentation of the academic conversation and situate the analysis presented in the paper within a broader framework, a few comments are in order. This commentary thus aims to build on the main arguments presented by Austvik (2016) and further discuss them to foster conversation on the EU's energy issues and the role of the CEEC.

1.1. CEEC no longer form a homogeneous group

In his paper, Austvik considers the CEEC to be a homogeneous group with similar preferences and goals regarding the Energy Union. However, the picture is more complex. In spite of the fact that the CEEC pursued a set of shared preferences at the EU level during the first years of their membership (Mišík, 2015) they soon started to diverge in terms of their energy preferences and activity level in the energy area (similar to the rest of the member states). On the one hand, energy security in general remained one of their main issues when it comes to energy policy at the EU level (which is in line with the argument presented by Austvik), however, on the other hand, their positions on how this issue should be dealt with and what level of EU involvement is the most suitable one differ (Nosko and Mišík, 2017). These different positions have become visible in (among other areas) the preparatory phase of the Energy Union proposal. For example, the Czech Republic – together with Great Britain – presented a non-paper which claims that the development of the internal energy market and diversification is the proper response to energy security issues, thus implicitly arguing against the joint purchase of gas which was an important part of Tusk's original proposal (UK and CR non paper, 2015).

The CEEC also differ when it comes to their activity at the EU level in general and energy issues in particular. Poland has been especially active (Copsey and Pomorska, 2010), putting forward the first energy related EU-wide proposal already in 2006. However, its call to create an “Energy NATO” was not successful (Roth, 2011) and the country's first success at the EU level was the inclusion of energy solidarity into the Lisbon Treaty (Mišík, 2015).

Moreover, contrary to the assumptions in Austvik (2016), there have been significant infrastructural changes within the CEEC (especially in gas, but also in other energy sectors). The infrastructural development in the region has been very fast and therefore only the newest academic literature can provide – at least to some degree – a correct picture. The 2009 gas crisis was a turning point which caused not only increased attention from the EU and its institutions towards energy security issues, but also launched the EU's financial support of infrastructural projects in member states in general and the CEEC in particular. As a result, the infrastructural situation in 2016 is very different from the situation before 2009. For example, the floating storage and regasification unit (LNG terminal) Independence significantly changed the situation in Lithuania (Mišík and Prachárová, 2016) and is likely to change the situation in the entire Baltic region. The North-South interconnector, a system of diversification projects being developed within the Visegrad group (together with other partner countries), has already enabled the CEEC access to spot markets. I would therefore argue against the claim presented in Austvik (2016) that many CEEC “are [still] left with the same East-to-West infrastructure from Russia to the EU built in Soviet times” (p. 374). Of course, not all development is positive and the Russian threat to stop using the Brotherhood pipeline to transit natural gas to Europe through Ukraine creates pressure on CEEC, especially on Slovakia.

1.2. Life of policy proposals within the EU

Austvik's conclusion about the difference between Tusk's original ideas and the European Commission's (EC) Energy Union project is hardly debatable. However, contrary to his reading, the result can still be considered a success. First of all, an EU-wide proposal cannot reflect only on topics deemed important by a group of member states: on the contrary, its scope is always much broader and includes all member states. The EC's

proposal thus includes energy security issues along with priorities of other groups of member states. While the EC's proposal of the Energy Union lost some of its appeal for the CEEC, its wide nature enabled the document to be passed. This brings us to the second issue: given the experience with CEEC's activism in the energy area and their ability to push their proposals through, the Energy Union can be considered a success. The Energy Union was the first major energy related proposal originated in Poland (Tusk was a Polish prime minister when he published his proposal in April 2014) which created the basis for an EU-wide policy. Previous efforts did not materialise (the previously mentioned "Energy NATO") or were successful only to a limited degree (inclusion of solidarity in energy into the Lisbon Treaty). Existing analyses of Polish efforts claim that the country had to first learn the rules of the "EU game", especially the informal ones (Copsey and Pomorska, 2010). Only then was it able to push through at least some of its preferences at the EU level (Copsey and Pomorska, 2014). Moreover, Poland's presidency of the Council of the EU helped the country further improve its ability to successfully negotiate at the community level (Pomorska and Vanhoonacker, 2012).

Not only the CEEC, but also the EC had difficulties in pushing through proposals in energy security area prior to the 2009 gas crisis. Trying to find a response to the first gas crisis in 2006, the EC's proposal for "widely enhanced Community-wide energy competences" met with rejection from the EU Council in March 2006 and was replaced with intergovernmental mechanisms (Mayer, 2008, 257). However, the 2006 gas crisis – together with a more severe one in 2009¹ – created a window of opportunity. The latter was utilised by the EC which managed to increase its competences in the energy security area in spite of member states' objections (Maltby, 2013). Therefore, the Energy Union proposal can be seen as a result of the successful combination of Poland's learning process and the Commission's ability to utilise the window of opportunity that appeared with the escalation of the crisis between Ukraine and the Russian Federation in 2014.

1.3. Terminology

This may be a minor point, but it has to be made nevertheless due to increased "flexibility" of terms used in connection to Central and Eastern European countries. Austvik (2016) does not use the term "CEEC" consistently and sometimes refers to these countries as new member states of the EU or even "Eastern" countries. Although the term "new member states" has been used by academic literature in reference to the CEEC, nowadays it seems less than appropriate considering that most of these countries entered the EU in 2004. In fact, Croatia can currently be considered the only "real" new member state as it entered the EU in 2013. Moreover, the author does not precisely define the CEEC and footnote 1 only creates further questions as it implicitly includes Finland² among the CEEC, and Albania and "the republics of former Yugoslavia" among EU members.

Within EU studies, the CEEC are considered to be countries which (with the exception of Malta and Cyprus) entered the EU during the so-called eastern enlargement of 2004, 2007 and 2013. "CEEC" is thus not a geographical but a political term, connected to a large degree to the European integration. As such it includes all post-communist European countries regardless of their exact geographical location – Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania,³ Poland, Romania, Slovakia and Slovenia. The reason for excluding Malta and Cyprus is the fact that these countries do not share the post-communist legacy of the CEEC. This legacy is particularly visible in the energy policy area: namely, gas and oil supplies to the satellite countries (i.e. CEEC) was one of the ways in which the Soviet Union exerted its influence over them during the communist period (Högselius, 2012). The diversification which in some cases started in the 1990s (a good example is the Czech Republic; Binhack and Tichý, 2012) and in most cases after the 2009 gas crisis (Mišík, 2016), changed the situation; however, the Russian Federation is still an important supplier of different forms of energy to the region (Siddi, 2016a).

1.4. Policy implications

The above-mentioned issues connected to the CEEC also have important policy implications. Countries of the region do not share common positions on energy issues within the EU just because they belong to the CEEC. The increasing diversity of attitudes has already been manifested and we can expect its continuing growth in the future, following the further increase of activity of these members. Although the majority of the CEEC are occasionally able to reach common position on certain issues (Nord Stream 2), they face significant fragmentation when it comes to other topics (climate policy). Sometimes they are unable to reach an agreement even on key issues; this was the case with the LNG terminal within the Baltic States that ended with Lithuania building its own terminal without the EU's contribution (Mišík and Prachárová, 2016). It is therefore reasonable to expect that the CEEC will become even more heterogeneous and will more frequently join competing like-minded groups at the EU level in the future. Moreover, since the Energy Union can be – in spite of the changes that the project had undergone before it became an official proposal of the EC – considered a success for Poland, it can encourage further activity not only in this country, but many other CEEC as well.

2. Conclusion

The aim of this commentary was to discuss Austvik (2016) which analyses the development of the Energy Union proposal and the positions of the Central and Eastern European countries towards this proposal. This commentary claims that while the paper presents a significant contribution to the nascent discussion on the Energy Union as well as the CEEC's energy policy preferences, three points have to be made in order to clarify the argument: a) the CEEC do not form a homogeneous group as the original paper claims; b) in light of historical experience, the Energy Union proposal can be considered a success; and c) the terminology related to the CEEC used in the paper would benefit from the type of unification proposed in this commentary. The commentary also suggests policy implications stemming from the remarks presented herein.

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¹ Some authors, however, claim that the situation was characterised by linear development with surprisingly few interruptions of energy supplies to the EU after the dissolution of the Soviet Union (Bouzarovski et al., 2015).

² Although the country shares the CEEC's high dependency on Russian energy supplies, historically it has been part of the "Western" world.

³ On p. 373 Austvik differentiates between the CEEC and the Baltic states, although it seems that he includes the latter among the CEEC by discussing them as a single group in the rest of the paper.

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