

## ENERGY SECURITY OF THE EU AND WESTERN BALKANS

Siniša Tatalović, Professor Ph.D.,  
Faculty of Political Science, University of Zagreb  
E-mail: [sinisa.tatalovic@fpzg.hr](mailto:sinisa.tatalovic@fpzg.hr)

Jelena Radić Đozić, M.A., Doctoral student  
E-mail: [jelenaradicdj@gmail.com](mailto:jelenaradicdj@gmail.com)

Dario Malnar, Ph.D,  
Independent researcher  
E-mail: [malnar.zg@gmail.com](mailto:malnar.zg@gmail.com)

### Abstract

This paper deals with the external dimension of the EU energy policy in the scope of which we can also define the common perception of energy environment of the EU. The EU is particularly interested in the states of the Western Balkans which are in different phases of integration process towards the full EU membership, integral energy security of the EU and, finally, the EU's Energy Union. In the context of energy policies, these states are significant as an area of potential transport routes important for the diversification of EU energy supply, particularly gas. Simultaneously, this region is where the EU is facing conflicting interests beyond regional subjects, primarily Russia, which are to a great extent realized using the energy (gas) dependence of the states in the region. Consequently, the EU is strongly affirming the issue of energy security and helps the states - candidates for EU membership define and coordinate their energy policies as the basis for energy security. The EU puts emphasis on security and not on economic aspect of this policy. Subsequently, with security in general, energy security is a significant prerequisite to the process of joining the EU. Also, there is a strong interdependence of these two aspects of security in this region, where the general security of the Western Balkans influences the energy security of the EU. Thus, the

paper will elaborate on the impact of security in the Western Balkans on energy security from the EU perspective. In particular, one part of the paper is dedicated to analyzing energy interests of the EU member states which share borders with this area and which should actively participate in stabilizing this region. This paper establishes the hypothesis that in the future, energy security of the EU will increasingly depend on the supply routes stretching across the Western Balkans and the neighbouring states, which places great importance on the active improvement of the stability of this area and its inclusion in the EU. The importance of the Western Balkans for the energy security of the EU and its efforts to stabilize the Western Balkans for energy security will be analyzed.

**Keywords:** Energy security, security, EU, the Western Balkans

## Introduction

Numerous issues are connected to the concept of energy security, and many of them suggest that the "ensuring of secure energy supply which includes not only ensuring of energy sources under favourable conditions, but also ensuring of transport routes for energy supply" (Tatalović 2008:7) is essential. This paper uses one of the possible definitions, adopted by the EU, of energy security as "the uninterrupted access to energy sources at an affordable price" (European Commission, 2014: 3). Threats to EU energy security lead to an increased engagement of the EU on the Western Balkans within the framework of the Energy Community (ECom)<sup>100</sup> and the High Level Group for Central and South-Eastern European Gas Connectivity (CESEC).

The Western Balkans (WB) neologism is used in a political, not in a geographical sense. At first it referred to the candidate states for the EU accession situated in the area that includes the states of "former Yugoslavia, minus Slovenia, plus Albania". Croatia is no longer a part of it, since by joining the EU it dropped out of the

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<sup>100</sup> The Energy Community does not refer only to gas but also to electricity, renewables, oil, energy efficiency, environment and competitiveness, but in this paper the emphasis will be on gas.

"outsider club"<sup>101</sup>. The common contextualisation of the states in this area is being derived from the concept of regionalism on which the EU and its enlargement policy are based. The regional contextualisation was enabled through some common features of these states - these are the post-conflict states with inherited instability, not only as a consequence of the recent wars and ethnic conflicts, but also of an unfinished political, economic and social transition. A non-transparent market, the new elites for its control, legal dysfunction, delays in the democratisation process, economic stagnation and security destabilisation make these states insecure, which increases the potential for external actors' activity.

The subject of this paper is neither the organisational structure nor the organisational issues of the ECom, nor is it the environmental or social impact of energy policies. The energy issues are not reduced to a technical aspect, to one of the sectors of the economy, but are a matter of interest within a wider strategic frame, since the solutions to certain energy issues are not important only for their economic impact, but have also a broader, strategic importance. The European energy policy has three dimensions: economic, environmental and the one that is the subject of this paper, and that is security-related. The main goal of this paper is to show how energy in/security, among other reasons, motivates the EU for taking measures on the WB. These measures are aimed at secure gas supply, and at the same time, they support the EU efforts for securing peace, stability and prosperity in this area. The reason is twofold: the enlargement policy, since the states of the WB aspire to EU membership, and the energy security, because these states can contribute to diversification, not of the gas sources, but of the gas supply routes to the EU.

We have based the explanation of the link between energy sources and security on the expanded concept of security of The Copenhagen School, on the contemporary understandings of the notion of power, and on the discipline of geopolitics. We will show that the establishing of the Energy Community first, and then of the CESEC, the institutions connecting the EU and the Western Balkans countries/WBC (and the Southeast Europe in a broader sense) in a joint effort to enhance the energy security,

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<sup>101</sup> This political term was created at the first EU summit held outside the EU area, in Zagreb in 2000, while defining the strategy of the EU enlargement. Montenegro (since 2010) and Serbia (since 2012) have been engaged in accession negotiations, Albania has received the status of a candidate country; Macedonia has had it since 2005. Only BaH and Kosovo are just potential candidates due to the unresolved issue of sovereignty.

represents a operationalization of several concepts on which the EU bases its activity. We synthesised various concepts, elaborated by different authors, and brought them into connection with energy security. These are EU external governance by way of externalisation of the European energy policy or external Europeanization (with a special emphasis on security dimension), wider regional community concept and the concept of security community. In the paper, there are also traces of neo-functionalist approach, but this time we will not pay much attention to it. The paper is based on an analysis of the EU documents, newspaper reports and statistics.

### **Conceptualisation and definition**

The study of security in the global community is one of the most challenging issues in political science in a broader sense, and in a more strict sense, in international relations. The growing importance of security phenomena for contemporary societies has motivated an increasing number of scientists to start dealing with security-related issues (Tatalović and Malnar, 2016: 54). Within this frame, the notion of energy security which is difficult to conceptualise, is being examined as well. Energy activities vary depending on the type of energy source (coal, oil, and gas), field of activity (extraction, transport, distribution) or actors (manufacturer, buyer, and distributor). The definition of energy security depends also on the point of view, and is hence differently defined by the importing countries, exporting countries, developed countries, developing countries.<sup>102</sup> In this paper we will define the energy security from the importers point of view, since the subject of our research is the externalisation of the EU energy policy to the Western Balkans, and both the EU and the WBC are major importers of energy sources. From the point of view of energy importers, energy security refers to a secure source of sufficient quantities of energy at affordable prices or a "predictable access to desired types of energy sources (in this case gas) in desired quantities in order to assure the supply security as well as transparent and affordable prices" (Nosko, 2010).

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<sup>102</sup> For more details, see D. Yergin, *Ensuring Energy Security*, Foreign Affairs, Volume 85, No.2, March/April 2006, p. 69-82.

From the energy security defined in that way it follows that the main threats are the supply insecurity and the price uncertainty<sup>103</sup>. These two threats are interdependent, and the emphasis in this paper will be on the energy supply in/security. The energy supply security is a matter of (national) security of the importing countries ever since World War I when the First Lord of the British Admiralty Winston Churchill decided to make the British Navy faster by using oil which had to be imported from the then Persia, instead of coal which Britain had in sufficient quantities. The focus then was on oil, and the conventional wars (the "oil wars") have been fought over the control of oil sources, and this so as to enhance the military security. Today, the focus is on gas and on conflict (unconventional warfare) over the control of gas transport routes and this with a view to enhance the freedom of foreign-policy decision-making.

Due to empirical reality, the chosen definition of energy security puts an emphasis on the gas supply security. Unlike oil which is mostly being traded on liberal, market-based principles, whereas gas due to capital-intensive and fixed gas pipelines is predominantly being traded on the basis of long-term, predefined agreements. Besides, both the EU and the Balkans' states import large quantities of gas from Russia via gas pipelines under its control. The focus is shifted from oil to gas and from the control over sources to the control over transport routes and the required infrastructure. Therefore, the subject of interest is not the technical or physical security of the critical gas infrastructure, often being targeted in war, but the impact of peacetime control over that infrastructure on the energy, and, in a broader sense, on economic security, and, first and foremost, on freedom of political decision-making. Structural over-dependence of the EU and the WBC on Russia as the gas exporter and on the transport routes under its control is used by Russia for exerting pressure and intimidation – by cutting off the supply or changing the prices according to its political preferences and

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<sup>103</sup> Fossil fuels, oil and gas are still predominantly being used and their price has not always been a market category. Although the oil is being largely traded on a global level based on the market principles, its price depends on the stock exchange speculations (the "paper-oil bubble"), geopolitical events (wars that disrupt supply, etc.) or psychological reactions based on the expectation of worsening of geopolitical conditions. Due to limited possibilities and expensive transport infrastructure, the price of the gas is being even less of a market category – it is being traded based on long-term agreements, and its price often depends on the current political preferences, so it is being used to exert influence with the aim of changing those preferences.

regardless of market conditions.<sup>104</sup> To which extent the EU has become energy (gas) insecure, became clear after the first gas-dispute between Russia and Ukraine in 2006, when the gas supply to Europe was disrupted due to political differences between Russia and Ukraine<sup>105</sup>. Therefore, the focus of this paper is on strategic, political threats to gas supply security, and strategic approach moves the subject away from economic policies and closer to foreign and security policy.

It is difficult to measure the energy security objectively, but dependence on a single source can change the perception of interdependence beneficial to both sides into a negative, unequal and threatening dependence. The Westphal's definition, which perceives the energy security also from the importers perspective, includes at the same time the solutions according to which the energy security relies on geographical diversification of energy supplies, diversification of energy sources, and predictable, stable and low energy prices (Westphal, 2006: 60). The EU seeks to increase its energy security precisely by diversifying sources and transport routes, and by connecting through interconnections with neighbouring states. Interconnections enable the diversification of transport routes, possibly also the diversification of gas sources in the future, and solidarity between the neighbouring states in the event of the gas supply disruption that would decrease its negative effects. Such a solution strongly directs the EU to addressing the energy security issues in collaboration with its immediate neighbourhood. The sense of interdependence with its neighbourhood leads the EU to seek out the solutions in external action, which constitutes the very basis of the establishing of the Energy Community in the first place.

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<sup>104</sup> Beside the Russian geopolitical factor, the gas supply security can also be influenced by an increase in demand as a result of the emergence of new economic forces, the growing use of natural gas as a "clean" energy source and the long-distance cross-border transport which is strongly influenced by the geopolitical events in areas it transits through.

<sup>105</sup> Russia and Ukraine failed to reach the agreement on the price of the Russian gas, which led Russia to cut off its gas supply to Ukraine, an important transit country through which no less than 80% of the Russian gas was transported to Europe at that time.

## **Geopolitical importance of energy sources and broadened concepts of security and power**

The classical geopolitics refers to an analysis of the impact of geographical features on power relations in the international relations. In the analysis of energy security of the EU and the WB, geography is important for two reasons – it influences the energy self in/sufficiency and security-related interactions conditioned by geographical proximity. Robert D. Kaplan describes geopolitics as the battle for space and power played out in a geographical setting and differentiates between military, diplomatic, economic and energy geopolitics (Kaplan, 2014), which connects politics to geography and geology. Geographical position conditions non/possessing of energy sources, distance from energy sources and infrastructural connecting, and even an energy power(lessness). Geographically uneven distribution of energy resources in the world brought about a division between the energy exporting countries and energy importing countries, and when the energy sources are being transported by predefined land route, transit countries also get involved. The importing country, transit country and exporting country, being the key actors in the gas trading, are in a position of significant interdependence that can be influenced by geopolitical changes.

Russia bases its power in international relations on geographically conditioned energy sources abandonment and uses it so as to maximise its political power. With the same goal, it seeks to control gas transport routes towards the importing states. Russian president Putin decided that Russia's "vast energy and mineral resources (would) serve as a basis to develop its economy; as an instrument to implement domestic and foreign policy" because "the role of the country on international energy markets determines, in many ways, its geopolitical influence" (Kupchinsky, 2009)<sup>106</sup>. Gas and the infrastructure necessary for its transport are not a driving force nor the only reason, but are an important factor and a part of a wider security political engagement, and even of conflicts of external actors in the area of the WB, because the "energy sources are the only credible thing that Russia can offer" to the states of this area.<sup>107</sup>

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<sup>106</sup> Cited according to Ebel, R. E. (2009) "The Geopolitics of Russian Energy - Looking Back, Looking Forward". CSIS, Washington, July 2009, p. 9.

([http://csis.org/files/publication/090708\\_Ebel\\_RussianEnergy\\_Web.pdf](http://csis.org/files/publication/090708_Ebel_RussianEnergy_Web.pdf) 22 January 2016

<sup>107</sup> See Mappes-Niediek, N. (2017), "Sve podsjeća na 1914. godinu, Balkan je fitilj koji može zapaliti Europu", 18 February 2017., Index.hr.

Energy relations in the WB area are legitimately perceived in terms of geopolitics also because the energy-related conflicts are "forging new military alliances as geopolitical rivalries combine with mercantilism to create zero-sum games" (Mohan, 2015).

Geography is considered important also by representatives of some contemporary theories of international relations. Authors of the Regional security complex theory maintain that it is "a theory of security in which geographical variables are central" (Buzan, Weaver, 2003:70), because the very "simple physical adjacency tends to generate more security interaction among neighbours than among states located in different areas" (Buzan and Waever, 2003: 45). The states of the WB are not important for the EU gas security as a source of gas (some do not have their own sources and are totally dependent on the Russian infrastructure), but because of their geographical position in the immediate neighbourhood of the EU and at the crossroads between the gas sources more to the South and East and gas importers more to the North and West. These geographical variables generate a possible impact on the EU energy security, since these are potential gas transit states to the EU.

The connection between the energy sources and the security or power was strengthened way back during the World War I, but the neologism energy security started to appear more often in the discourse as yet another type of security in the post-Cold War era. The Copenhagen School of security studies and its representatives Buzan and Waever dismiss the traditional reducing of security to a single sector and horizontally broaden the notion of security by including the non-military threats, maintaining that security is a special type of policy applicable to the whole range of issues. Buzan emphasises the distinctive character and dynamics of security in five sectors: military, political, economic, environmental, and societal (Buzan et al., 1998: vii). Energy issues are connected to each of these sectors, therefore they are transsectorial, and each of these sectors can be negatively affected by the energy insecurity.

In the post-Cold War international relations, military power is no longer dominant. Non-military forms of power are becoming ever more important, and the energy power is one of them. The energy power influences other forms of power: the military power, because the energy supply disruption decreases the state defence capabilities; the economic power, since energy sources are a rare, geographically

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<http://www.index.hr/vijesti/clanak/sve-podsjeća-na-1914-godinu-balkan-je-fitilj-koji-može-zapaliti-europu/951405.aspx> - 19 February 2017.



conditioned and thus lucrative commodity and an indispensable factor in economic development and competitiveness; but also the foreign-policy power, because the monopoly on energy sources and transport routes is being misused as a strategic instrument of influencing other states. Hence energy issues need to be considered in a holistic manner (Keay and Buchan, 2015), and although Buzan and Weaver (2003:45) object that geopolitical theory in the study of only particular policies loses its theoreticalness, it is however appropriate to define the energy power in terms of geopolitics or geoeconomy.<sup>108</sup>

### **EU energy policy and the impact on the Western Balkans**

The EU energy policy has three pillars – the economic one, in which the emphasis is on competitiveness; the ecological, in which the emphasis is on sustainability; and the third, security-related, in which the emphasis is on the supply security, and it is the subject of this paper. The energy policy of the EU has two dimensions. The inner dimension implies insisting on liberalised and integrated energy market. Such market moderates the influence of geopolitical changes on the EU energy security, but it is not a sufficient guarantee, hence the secure gas supply becomes a strategic goal that goes beyond the arguments of market efficiency. External dimension of the European energy policy is important, because the EU secures a significant part of its needs for gas outside its borders, and it constitutes an integral part of two EU foreign policies: the foreign-trade and the common foreign and security policy. Already in 2006, after the first Russian-Ukrainian crisis, the EU perceived the energy security as a challenge to foreign policy, and hence concluded that it was necessary to "permit a better integration of energy objectives into broader relations with third countries and

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<sup>108</sup> Often used syntagma "politics of gas pipelines", and Tomas Maltby refers to many other authors who wrote on this issue. Maltby, T. (2015), *Between Amity, Enmity and Europeanisation: EU Energy Security Policy and the Example of Bulgaria's Russian Energy Dependence*, *Europe-Asia Studies*, 67:5, 809-830. <http://dx.doi.org/10.1080/09668136.2015.1046817> - 19.1.2017 (accessed 1 January 2017)

the policies which support them"<sup>109</sup>, because in a "world of increasing interdependence, energy security will depend much on how countries manage their relations with one another, whether bilaterally or within multilateral frameworks" (Yergin, 2006:82). Therefore, the aim of the energy policy of the EU is "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" (European Commission, 2007).

Both the internal and external dimension of the EU energy policy are crucial to the energy security and necessary for the EU as "the importing nation" to ensure the secure gas supply, especially when the external suppliers are state-centric and monopolistic. An over-dependence on a single exporter constitutes the main supply security threat, and a large number of competitive importers and states through which the gas transits towards the EU, enlarged after the dissolution of the USSR, being an additional threat. The EU is very concerned about its gas supply vulnerability, thus the security pillar of the EU energy policy led in 2015 to a European Commission (EC) proposal for the establishing of the Energy Union. The EC has given priority precisely to "energy security, solidarity and trust" and has connected this pillar with other pillars – "internal energy market" because it increases resilience to supply disruptions, "energy efficiency" because it helps to reduce energy demands and "decarbonising of the economy" and "research, innovation and competitiveness" because they reduce the need for the fossil fuels import and minimise the consequences of supply disruptions.<sup>110</sup> The original Donald Tusk's proposal (the then Polish Prime Minister, today the President of the European Council) for establishing of the Energy Union<sup>111</sup> a year earlier was aimed at, first and foremost, strengthening the security pillar of the European energy policy.

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<sup>109</sup>GREEN PAPER A European Strategy for Sustainable, Competitive and Secure Energy {SEC(2006) 317} Brussels, 8 March 2006 COM(2006) 105 final, p. 16 [http://europa.eu/documents/comm/green\\_papers/pdf/com2006\\_105\\_en.pdf](http://europa.eu/documents/comm/green_papers/pdf/com2006_105_en.pdf) - 9 February 2017.

<sup>110</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank; A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy, COM/2015/080 final;

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2015:80:FIN>

<sup>111</sup> Tusk, Donald, "A united Europe can end Russia's energy stranglehold – European energy union could break Moscow's monopoly and restore competition", Financial Times, April 21, 2014; <https://next.ft.com/content/91508464-c661-11e3-ba0e-00144feabdc0>

In spite of the fact that extensive European projects in other areas were running into a deadlock, Keay and Buchan believe that the time may well have seemed ripe for the proposal to establish an Energy Union, since, in relation to energy, European countries had common goals – decarbonisation and facing common security challenges. The reason being the outbreak of Ukrainian crisis in 2014 which brought a serious new threat of the Russian gas supply disruption through Ukraine, and it was via this route that majority (about 80%) of the Russian gas was coming to Europe (Keay and Buchan, 2015:2).

The WBC are the EU's closest neighbourhood and are even more vulnerable to energy security threats: the secure energy supply is adversely affected by partially destroyed energy infrastructure and by over-dependence on the Russian gas imports, and this exclusively through Ukraine, which enables Russia to exert foreign-policy influence in these countries. The area of the WB is not institutionalised in a political sense, and the strongest link among the countries in this area is the integration into the EU. These aspirants to EU membership are, in terms of energy, interesting to the EU because they are situated on a potential (non-Russian and/or Russian) gas transport route. It is for this reason that they are a place of confrontation of external actors over the control of the (future) gas infrastructure. One of the actors is Russia, which seeks to preserve its monopolistic position in the energy sector and make use of it as an instrument of political influence. The other is the EU, which seeks to protect the area from the Russian influence and, being a major energy importer, to at least gain control over the energy transport routes and, at the same time, to increase its energy security.

An example of a conflict over the gas infrastructure control are the South Stream and the Southern Gas Corridor (SGC) pipeline projects, which are in direct competition with each other due to the same planned route. The EC strongly supports, both politically and financially, the non-Russian project SGC for the supply of Azerbaijani gas to Europe. Although of small capacity, it would contribute to diversification of, not only the transport routes, but also the sources of gas. On the other hand, the EC has successfully put pressure on the Russian South Stream project, persistently insisting on harmonising the project with the EU legislation, primarily with

the Third Energy Package<sup>112</sup>. Russia suspended the plans for the construction of the South Stream at the end of 2014, but has not given up on plans to construct a new route for the export of much larger quantities of its gas, a route which bypasses Ukraine, but has the same direction as the Southern Gas Corridor. The construction of the Turkish Stream to Turkey is under way, but it is not yet defined through which route the gas will be transported further to Europe. When Bulgaria, under pressure from the EU member states, gave up on participating in the project of the South Stream, Russia has put forward plans for the Tesla Pipeline, which would connect the Turkish Stream with the EU through Macedonia, a WB state.

On the other hand, the EU could potentially benefit from the WB to enhance its gas supply security, for example, by constructing a new gas network that would connect the EU to the new gas sources. The prospects for that are reduced due to instability inherent in this area – the corruption and legal insecurity reduce the willingness of investors to invest into local energy markets and to finance a new infrastructure, and a protectionist, state-governed approach is contrary to liberal rules of the EU and presents an obstacle to the regional energy policy. Therefore, the EU decided to govern the energy policies of the WBC, to create a "'common regulatory space' around Europe ... a predictable and transparent market ... as well as security of supply, for the EU and its neighbours"<sup>113</sup>. The EU seeks to enhance both its own and the energy security of the WBC, because, as it was in 2006 recognised by the European Parliament<sup>114</sup>, the energy security has a profound influence on the overall security.

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<sup>112</sup> Since 1996, three energy packages have been issued. The 2009 Third Energy Package was a new package of laws, directives and regulations of the EU, which further increased the regulatory power of the EC.

<sup>113</sup> GREEN PAPER COM (2006) 105 final, p. 16.

<sup>114</sup> European Parliament resolution on a European strategy for sustainable, competitive and secure energy. Green Paper 2006/2113(INI)

<http://www.europarl.europa.eu/oeil/popups/printficheglobal.pdf?id=534172&l=en>

## **Energy Community as the implementation of the concept of wider regional community through external governance of the EU**

The European Commission holds a view that the coherent and coordinated energy policies of the EU MSs and of the neighbouring, potential future members and potential transit states, are an important prerequisite for achieving an acceptable level of secure energy supply of the EU. Therefore, it advocates the enhancement of the energy security of both the EU and the area in its immediate neighbourhood, so it was the main actor in the creation of broader regional energy initiatives and is being their strong promoter. Because of the energy security threats, the EU has incorporated the area of the WB into a "wider regional community" within the framework of energy regional formats - The Energy Community (ECom) and The High Level Group for Central and South-Eastern European Gas Connectivity (CESEC), the latter being particularly important for the enhancement of the gas supply security through the construction and connection of the gas infrastructure. In this connection, the "regional cooperation is the tool with which to achieve .... goal", and the goal remains "the creation of ... Internal Energy Market" (Dimitrova and Associates, 2016:1), but also a higher level of gas supply security.

The integration of the WBC, the majority of them has the status of an EU candidate, into the ECom and CESEC, represents the implementation of the EU concept of "wider Europe" from 2003 that did not include the candidate states<sup>115</sup>, but envisaged the expansion of the regional cooperation to the EU neighbouring states through the creation of a wider regional community. The goal is to enable the convergence of markets and policies through cooperation and coordination, and ultimately to ensure an overall political-strategic orientation as well, regardless of the heterogeneity of a "wider Europe". The regional format in addressing the issue of energy security is an added value not only due to the transnational nature of energy security, but also because it reduces divergences that arise from the national approach to the issue of energy security. Countries have always been prone to this because of the asymmetric level of

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<sup>115</sup>"Wider Europe" refers to the neighbouring countries without the prospect of EU membership - South Mediterranean countries and eastern neighbours. Communication from the Commission to the Council and the European Parliament, Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final, Brussels, 11 March 2003 [https://eeas.europa.eu/enp/pdf/pdf/com03\\_104\\_en.pdf](https://eeas.europa.eu/enp/pdf/pdf/com03_104_en.pdf) -23 January 2017.

energy security, so, for example, unlike the EU, the WBC are almost 100 percent dependent on the Russian gas and on its supply route through Ukraine.

The EU concept of "wider regional community" is being implemented by way of an "external governance", i.e. through the expansion of the "'legal boundary' of the Union with only limited openings of its 'institutional boundary'" (Lavenex, 2004: 680). The EU is a system whose essential feature is "an ability to formulate and implement public policy programmes governing the operation of society"<sup>116</sup>, and by way of external governance, i.e. through "the ability ... to influence the rules that govern social entities beyond its borders" (Renner, 2009:4), the EU creates a "common regulatory space"<sup>117</sup> with its neighbourhood. The governance is "less than 'government', 'governance' is more than 'co-operation', as it implies a system of rules which exceeds the voluntarism implicit in the term co-operation" (Lavenex, 2004: 682). Solioza and Stubbs (2009: 10) consider that the EU has started to focus in a new way on what happens beyond its borders, and through external governance, it governs in fact the issue of new dependencies in a changed geopolitical environment. The expansion of the EU *acquis communautaire*<sup>118</sup> beyond the circle of its members to its immediate neighbourhood is a form of external governance, in which internal and foreign policy goals become one; therefore it is actually a matter of an external projection of internal solutions, of an extra-territorialisation or externalisation of the European policies. The ECom and CESEC represent the externalisation of the European energy policy, "the adaptation of the European Union in Southeast Europe" (Renner, 2009:13), and thus, the EU, in the context of enlargement policy, also determines its future borders.

The concept of the Energy Community is based on an earlier idea of a pan-European energy community<sup>119</sup>. Already at the European Council in 1990, the legally non-binding European Energy Charter on energy cooperation of the East and West was proposed. After three years of negotiations, it was presented as a legally binding Energy Charter Treaty, which would be the first economic agreement and international regime of multilateral cooperation in the energy sector that would bring together the former

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<sup>116</sup> The EU as defined by David Easton. See: European Union: power and policy-making , ed. Richardson J., Mazey, S., Fourth edition, Routledge, new York, Part I, p. 3-32.

<sup>117</sup> GREEN PAPER COM(2006) 105 final, p. 16.

<sup>118</sup> According to Grabbe, *acquis communautaire* refers to all real and potential rights and obligations of the EU system and its institutional framework. (Grabbe, 2002: 3)

<sup>119</sup> See GREEN PAPER , COM(2006) 105 final, p. 16.

members of the Soviet Union, Central and Eastern European countries, Japan, Australia, Norway, Turkey and Switzerland. Because of the associated Transit Protocol, which was binding its signatories to implement the principle of free transit indiscriminately of origin, destination or ownership, and the principles of a non-discriminatory pricing<sup>120</sup>, Russia has refused its ratification. For Russia, the ratification would mean the loss of strategic position as the main supplier and monopolist controlling the transport towards Europe, what are important factors on which Russia bases its strength in international relations<sup>121</sup>.

The initiative to establish an international organization under the name of Energy Community (launched in 2004, and carried out in 2006) was less ambitious in both geographical and political sense. It brought together the EU states and the EU candidate states from the Black Sea region and Southeast Europe, including those of the Western Balkans<sup>122</sup>. The timing of entering into force of the Treaty establishing the ECom points to the importance of certain issues on the EU agenda with respect to the candidate states. Earlier that year, the first Russian-Ukrainian gas dispute broke out with significant consequences for the supply security to the EU, in particular, of the "new" (former Eastern European) member states as well as the candidate states, which were cut off from the gas. The ECom represents a broader regional coordination of preferences in searching for the optimal infrastructure solutions, it encourages solidarity and joint projects, but also the creation of an alliance with strategic implications. Its tasks are the following: to "create a stable regulatory and market framework capable of attracting investment in gas networks", "transmission and distribution networks, so that all Parties have access to the stable and continuous energy supply that is essential for economic development and social stability" and "enhance the supply security of the single regulatory space by providing a stable

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<sup>120</sup> The main goal was the introduction of common standards of the market economy to the energy sector, laying of the foundations for contractual and trade relations and the rule of law.

<sup>121</sup> A monopolistic position of Russia is also favoured by the fact that all energy-rich Central Asian countries, former members of the Soviet Union, are dependent on the Russian gas infrastructure when exporting energy sources.

<sup>122</sup> Albania, BiH, Montenegro, Macedonia, Moldova, Serbia, Kosovo, Ukraine.

investment climate in which connections to Caspian, North African and Middle East gas reserves can be developed"<sup>123</sup>.

### **Externalisation of the EU energy policy**

The externalisation of the EU energy policy<sup>124</sup> as a part of the concept of "wider regional community" has two dimensions: economic (harmonisation with the rules of the internal energy market) and security-related (limiting of the Russian influence). Both dimensions represent an effective strategy for the protection and enhancement of the gas supply security to the EU, because they imply energy policies in the countries of the WB consistent with two EU priorities: the creation of a single energy market and the diversification of gas sources and transport routes. Due to its geographical position, the states of the WB are surrounded by EU members, thus they are necessary for the integrity, liquidity and resilience of the internal energy market of the EU. The objective of the economic dimension is their integration into a single regional gas market, and then its integration into mostly liberalised energy market of the EU. The implementation of the energy *acquis communautaire* (the rules of the Third Energy Package, which establish a separation of the gas supply and the ownership over gas infrastructure, provision of access to third parties and transparent tariffs) is being insisted on in order to transform the markets of the candidate states. From a functionalistic perspective, the externalisation of the EU energy policy increases efficiency and the capacity for solving of the issues of internal EU policies.

The states of the WB potentially are also countries important for the gas transport towards the EU. Thus, the EU seeks to "reorientate their strategies, and their consideration of the policies and objectives" (Maltby, 2015: 813) in advance and, regarding the secure energy supply, to include them into the network of mutual

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<sup>123</sup> The preamble of the Treaty establishing the Energy Community. [https://www.energy-community.org/portal/page/portal/ENC\\_HOME/ENERGY\\_COMMUNITY/Legal/Treaty#Title1](https://www.energy-community.org/portal/page/portal/ENC_HOME/ENERGY_COMMUNITY/Legal/Treaty#Title1)

<sup>124</sup>It is based on the Communication from the Commission to the Council and the European Parliament on the Development of Energy Policy for the enlarged European Union, its Neighbours and Partner Countries, COM(2003) 262 final/2 [http://ec.europa.eu/dgs/energy\\_transport/international/doc/2003\\_communication\\_en.pdf](http://ec.europa.eu/dgs/energy_transport/international/doc/2003_communication_en.pdf) - 27 January 2017.



responsibilities. The reason is that for the efficient functioning "of the wider European gas market" it is not sufficient to apply the common rules and standards, but it is necessary to also have an appropriate infrastructure that will connect the countries of this area to each other, but also to the EU as a whole, and the EU is ready to support this financially. Through the externalisation of its energy policy, the EU seeks to hinder Russian infrastructure expansion – for example, the construction of the Tesla Pipeline for the export of Russian gas to Central European markets, from the Turkish-Greek border, where the Turkish Stream should have ended, through Macedonia and Serbia further on to Hungary. In addition, the EU seeks to implement alternative transport routes possibly from the alternative sources – for example through the Adriatic-Ionian gas pipeline as an integral part of the Southern Gas Corridor or through the planned LNG terminals. At the same time, the EU also seeks access to the markets of these potentially gas transit states, in order to prevent that their gas insecurity (exclusive dependence on the Russian gas) facilitates Russian entering into the ownership structure of the energy sectors and the energy infrastructure, and winning over the political decision-makers to gain support for the Russian foreign-policy goals. This goal of minimisation of the Russian influence represents a security-related dimension of the externalisation of the EU energy policy.

In the basis of the concept of "wider regional community" lies the regionalism as a "policy or project of cooperation and coordination" (Solioza and Stubbs, 2009: 2). In the case of the ECom, the regionalism has a double function: a) the already described inclusion of the neighbouring states into the expanded regional cooperation in the sense of the external action of the EU, that is, the Europeanisation of the neighbourhood; and b) the exporting of the model of regional cooperation in the sense of preparation for the EU integration. The external action of the EU at the same time represents an external dimension of Europeanisation which we consider in the context of the EU enlargement (hence, we also call it pre-accession or enlargement Europeanization (Borzel, 2011: 8), in contrast to the internal dimension of Europeanisation, membership Europeanisation (Borzel, 2011: 8) that refers to how the EU influences national political systems of its member states. According to Maltby, during the process of Europeanisation, the EU exerts pressures to redefine interests, preferences, policies and strategies (Maltby, 2015:813), as well as to converge policies. The establishment of the Energy Community is one of the objectives agreed at the

European Council meeting held in 2003 in Thessaloniki<sup>125</sup>, when it was officially confirmed that the states of the WB area would become members of the EU after the fulfilment of the criteria, so the ECom has to be considered in the context of the EU enlargement. The ECom includes EU member states and the neighbouring candidate states and, in a geographical sense also, it represents the EU enlarged to include the future members.

The European Council Conclusion on Energy Union from March 2015<sup>126</sup> explicitly refers to regional cooperation in energy policies, which also involves cooperation regarding the cross-border gas transport. This new concept was made operational in 2015 by signing of the MoU between the MSs of the High Level Group for Central and South-Eastern European Gas Connectivity (CESEC)<sup>127</sup> with a view to address the urgent issue of the gas supply security<sup>128</sup> through establishing interconnections that enhance the resilience of the system and diversify the supply, and serve to accelerate the creation of an integrated gas market, and this co-funded with EU resources. The European Commission previously carried out so-called stress test of gas supply security, which also included member states of the ECom, and showed that precisely the WB states would be affected the most. CESEC Action Plan<sup>129</sup> developed afterwards therefore calls for the acceleration of the construction of interconnections, so as to avoid repeated "blackouts" and to enable each of the states to have at least three different sources of gas at its disposal. The first meeting of the CESEC was held as a sign of support and assistance to the WB states after Russia abandoned the South Stream project. CESEC also represents the creation of a wider regional community, a

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<sup>125</sup> See [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/en/gena/76201.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/gena/76201.pdf)

<sup>126</sup> European Council Conclusions on the Energy Union (19 March 2015) <http://www.consilium.europa.eu/en/press/press-releases/2015/03/conclusions-energy-european-council-march-2015/>- 3 January 2017.

<sup>127</sup> Signatory states of the initiative led by the European Commission are Austria, Bulgaria, Greece, Croatia, Italy, Hungary, Romania, Slovakia and Slovenia, and later they were joined by the 6 agreement parties of the Energy Community: Albania, BiH, Macedonia, Moldova, Serbia and Ukraine.

<sup>128</sup> CESEC Memorandum of understanding allows for the extension of the initiative to the eclectic energy and the sector of heating and cooling.

<sup>129</sup> The Action Plan defines seven key projects that contribute the most to the field of enhancing of gas supply security of the CESEC countries, including two Croatian projects.

regional approach beyond the borders of the EU. Thus, the WB states have somehow become members of the future Energy Union<sup>130</sup>, a deepened European integration in the energy sector, even before actually becoming members of the EU.

### **EU as an exporter of regional security**

Regional cooperation, alongside Copenhagen and Madrid criteria (relative to political, economic and administrative transition and adoption of the *acquis communautaire*), was introduced as one of the additional criteria for the WBC within the Stabilisation and Association Process. Thereby the EU has altered the previous way of conducting the enlargement policy, which was mainly "a bilateral affair between the EU and the applicant country" (Renner, 2009). The concept of regional cooperation is the key concept for the EU, which originally connects the EU to the concept of the security community<sup>131</sup>. When the today's EU was created in the post-war era, memories of the interwar nationalism were still present, so the focus was not only on the preferential trading arrangements, but also on the security alliances. "The European Union is set up with the aim of ending the frequent and bloody wars between neighbours, which culminated in the Second World War"<sup>132</sup>. The history of the European integration is being used by the EU as a model, so the concept of regional cooperation is being applied also to its future members within the framework of its enlargement policy, which is the most successful example of the EU foreign policy because it provides security, stability and progress. The EU proceeds from the position that "regional cooperation is a prerequisite for successful integration into the EU for many reasons" and one of them being that it is "the key factor to achieve political stability, security and economic development in the region" (Samardžija, 2007).

All EU pre-accession initiatives in the Western Balkans based on cooperation aim also, among other things, at regional reconciliation, at preparing these states for the future security community, in which war as means of conflict between the states is

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<sup>130</sup> See European Council, Conclusions on the Energy Union (2015).

<sup>131</sup> In accordance with the theoretical interpretation of the pluralistic security community of Karl Deutsch (K. Deutsch et al., Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience, Princeton, Princeton University Press, 1957).

<sup>132</sup> The history of the EU - [https://europa.eu/european-union/about-eu/history\\_en](https://europa.eu/european-union/about-eu/history_en) - 2 July 2016.

dismissed and the states are resolving mutual differences by agreement or by any other peaceful means. Within the framework of the policy of enlargement to post-socialist states (and those in the area of the WB), the EU is not mentioning the security criterion, however, as it seeks to avoid introducing new divisions and conflicts, it always takes into account this criterion as well.<sup>133</sup> The Energy Community has an ambition to develop into a framework for universal regional cooperation in the WB area, and as a form of "wider Europe" it aims to "promote stability and prosperity within and beyond the new borders of the Union" and "to develop a zone of prosperity and friendly neighbourhood – a 'ring of friends' – with whom the EU enjoys close, peaceful and co-operative relations"<sup>134</sup>, because the stability and security of neighbourhood enhance the EU security (even the energy-related one). Solioza and Stubbs are talking about a new wave of regional cooperation that is imposed from the outside, as a kind of "peace-building project" because it is being established through promoting cross-border activities such as transport (for example, gas transport), trade and tourism, but also guarantees security and stability, and possibly leads to political integration (Solioza and Stubbs, 2009:5).

For the operationalization of the regional cooperation in the WB the energy sector was chosen, and the Treaty establishing the Energy Community was the first legally binding agreement between the states of the WB since the end of the 1990s wars. Regional cooperation is inherent in the transnational aspect of the energy security, which can rarely be a national category (except in the case of energy self-sufficiency, which is rare), but is almost always transnational. For this reason, the regional energy infrastructure projects have a priority over the national ones, and the choice of the energy policy of one state has an impact on the other.

The goals of the ECom are a diversification of gas supply in order to enhance the energy security, but also to achieve and maintain peace and stability<sup>135</sup>. They are

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<sup>133</sup> For more details, see Vukadinović R., Čehulić Vukadinović L., „Evropska ideja od Karla Velikog do Evropske unije“, chapter IV.2 Politika proširenja EU, Crnogorska akademija nauka i umjetnosti, Podgorica, 2016.

<sup>134</sup> COM(2003) 104 final, p. 4.

<sup>135</sup> Along with enhanced and sustainable economic development in the Southeast Europe, according to the Energy Community Treaty. [https://www.energy-community.org/portal/page/portal/ENC\\_HOME/DOCS/2178178/0633975AD2077B9CE053C92FA8C06338.PDF](https://www.energy-community.org/portal/page/portal/ENC_HOME/DOCS/2178178/0633975AD2077B9CE053C92FA8C06338.PDF) -

comparable to the goals of the European Coal and Steel Community, the embryo of the today's EU. "The common interest of protecting these two industries (coal and steel) created enough trust among the founding countries to expand their cooperation into many other political fields. And the prosperity it brought to its citizens inspired additional European countries to join over the years, bringing the Community from six countries back then to today's 28 Member States of the European Union."<sup>136</sup> Likewise, the ECom institutionalises a cooperation regarding the energy policies of the WB states expecting that, in accordance with neo-functional approach, it will have a spill-over effect to other areas, too. It is expected that the cooperation in the energy sector through strengthening of interdependence and creation of trust and partnership between the states, may result in development of a "new political community" (Haas, 2004: 16) on the WB, an area that has an inherent political fragility and tensions.

The EU seeks to turn its neighbourhood into a security community also because of its own vulnerability to developments in the immediate neighbourhood. "Interdependence – political and economic – with the Union's neighbourhood is already a reality", and "closer geographical proximity means the enlarged EU and the new neighbourhood will have an equal stake in furthering efforts to promote trans-national flows" (in the original source, trade and investment are being mentioned, but this can also refer to gas) and "shared interests in working together to tackle transboundary threats"<sup>137</sup>. The energy security of the importing countries, in particular the importers of gas, depends on secure energy supplies and a secure route for their transport, so the political stability of the exporting country and the countries through which they transit is also of great importance. Due to perception of interdependence, by way of externalisation of its energy policy through multilateral initiatives such as the Energy Community, the EU is trying to govern its neighbourhood, and this EU external governance should contribute to creating a security community in the neighbourhood. According to T. Borzel, EU has "the transformative power" and "seeks to transform the domestic structures of the WBC in order to foster peace, stability and prosperity in the region ridden by war and ethnic conflict" (Borzel, 2011).<sup>138</sup>

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<sup>136</sup> Maroš Šefčovič's blog, The "road" to the Western Balkans integration. [https://ec.europa.eu/commission/2014-2019/sefcovic/blog/road-western-balkans-integration\\_en](https://ec.europa.eu/commission/2014-2019/sefcovic/blog/road-western-balkans-integration_en) - 31 January 2017.

<sup>137</sup> COM (2003) 104 final, p. 3.

<sup>138</sup> The transformative effect of the EU is also mentioned by Samardžija, V. (2007: 199-213).

The main identity of the EU as a "security community" was strengthened in an altered geopolitical environment. The EU has therefore turned to external governance in the area where it seeks to enhance its security against the threats that come from the outside, from the "others". The choice of energy field as a content of external governance is not random since the EU "will try to expand its sphere of governance in particular in areas which have become securitized inside (and) where vulnerability is attributed to developments in the third country in question" (Lavanex, 2004: 686). The choice of the area of the Western Balkans as an object of external governance is consistent with the expectation that the EU will opt for the external governance "in those issues identified as 'threats to mutual security'" and this in a way so that it will expand its legal boundaries in "a more strategic attempt to gain control over policy developments" (Lavanex, 2004: 685-688).

The creation of a security community on the WB is not only a prerequisite for the integration of these states into the EU, but also to make use of this space for diversification of the gas supply routes to the EU, since the geopolitical stability and security is a prerequisite for the investments in expensive infrastructure projects in any area. As energy issues are being used as an area of strategic competition both by Russia and the EU, the decisions concerning the gas supply that include the WB, due to specific geopolitical constellation of that region, may have a significant impact on energy-related and other types of security of the EU. Therefore, the conversion of the WB into some form of a non-institutionalised security community will contribute not only to enhanced energy security, but to the overall security of the EU. Thus, also through the externalisation of its policies, the EU this time seeks to actively contribute to avoid repeating of military conflicts from the early 90s in its immediate neighbourhood, among other things, because of the spill-over effect, if not of a conflict, then of the consequences.

## **Conclusion**

The aim of this paper was to examine the interdependence of the EU MSs and the WB states related to energy security, as well as how the EU is trying to govern this interdependence. EU does this through external governance of a wider regional community ("wider Europe"), that is, by way of externalisation of its energy policy or by

external Europeanisation whereby it proves its transformative power. The external strategies of the EU have an economic but also a significant security dimension, which is related to the regional dimension and the project of creating a security community.

The best example is the establishing of the Energy Community with the aim of creating coherent and coordinated energy policies of the EU MSs and the neighbouring WB states. This is a prerequisite so as to achieve an acceptable level of the gas supply security for both the EU and these states, since the gas supply security is always transnational, but also an issue closely related to geography. The coherence is necessary not only because of the envisaged integration of these states into the EU, but also because of their potential transit role in the gas supply to Central and Western Europe. Their non-integration decreases their potential to contribute to the EU energy security, and could also be a destabilising factor and a new threat to the security of the EU member states, since "(none) organised European sub-region can be a means of (de)stabilisation of Europe" (Nakić, 2013). Due to its geographical position and the EU membership, the Republic of Croatia is interested in the accession of its WB neighbours to the EU, not only, but also because of the enhancing of the energy security.

This paper tackles only the concepts promoted by the Energy Community and CESEC, therefore many issues remain for further investigation: for example, the level of implementation of the EU legislation in the WBC, to what extent has the establishing of the Energy Community influenced the governments of the WBC to project their energy preferences onto the EU level, etc. Finally, it remains to explore the key question – given the small geographical size of the Western Balkans, whether energy controversies in this area are less a matter of competing for control over the gas infrastructure, and more a matter of broader foreign policy interests.

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