



An Actor on Multiple Stages: the EU as a Local, Regional and Global Power

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The EU in Global Energy Governance^{*}

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Abstract

The EU is obviously playing a unique role in global governance systems. This paper will argue that the EU engages in fragmented global energy governance architecture based on two phenomena, *Standardization* and *Externalization*, from the beginning. Then, first section of this paper considers the state of play of global energy governance. Following sections, this study considers the EU's global engagement in the field of energy from Power debates, theoretical, and historical perspectives. Then, this paper analyzes the energy relationship with Russia. Finally, as a conclusion this paper will try to sum up the findings from this research.

Key words: EU, Energy Union, Standardization, Externalization, Global Energy Governance

Introduction

The EU is obviously playing a unique role in global governance systems. As an active actor the EU has voices towards multilateral fora and international institutions. Thus, the EU is a power to pursue its own interests in a cooperative and/or competitive manner with other international actors. The issue is how the EU has engaged in these global governance architectures. How much degree the EU has influence in these governance systems? This paper therefore is examining the state of play of the EU's engagement in global energy governance.

The EU's engagement toward Global Energy Governance, however, has based on its previous works and practices which the EU gradually developed through the process of European integration. This study considers that this path dependency of the EU foreign energy policy is still dominant. Thus, the main research questions of this study are following: what is the state of play of global energy governance? How the EU engage in global energy governance? Are there any tendencies of engagement? Are there any changes in the EU's engagement?

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Since 2014, the EU has introduced new policy concept or a buzz word “Energy Union”. This concept itself has functioned as a merging power of every aspects of energy related policies in the EU under one key phrase, Energy Union. Five dimensions of Energy Union have interlinked each other and have impacts on both internal and external aspects of EU energy policy. Therefore, another question is that: Does the launch of Energy Union change the EU’s global engagement tendency?

For these research purposes, this paper considers that more nuanced approach is required. Therefore, our study compares how the EU describes their global energy engagements in their internal policy papers, for instance Council conclusions and Action Plans, Commission Communication and working documents and so forth. Based on the theoretical developments by scholars and text analyses of historical developments, this study tries to understand the path dependency aspects of EU global energy engagements and to examine the relationship with Russia, in particular.

First section of this paper considers the state of play of global energy governance. From previous scholarships, the level of fragmentation of global energy governance would become clear. Following sections, this study considers the EU’s global engagement in the field of energy from Power debates, theoretical, and historical perspectives. Then, this paper analyzes the energy relationship with Russia. Finally, as a conclusion this paper will try to sum up the findings from this research.

Global Energy Governance?

In the field of energy issue, the system of global governance architecture is characterized with massive fragmentation. In the study of fragmentation of global governance works on this issue for years (For instance: Biermann and et.al 2009; Colgan et.al 2012; Van de Graaf 2013a, 2013b; Zúrn and Faude 2013; Abbott 2012; Keohane and Victor 2011; Cerny and Prichard 2017). From the beginning of the fragmentation study, one of the scholar’s focus is global climate governance (Biermann and et.al 2009; Zúrn and Faude 2013; Abbott 2012; etc.). In climate governance, a related study fields of energy and with intensive focus, scholars often mentioned United Nations Framework Convention of Climate Change as a core regime or institutional setting. Even the level of institutional integration and actor constellations, however, scholars consider that global climate governance architecture characterized as “cooperative fragmentation” (Biermann and et.al 2009).

Therefore, the state of play of the fragmentation of global energy governance architecture is enormous compared to climate governance. In general Van de Graaf (2013b: 5) described that “states have sought to create a set of international rules and norms, often administrated by international organizations and their secretariats” in most policy fields with transboundary nature, but “despite the inherently transboundary and interlinked nature of the global energy challenges, there is no single multilateral framework regulating the production, trade, transit, and consumption of energy.” This absence of core institutional framework does not mean there are no international institutions

and forum to discuss energy issues in international relations. But rather there are many types of new and old international arrangements from rigid institution to weak grouping, from supplier to consumer, from formal to informal and from regional to international. This density of governance architecture have increased so far (Colgan and et.al 2012). For example, there are International Energy Agency (IEA), International Atomic Energy Agency (IAEA), International Renewable Energy Agency (IRENA), Organization of the Petroleum Exporting Countries (OPEC), International Energy Forum (IEF), Energy Charter Treaty (ECT), G8/7, G20 and so forth.

In sum, the level of fragmentation of global energy governance architecture is high. There is no core institution which composes most of sovereign states, including major powers. Therefore, this fragmented global energy governance situation provides challenges that all actors who inherently pursuing own interests. Actors need to choose their focuses on and purposes of why and how they engage on global energy governance. This means that the EU as one of the active actors in global energy governance should set goals and manage instruments to pursue these targets.

EU's global engagement in Energy: power debate perspective

Since this fragmented architecture, the EU has been required to set its focuses and goals with consideration of its interests, and to manage its instruments to pursue these targets. This is still one of the challenge for the EU to coordinate its actions. As an actor of global governance, it is a natural consideration to make sure why and how the EU engages on global energy governance. Moreover, it is important to consider the EU's power basis.

Thus, it would be beneficial to understand the debates of "what power the EU is?". This debate itself has a long tradition (For instance, Manners 2002; Damro 2012; Majone 1994; Goldthau and Sitter 2015) and have been challenging and contentious since the unique nature of the EU as an actor in the international society (Damro 2012: 682). Scholars have been shed light on many aspects of the EU power, such as civilian, market, normative, regulatory and others as well. One of the most recent works on this power debates put an emphasize on a regulatory power/state aspect (Goldthau and Sitter 2015; Damro 2012; Bradford 2012, 2014; etc.). Among scholars related to the EU energy issue work on a concept for analyzing the EU, Goldthau and Sitter (2015) propose an analytical concept Regulatory Power Europe.

The concept of Regulatory Power Europe emphasizes the EU's "identity and organization as a regulatory state." Scholars argue that most unambiguous evidence of RPE could be seen from the power of attraction (Goldthau and Sitter 2015: 122). When Damro argued his Market Power Europe, he analyzed that "[t]he EU is a power that can and does use its market and regulatory strengths to externalize internal policies", and his focuses are three interrelated and mutually reinforcing characteristics: material existence, institutional feature and interest contestation (Damro 2012: 683-686). Based on the Majone's "regulatory state" (Majone 1994, 1997) and Damro's MPE, Goldthau

and Sitter conceptualize their RPE.

In sum, from the power debates perspectives, we can understand the EU have behaved as regulatory power. In other words, the EU could and do use its regulatory power strengths when it engages on global governance as well as bi- and multi-lateral diplomatic activities. Following sections, this study based on this understanding of regulatory power.

EU's global engagement in Energy: Theoretical dimensions

In the study of EU's influence and power in International relations not only energy policy but also other policy fields have taken into accounts a lot of aspect of the EU's actions and behaviors. This study takes much attention on two trends or phenomena of the EU's global engagement, namely standardization and externalization.

Why these two trends are important? Standardization is one of policy objectives of the EU's global energy engagement. This means that the EU tends to have willingness and behave to make their regulatory principles global standards. The EU works to be a driving force to build international energy agreements, especially through a legal framework to promote long-term cooperation in the energy sector based on the principles, such as enshrined in the European Energy Charter.

This tendency most has been seen from the relationship with Energy Charter Treaty. The EU's engagement has started from the establishment of the European Energy Charter in 1991 and has continued under the Energy Charter Treaty in 1998. As a founding member of the ECT, the EU could embed its preferred global energy market rules and norms in its treaty. In the ECT, the key provisions concern the protection of investment, trade in energy materials and products, transit and dispute settlement. Therefore, the EU could consider the flourish of the ECT contributed to direct interests of the EU energy policy.

According to Abbott et.al (2015:1), most governance is indirect and carried out through intermediaries. Since EU is a member of the ECT, so that the EU is one of the principles to the agent (ECT), an understanding of traditional P-A delegation. the EU in general has a preference to expand the ECT's membership and to make its rules and norms globalized and the EU have done so in its history. Therefore, the EU use the ECT as indirect mediator to enhance its preferred outcomes.

Externalization is also a trend of the EU energy diplomacy for a long time. Since most scholars and practitioner, as well, consider that the relation of internal and external energy policies are the two sides of the same coin (Van Vooren 2012; Schubert et.al 2016; EEAS 2015: 2), the EU energy diplomacy is often regarded as a policy to externalize its internal energy rules and regulations to third countries, especially neighbourhood countries (Van Vooren 2012; Goldthau and Sitter 2015; Stoddard 2017; etc.). Not only the field of energy policy, but this externalization trend is studied in many other policy fields, such as competition, environment, and food security, and so forth.

From the motivation perspectives, this externalization of the EU regulations has two types:

intended and unintended forms. Intended externalization, or for example conditionality of Europeanization, has occurred through market integration process. When third country has an intention to be a future member of the EU, these countries finally need to full consolidation with the EU *aquis* through the negotiation of association agreements, free trade agreements, partnership agreements, and the accession process and such. Moreover, some third countries without willingness of EU membership align with and accept the externalization of EU regulation, when they consider it is reasonable for their economic and political interests. In other words, the EU foreign commercial policy inherently includes the general tendency to externalize its regulation to the third countries. And this is a reason some scholars criticize this as “imperialistic” (Kogan 2005) or “a benevolent hegemon” approach (Manners 2002) and so forth.

On the other hand, unintended externalization has also occurred. As Bradford (2014: 16) described that “[t]he EU’s external regulatory influence has [...] emerged largely as an inadvertent by-product of that internal goal rather than as a result of some conscious foreign policy agenda”, the EU’s primary focus is making internal market more effective, transparent, and competitive and so on. But as mentioned above, internal policy has external dimensions and this linkage between internal and external is indivisible. When third country governments and enterprises, as well, consider it is beneficial to convert to the EU regulation, they will follow it without the coercive approach from the EU.

In sum, the EU’s global energy engagement could be understood from these two phenomena: standardization and externalization. While both phenomena look like seeking same goals, the methods to achieve these are quite different. Standardization is an approach to proliferate its regulation and principles through some solid multilateral agreements. On the other hand, externalization is mainly an approach to extending its own regulatory sphere of influence from the bottom. Therefore, main targets of externalization are, in many case, neighbourhood of the Union.

EU’s global engagement in energy: historical dimensions

At the beginning of the European integration, energy was a central topic. Although this, a common European energy policy had not been seen for long years (Biesenbender 2015). The aim of this section is to understand the EU’s global energy engagement from historical perspectives based on theoretical understanding discussed above. Therefore, in this section, this study analyzes from a high-level event in 2005 which has triggered a comprehensive European energy policy discussion. And this section would separate into 3 sub-sections: Barroso 1, Barroso 2, and Juncker Administrations. this study shed light on EU official and working documents regarding the international engagement of the EU energy policy, with special focus on the ECT and the Energy Community (EnC). While the ECT is a good example to understand the EU’s standardization engagement, the EnC is a good example to understand the EU’s externalization engagement.

Barroso 1 (2004-2009): Energy Policy for Europe (EPE)

When the leaders of member state gathered at Hampton Court (UK) in 2005, they authorized the Commission to prepare a study about a common European energy policy. This is considered as one of the starting point of a comprehensive EU energy policy (Biesenbender 2015: 22). Based on this mandate and also March 2006 the European Council Presidency Conclusion (Council of the European Union 2006), the Commission published a Green Paper (Commission of the European Communities 2006a), communiques and other policy papers. In October 2006, “External energy relations – from principles to action” was published by the Commission (Commission of the European Communities 2006b). Moreover, in January 2007, the Commission published a communication titled “An Energy Policy for Europe”, here after EPE communication (Commission of the European Communities 2007). Following the EPE Communication, the European Council in March 2007 adapted first ever action plan titled “European Council Action Plan 2007 – 2009: Energy Policy for Europe (EPE)” (Council of the European Union 2007b)¹.

Based on the experience especially in the field of trade, the EPE Communication emphasizes the importance of “speaking with one voice” in international energy issues. Consequently, the Communication considers that the EU can extend legally binding commitments “to the reciprocal liberalisation of trading conditions and investment in upstream and downstream markets, and to the grant of access to pipelines by countries situated along transit and transport chains” (Commission 2007). Therefore, the Communication described that “[t]he EC and its Member States should be a key driver in the design of international agreements, including the future of the Energy Charter Treaty and the post-2012 climate regime.” This driver’s role of the EU to design international agreements is one of the priorities. In this regard, for example, “stepping up coordination between the EU and the Member States in international fora and improving collaboration with the International Energy Agency” and striving appropriate membership in relevant international organizations are desired. It could consider that these descriptions totally correspond with standardization approach.

Regarding the energy relation with neighbourhoods, the Communication considered that they are “fundamental to European security and stability”. Therefore, “the EU should aim to build up a wide network of countries around the EU, acting on the basis of shared rules or principles derived from the EU energy policy”. The communication also defined other priority, “Building up energy relations with the EU’s neighbours”. In this regard, for example, a possible EU-ENP energy treaty with all relevant neighbours is considered and seeking gradual extension of the Energy Community Treaty,

¹ In March 2006, European Council called for an Energy Policy for Europe and invites the Commission and the Council to prepare a set of actions with a clear timetable enabling the adoption of a prioritized Action Plan by the European Council at its 2007 spring session. At the Council meeting, such as 23 January 2007, energy ministers have prepared for responding this call (Council of the European Union 2007a).

which already acts as the basis for an emerging regional energy market, beyond the EU and the Western Balkans to incorporate neighbours like Moldova, Norway, Turkey and Ukraine. These priorities included in the Action Plan 2007-2009 as well. From these descriptions, we can argue that the externalization approach has embedded in from the beginning.

In November 2008, the Commission published “An EU Energy Security and Solidarity Action Plan”, here after the Action Plan 2008 (Commission of the European Communities 2008). One of the five-point focus set in is external energy relations. In this Communication, the Commission clearly notes that “there is a need to develop trust and deeper and legally binding ties between the EU and producer and transit countries, which could deliver significant mutual benefits in the long-term perspective that is needed to finance the more capital-intensive projects of the future”. At the same time, in multilateral level, “the EU should continue to press for further liberalisation of trade and investment in the energy sector”. Thus, regulatory and market integration is concerned. At this stage, Norway is integrated in the internal energy market as a member of European Economic Area. Also, the EnC is building an integrated market in Southeast Europe anchored to the EU. In addition, the Communication noted that “the enlargement process can play an important role in developing the wide application of the community *acquis* in the energy sector, thus following the EU's energy security objectives and contributing to the security of enlargement countries”. From these descriptions, we could see a continuity of the tendency of externalization engagements of the EU.

Moreover, the communication mentioned that “Europe should develop a new generation of “energy interdependence” provisions in broad-based agreements with producer countries outside Europe” and “[t]he provisions should be based on the EU's energy *acquis* where appropriate, and the principles of the Energy Charter Treaty” and “the provisions should contribute to a long term political framework, reducing political risks and encouraging commitments by private companies on supply and transit”. This seeking of energy provision could regard as a new aspects of standardization approach.

Following the “An EU Energy Security and Solidarity Action Plan”, in February 2009, the Council of the European Union adapted a conclusion (Council of European Union 2009). In this conclusion, the Council emphasize the importance to “[s]tep up energy relationships with third countries and regions, that should be based on the *acquis* and on the principles of Energy Charter Treaty”. In this line, the conclusion picked up following points: Rapid development of the Eastern Partnership; Further development of Energy Cooperation with Russia; Continued high-level political engagement with supplier and transit countries along the Southern Corridor; Accession of Ukraine and Moldova and pursuing further accessions to the Energy Community Treaty; and strengthened cooperation with Mediterranean countries.

In sum, the EU's global energy engagement of the first term of Barroso commission has pursued at least two approaches from the beginning.

Barroso 2 (2009-2014): Energy 2020, 2030 and 2050

The second term of the Barroso Commission started its operation from September 2009. Of course, it is difficult to separate the first and the second term of his presidency, and practically it may not be necessary to do. Thus, this separation is only mechanical one. In his second tenure, the EU's global engagement in energy is further facilitated, since the second disruption of gas supply occurred in early 2009 made the energy issue a politically significant topic in the Union and later there are another crucial event Ukraine Crisis in 2014. During this period, therefore, the EU institutions work to make documents look more intensively. At the same time, from this period, the Commission published several Energy Strategy communications, such as 2020 Energy Strategy, 2030 Energy Strategy, 2050 Energy strategy, and Energy Security Strategy. Although, as general trends, more attention has captured by the field of climate change and actions, the field of energy still keeps its significance and develops its policy based on its historical path.

In November 2010, the commission published a communication entitled "Energy 2020 A strategy for competitive, sustainable and secure energy" (European Commission 2010). At this stage, the communication recognized the significance of the European energy market as the world's largest regional market and largest importer. Although this recognition, the Commission still considered the level of coordination was weak. Therefore, the commission notes that "International energy policy must pursue the common goals of security of supply, competitiveness and sustainability."

We could grasp continuity and developments from Action Plan 2008. From the communication, we could identify the general tendency of the EU to seek specific energy provisions through a series of complementary and targeted frameworks ranging from bilateral agreements with third countries and Memorandum of Understanding on energy cooperation to "multilateral Treaties such as the Energy Community Treaty and participation in the Energy Charter Treaty".

Therefore, the Communication made clear strengthening the external dimension of the EU energy market as one of their priority actions. In this regard, the standardization aspects of EU's engagements clearly mentioned, like reinforced energy partnerships "will aim at promoting key principles such as those contained in the Energy Charter Treaty (for example the freedom of transit, transparency, safety, investment opportunities as well as compliance with international law)". Therefore, the commission considers it is of importance to establishing privileged partnerships with key partners, such as suppliers and transit countries.

At the same time, the externalization aspects of EU's engagement could also be seen from descriptions, such as "the Energy Community Treaty should be implemented and extended to all those EU neighbours who are willing to adopt the EU market model." And the targets of this regulatory convergence and market integration are not changed from former communications and action plans and described as "the countries covered by the European Neighbourhood Policy and the

Enlargement process, in particular in the Mediterranean region and with transit countries such as Ukraine and Turkey". In addition, the Commission made clear that its willingness to deepen the EnC treaty "by extending new acquis to the signatories to the Treaty", since the Commission considered that "[t]his approach would strengthen the participation of neighbouring countries in the internal market, while providing a level playing field and a safeguards against the risk of carbon leakage through the power sector".

In December 2011, the Commission published "Energy Roadmap 2050" (European Commission 2011b). Before this publication, a communication "The EU Energy Policy: Engaging with Partners beyond Our Borders" was published by the Commission (European Commission 2011a). In the Energy Roadmap 2050 which set the transition to 2050 as core issue, it recognized the necessity to "develop cooperation to build international partnership on broader basis" and put of importance to manage this transition with the EU's energy partners, such as Norway, Russia, Ukraine, Azerbaijan and Turkmenistan, the Maghreb and the Gulf countries. Therefore, "[a] broader and more coordinated EU approach to international energy relations must become the norm, including redoubling work to strengthen international climate action" has mentioned as the condition to be met. The Communication makes it clear that these should be in line with "The EU Energy Policy: Engaging with Partners beyond Our Borders" communication. Also, the ideas and follow up actions presented in the communication are welcomed by the Council on November 2011 and set priorities to strengthen the EU external energy policy (Council of the European Union 2011).

The communication, based on the internal and external developments since the 2006 communication on external energy relations, mentioned that "[t]he EU, instead, must build on the strength of its market, expanding links between the European energy network and neighbouring countries and creating a wider regulatory area, beneficial for all." From this description, we could also realize a continued and even strengthened tendency of EU global energy engagement, namely externalization. For instance, in the communication, the Commission unveiled their willingness not only establish an information exchange and assessment mechanism, but also to negotiate EU-level agreements with third countries. At the same time, the communication mentioned that "[t]he aim is to achieve an integrated energy market with all countries of its neighbourhood based on regulatory convergence" with "differentiated approach" considering "the willingness of the countries to approximate their regulatory framework to the EU".

At the same time, the communication also included the willingness of standardization. The communication mentioned that "[t]hrough international cooperation the EU can help other countries raise their standards" since their self-recognition that "[t]he EU has some of the world's highest standards of market transparency and regulation, as well as high standards of nuclear and oil and gas safety." Moreover, the communication precisely describes that "[t]he EU should continue to include key principles for trade and investment such as non-discrimination and market access and make them

enforceable through effective dispute settlement procedures both in bilateral agreements as well as in multilateral legal frameworks” and “[t]hese principles have to be complemented with rules concerning reciprocal and equivalent access to energy resources and networks in these countries, as well as investment protection, and regulatory convergence regarding pricing policies, sustainability criteria and crisis prevention mechanisms.” In this regard, the Energy Charter Treaty and the WTO are ones of the targets to address energy specific concerns in EU trade and investment agreements. The communication said that “to maintain its relevance, the Energy Charter Treaty should seek to extend membership towards North Africa and Far East” and that “[t]he EU considers it would be mutually beneficial if Russia plays a full role in this multilateral framework.”

In contrast with above documents, the Energy Strategy 2030 take most attention to Climate issue. In January 2014, the Commission published the Energy Strategy 2030 officially entitled “A policy framework for climate and energy in the period from 2020 to 2030” (European Commission 2014a) based on several documents, including the “GREEN PAPER A 2030 framework for climate and energy policies” published on March 2013 (European Commission 2013). In this communication, although main parts are focuses on climate issues, there are also some general phrases on EU’s global engagement in energy. For instance, the communication recognizes that “globalisation of energy flows and the increased variety of international actors is creating momentum to develop a new approach to rule-based energy governance worldwide.”

Although the general lack of global energy engagement in Energy Strategy 2030, the “European Energy Security Strategy” published by the Commission in May 2014 has focused the external dimension of energy policy (European Commission 2014b). In the Energy Security Strategy, the Commission set 8 key pillars. Last pillar has set as that “Improving coordination of national energy policies and speaking with one voice in external energy policy”. And again, the Commission claims that “[t]he European Union has a general interest in stable, transparent, rule based and liquid international energy markets”. Therefore, it thought that “[t]he EU should develop consistent and coordinated messages in international organisations and fora.”

The continuity of tendency of externalization could observe yet again from the Energy Security Strategy. For example, it describes that “[w]ithin our closer neighbourhood our goal must remain to engage all partners at all levels in order to enable their close integration into the EU energy market” and “[t]he Energy Community which aims to expand the EU's energy acquis to enlargement and neighbourhood countries should be further strengthened in the light of the EU's security of supply concerns”. Therefore, the EU promotes energy sector reforms in these countries and supports “the modernisation of their energy system and their full integration in the EU energy regulatory framework”.

At the same time, the Energy Security Strategy reaffirm as key actions, such as to “[e]nsure the implementation of the measures identified in its communication on external energy policy of

September 2011". Moreover, the Commission shows their intention to revise the information exchange mechanism on intergovernmental agreement (Decision No 994/2012/EU) in order to make Member States and relevant companies informing "the Commission as early as possible before concluding intergovernmental agreements having a potential impact on security of energy supplies and diversification options" and seeking "advice from the Commission during the negotiations."

In sum, the two tendencies of the EU's global energy engagement have in general continued and have developed some details during the second term of Barroso Commission.

Junker (2014- Present): Energy Union

When Jean-Claude Juncker has emerged as a prospect president of the European Commission during 2014, he draws up 5, and later 10, policy priorities for next five years. Energy Union is one of these priorities². Under the concept of the Energy Union, the Commission publish an Energy Union communication entitled "A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy" (European Commission 2015a) with a precise Roadmap. Following the recognition of the role of foreign policy in helping to implement the goals in the European Council Conclusion of March 2015, the EEAS and Commission jointly prepared "Energy Diplomacy Action Plan", here after the Action Plan 2015 (EEAS 2015).

A reasonable question would arise on this. Does this change the EU's global engagement in energy?

According to the Energy Union Communication, the EU will work, together with its major partners, towards "an improved global governance system for energy, leading to more competitive and transparent global energy markets" (European Commission 2015a). For engaging more constructively with its partners, a stronger and more united EU is desired. Thus, the Energy Union Communication put importance to "improve its ability to project its weight on global energy markets" (European Commission 2015a).

In line with Energy Union Communication, the Action Plan 2015 defines that the EU energy diplomacy "support efforts to enhance the global energy architecture and multilateral initiatives" (EEAS 2015). For this, in multilateral energy institutions, the EU should ensure a close coordination and strengthened unified EU positions. On major energy issues both in bilateral relations and in multilateral frameworks, the EU should systematically effort to ensure speaking with one voice. At the same time, the EU should support to strengthen the existing multilateral energy institutions and initiatives with significant foreign policy impact, such as supporting "the modernization of the Energy Charter, the association initiative of the IEA, the reform of the Energy Community, the further growth of IRENA as well as the relevant initiatives within the G7/20 frameworks and the post-2015

² More back ground of launch of the Energy Union, see: Buchan and Keay (2015), Andersen et.al (2017), and Pellerin-Carlin (2017). Moreover, Peterson (2017) works on more details about the political process of nominating Commissioners, including the Vice President for the Energy Union.

sustainable development goals” (EEAS 2015). In addition, the EU should ensure the consistency of foreign policy “in support of a stable, pro-competitive and sustainable global governance system for trade and investment in energy in bilateral and multilateral settings” (EEAS 2015). From these descriptions, we can argue that the general tendency of standardization has still continues under the Energy Union.

At the same time, in the Energy Union Communication, the closer integration of the EU and Energy Community energy markets is set as the goal. For ensuring effective implementation of the EU's energy, environment and competition acquis, energy market reforms and incentivizing investments in the energy sector, “the Commission will propose to strengthen the Energy Community” (European Commission 2015a). In addition, the particular priority of EU Foreign policy is given to “partners and initiatives crucial to EU effort to strengthen the diversification of EU energy sources, supplies and routes [...] in particular in our neighbourhood” such as the Southern Gas Corridor and Euro-Mediterranean energy cooperation, the Energy Community (EEAS 2015). From these, we could argue that the externalization approach has also continued even under the concept of the Energy Union.

In sum, the tendencies of seeking standardization and externalization in the EU's global energy engagement have continued. Thus, we could regard that the Energy Union is “a new name for old way of things” at least with regard to the EU's global engagement. Of course, there are some differences or developments, but still the major parts of the policy targets are unaltered.

Analysis of EU's energy engagement toward Russia

When we rethink about the approaches that the EU explicitly mentioned in its policy papers, it is obvious that there are the continuity and the consistency in principle. We consider that the relation of the EU and Russia could be more understandable from both phenomena of EU's global energy engagement. In other words, the EU utilize both approaches of global energy engagement towards the relationship with Russia. As Haukkala (2015: 26) argues that the EU has tried to lock Russia into “a pan-European economic and political order based on liberal values and practices” and has faced increased resistance from Russia. Therefore, we argue that more broad and nuanced analytical framework could be helpful and useful to understand even this special bilateral relationship.

In general, the relationship between the EU and Russia is a complexed one (Judge *et. al* 2016; Casier 2016). In institutionalized relationship, the EU-Russia Energy Dialogue launched in 2000 was a starting point. Following the gas dispute in 2009, an ‘Early Warning Mechanism’ was established. On October 2011, the EU-Russia Gas Advisory Council held its first meeting. In May 2013, both parties agreed upon EU-Russia Energy Roadmap to 2050. While these institutional developments, a sticky political relation since 2014, precisely after the Russian annexation of Crimea, has led to suspension of the EU-Russia Energy Dialogue and Gas Advisory Council. At the same time, there are the Commission's anti-monopoly investigation against Gazprom and a continued potential of disruption

of transit through Ukraine.

Post-PCA Standardization

At the beginning of process to seek a common EU Energy policy, the EU emphasized that “the mutual long-term benefits”. Since the original ten-year Partnership and Cooperation Agreements expired in 2007, the EU is seeking the negotiation of “a new robust, comprehensive framework agreement, including a fully-fledged energy partnership” which creates the conditions necessary for new investments “based on market principles and those of the Energy Charter Treaty and draft Transit Protocol” (Commission of the European Communities 2007). And this also could be observed from 2008 document, that said “for the long term health of the energy relationship between EU and Russia”, the EU considered it is important to deepen and given a stronger and broader foundation to the post-1997 PCA.

*“Russia will remain **the EU's main energy partner** far into the future and more needs to be done to ensure that **this relationship is based on trust**; each would benefit from **consolidating the main principles** on which this partnership is based **into law**. Negotiations could in this way facilitate the reform and liberalisation of the energy market in Russia in line with its domestic objectives, provide stability and predictability of demand for Russian gas, and clarify the conditions under which Russian companies may invest downstream in the EU. Finally, an agreement with Russia **could help establish binding and effective transit rules across the pan-European continent**, which are lacking today. Each of these improvements would contribute to make Europe's sourcing, and Russia's supply, more diversified and dependable.”* (emphasis added, Commission of the European Communities 2008)

In this regard, to develop legally binding energy interdependence provisions within the framework of the New Agreement are considered as of importance for the EU. At the same time, the Commission even considered to link this negotiation to FTA talks, since the linkage of FTA with accession to WTO was not work well. In addition, the Commission recognized that the EU-Russia Energy Dialogue, further practical cooperation activities and joint projects should be continued and developed (Commission of the European Communities 2008). All in all, the EU's approach toward Russia has been focused on having legally binding agreements.

Explicit intention to Integrate Two Energy Markets

In contrast to the above, the description of 2011 communication have altered more closed to the externalization approach. If the previous documents could be analyzed as a policy to converse the

Russian system to principles and standards enshrined in the ECT and such, the commission takes more attention to integrate Russian market to the EU energy market in 2011. For instance, the section title regarding the relation with Russia was “EU-Russia energy dialogue: from partnership to integration” (European Commission 2011a). From this description, we could argue that the EU seek to externalize its energy regulation and to converge the energy market in line with the EU *acquis*. This could also be seen from following:

*“Russia has a uniquely important role in Europe’s energy market. Our common aim should be **the increased convergence of the two energy markets**, recognising that the Russian Federation can optimise socio-economic benefits from its energy exports, and the EU can enhance competitiveness in its energy market.”* (Emphasis added, European Commission 2011a)

At the same time, the 2011 communication clearly expresses its intention to seek “a new and strong legal base” in energy cooperation another time. In the communication, the Commission suggests as crucial topics of new agreement such as “access to energy resources, networks and export markets, investment protection, reciprocity, crisis prevention and cooperation, level playing field, and pricing of energy resources”. There are also attentions to the Euratom-Russia nuclear cooperation agreement, the synchronization of the Baltic States' networks with the power system of the Union, a technical agreement between the EU, Russia and Belarus on the rules for the management of electricity networks in the region.

Moreover, the commission called for more increased cooperation under the EU-Russia Energy Dialogue. The 2011 communication takes note developments under the EU-Russia Energy Dialogue, such as the signature of an enhanced Early Warning Mechanism, the establishment of an EU-Russia Gas Advisory Council, and intensive discussions on future infrastructure developments, including the regulatory framework. Based on these efforts, it recognizes a planned joint EU-Russia Energy Roadmap for supporting market reforms and helping to improve the investment climate for EU energy companies in Russia.

But as mentioned above the relationship have become deteriorated following the events in Ukraine since 2014. While several institutionalized frameworks have suspended since then, the Commission politically engage the Russo-Ukraine energy negotiation to mainly secure the Russian energy supply through Ukraine and to support Ukraine.

Although these troubles and deterioration in political relations from the south stream dispute in 2012 to especially the Ukraine crisis after 2014, the tendencies of the EU’s global energy engagement have continued even the political and security crisis emerge d between two sides. In the Energy Union Communication, its basic intention is reframing “the energy relationship with Russia based on a level playing field in terms of market opening, fair competition, environmental protection and safety, for

the mutual benefit of both sides”, when the conditions are right (European Commission 2015a).

Commission approach to the Nord Stream 2

Based on these general EU’s approaches, what this study could mention about the Nord Stream 2 projects. The project itself have officially announced in 2015, even the idea had already been known among who concerned. After this announcement, this project has gathered attention mostly with intention of politicalizing to stop the projects. While the project has become political issue in the EU level of discourse, the preparation of its construction has moved forward.

Under such situation, the Commission unveil its intention to have a negotiation with Russia on this regard. When the European Commission asked the Council of European Union to give a mandate to negotiate with Russia on the Nord Stream 2 in June 2017, the Commission’s arguments are based on “fundamental principles stemming from international and EU energy law,” such as transparency in pipeline operation, non-discriminatory tariff-setting, an appropriate level of non-discriminatory third party access and a degree of separation between activities of supply and transmission (European Commission 2017).

From this description, we could see continued EU approaches. The phrase of “fundamental principles” could be an evidence of a mixed way of the EU’s two engagement approaches: externalization and standardization. Components of fundamental principles are indeed mentioned many times in official documents of the EU and these are a core parts of two approaches.

Conclusion

This article sought to explain what is the state of play of global energy governance and how the EU engage in it.

The analysis started from the state of play of global energy governance. Based on the previous scholarships, this paper tried to grasp the situation of global energy governance architecture. Then, it became clear that global energy governance architecture is fragmented enormously.

Second this paper considered the EU’s engagements in such a fragmented global energy governance architecture. Following the power debates in EU studies, this paper followed basically the concept of regulatory power. Base on previous literatures, then, this paper argued that the EU’s engagement has two phenomena, *Standardization* and *Externalization*. While two approach looks seeking same goals, the instruments to achieve these are different. When the EU engages with standardization, it often uses a sold multilateral framework to profiler its preferred regulatory standards and principles. On the other hand, when the EU engage with externalization, its often targets neighbours to integrate into the EU energy market.

Moreover, this article reviewed the historical path since 2005 Hampton Court European Council. During the first term of Barroso Commission, the EU established the Energy Policy for Europe. Most

of the components of EU's global energy engagement phenomena has contained within from the beginning. In his second tenure, the EU's global energy engagement have continued its phenomena and even have advanced its menu. While the Energy Union has an importance in policy priorities of the EU, this article unveiled that the EU's global engagements under the Energy Union is a new wine in old bottle. In other words, the basic phenomena of EU's global engagement, standardization and externalization, have continued as major parts of policy targets.

Finally, this article tackled on the EU's engagement toward Russia based on externalization and standardization approaches. This article argued that framework based on that the two phenomena are embedded in is worked well to understand the EU's engagement on Russia. Following the historical path, these phenomena could be observed consistently. This paper also unveiled that it is still observed from the Commission's approach toward the Nord Stream 2 project.

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