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THE EU ENERGY RELATIONS WITH UKRAINE IN THE CONTEXT OF THE POLITICAL DISCOURSE¹

Lukáš Tichý*

ABSTRACT

This article addresses the issue of the energy relations of the European Union and Ukraine, while the focus is, however, not on the technical and institutional aspects of the relationship, but rather on the discursive formations that determine the prevailing interpretation of the relationship by both parties. The main objective of the article is to analyse and interpret the energy discourse of the European Union towards Ukraine in the years 2004-2009 based on the identification of the fundamental discursive approaches. Building on a detailed discourse analysis of 130 statements and documents published by various EU institutions and selected political representatives of the European Commission, the article - within the individual discourses - focuses on: (a) their content; (b) their major themes; (c) their interpretation by the political representatives of the European Union; and (d) the role of norms in promoting the interests of the EU vis-à-vis Ukraine. The theoretical part of the article is rooted in social constructivism, which in relation to discourse analysis – the basic methodological tool employed in the article – reflects a number of theoretical assumptions.

Key words: discourse analysis; European Union; energy; constructivism; thematic analysis, Ukraine

Introduction

Although the importance of Ukraine as a transit country for transportation of Russian oil and gas to Europe has been gradually decreasing in the last few years², and in the future it will continue to decrease³, Ukraine remains a key

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² Currently only approximately 40% of all natural gas supplies from the Russian Federation pass through Ukraine to Europe.

³ The importance of Ukraine as a key transit country is currently being questioned, particularly in the

strategic partner of the European Union (EU) in the context of energy security. This is confirmed by the current crisis between the Russian Federation (RF) and Ukraine. The ongoing fighting in the east of the Ukrainian territory and the inability of the Ukrainian government to pay to Russian company Gazprom for gas deliveries poses a real threat of partial restriction or complete interruption of energy supply (oil and gas) from Russia through Ukraine to European countries. This, subsequently, increases the importance of Ukraine to the EU in terms of ensuring stable and uninterrupted supply of oil and gas.

Ukraine is located on a major transit route and has a dense network of pipelines, which continue to represent an important connecting link between the largest consumer (the European Union) and the largest supplier (Russia). On the other hand, Ukraine has for a long time struggled with the problem of its obsolete infrastructure, which dates back to Soviet era, and the transit instability caused by the periodic crises in its relations with Russia, which affected European consumers in particular. The primary interests of the EU in relation to the Ukraine are, therefore, (a) the development of stable energy cooperation; (b) the reform of the energy sector of Ukraine and the modernisation of the energy-transportation infrastructure to meet the obligations towards the EU; and (c) an increase of energy security and reliability of the energy supplies transiting Ukrainian territory.

Although Ukraine and its energy-transportation infrastructure continue to play an important role for the energy security of the EU, scholars have not paid the subject of the energy relations between the EU and Ukraine adequate attention so far. This is contrary to the subject of energy relations of the EU and Russia, which have been covered by a large number of expert studies, articles and monographs (for more on this see **Proedrou**, 2007; **Aalto**, 2008; **Kirchner**, **Berk**, 2010; **Esakova**, 2012; **Kuzemko**, 2014). The second problem lies in the nature of the few available scholarly publications on the energy relations between the EU and Ukraine (also cf. **Umbach**, 2011; **Gazizullin**, **Lozovyy**, 2011; **Leshchenko**, 2012). The authors of these publications in most cases predominantly focused on the material conditions of the energy interactions

context of the newly planned pipelines (Yamal-Europe 2 and the second phase of the Nord Stream pipeline – Nord Stream 3 and 4), which should double the existing capacity of the current pipelines for gas transports from Russia to Europe. The representatives of Gazprom have therefore repeatedly announced that they do not expect a full utilisation of the capacity of the Ukrainian corridor for future gas exports to the EU.

between the EU and Ukraine and the institutional structure of these relations embedded in a non-discursive framework. On the contrary, the more generalising aspects of the energy relations between the EU and Ukraine, which could contribute to a deeper understanding of the mutual energy relations as a whole, were paid almost no attention at all in the expert literature so far, with only a few exceptions (see **Kratochvíl, Tulmets**, 2010).

The main goal of this article is, therefore, to try to overcome this predominantly material and institutional way of looking at the EU-Ukraine energy relations and to analyse and interpret these relations by using elementary discursive approaches that influence our actions and our thinking. Without their presence our actions would be rooted only in material interests and as such would become purely mechanical. At the same time, analysis of energy discourse EU towards Ukraine in the period 2004-2009, during which a number of important incidents took place, will help to understand better the current theme of the discussions of the EU energy relations with Ukraine, affected by civil war and conflict with Russia.

In order to achieve this objective, the author seeks the answers to the following questions: (1) What are the basic discursive approaches associated with the EU-Ukraine energy relations that can be found at EU level, and how do they differ from each other; or, vice versa, overlap, in regard to their content? (2) What are the main themes of the individual EU energy discourses in relation to Ukraine? (3) How are these themes interpreted by the selected EU political leaders? (4) What is the perception of Ukraine by the European Union in these energy discourses? (5) What are the main ideological values and norms promoted by the EU towards Ukraine as captured by the individual energy discourses?

The objective of this article is not to interpret the energy discourses in the individual member states (MS) or to analyse the influence and the position of individual member states in EU negotiations in the area of external energy relations with Ukraine. The author understands the EU as an international organisation of a distinctive integrative structure that has acquired a legal personality and strengthened its role in external relations with the entry into force of the Lisbon Treaty in December 2009. These changes allow selected EU institutions such as the European Commission to enter into international interactions with other actors and enter into agreements on behalf of the EU (Braun, 2011).

The theoretical part of the article is based primarily on social constructivism,

which, in relation to the discourse and the examined issues connected to it, such as the impact of values and norms⁴ on shaping the identity⁵ and the resulting relation to the EU's interests⁶, reflects several major theoretical findings. Methodologically, the article is based on discourse analysis, or, more specifically, on thematic analysis, which enables the author to examine the documents of the European Union. The author is paying particular attention to the political context of the discourse and therefore does not take into account the media or expert debate.

The structure of the article is as follows. The first part describes the theoretical and methodological framework for examining the analysis of the EU energy discourse. Furthermore, it defines the criteria for the selection of documents produced by the chosen EU institutions and the statements and interviews of EU representatives. The second part of the article contains a preliminary analysis of the selected speeches and documents. This analysis serves as the basis for the identification of several dominant EU energy discourses. Subsequently, the individual EU discourses on the energy relations with Ukraine are examined more specifically as to their content and related aspects with the aim of providing answers to the research questions.

1 The Theoretical and Methodological Framework and the Selection Criteria for the Documents

Given the fact that a great deal of attention has already been devoted to the analysis of the material sources and institutional structures in expert literature, this article will focus on the analysis of the political discourses that constitute the fundamental basis and the interpretative framework for the EU discourse on energy relations with Ukraine. *'The aim is to highlight the fact that these political discourses are not just a simple reflection of material reality, but that they have*

⁴ In a broader sense, it is possible to define norms as common principles that define how states should or should not behave in particular situations. This article understands norms as the suitable standards of behavior of actors with a given identity. On the concept of the norm see also Allison, 2013; Kratochwil, 1995.

⁵ In the view of the author, identity is a concept describing both the material and the intangible forces by which political and social realities are constructed. For more on identity see Chalániová, 2013; Griffiths, 2005.

⁶ *'Interest can be perceived as a correlation between an individual or collective actor and a material or non-material object he values'* (Pradetto, 2002, pp. 8-9).

the power to change the behaviour of actors and the nature and the form of the institutions that these actors create' (Kratochvíl, Tichý, 2013, p. 393).

1.1 The political discourse

One of the major problems of the political discourse lies in its definition. Currently, the concept of political discourse has no universally accepted definition. Quite on the contrary, it is possible to use varying theoretical methods when defining it (Chilton, 2004; Wilson, 2003). Most often, the concept of political discourse is defined by means of its actors, i.e. political representatives. Thus, a vast majority of studies dealing with political discourse focuses on documents, and speeches and statements of politicians and political institutions, such as the President, the Prime Minister, the members of government, the parliament and political parties, both at the local and at the national and international level. In addition to defining political discourse by means of the main actors – the politicians – **Van Dijk** proposes to expand the conceptualisation of political discourse to also include other relevant actors of the political process (whether or not these actors are actively involved in the political discourse), but also a whole range of other policy areas. Furthermore, **Van Dijk** pays attention to the nature of the political activity in question and to aspects of communication and policy-making by the actors of the political discourse (Van Dijk, 1997).

In the context of this article, the author adopted a narrower understanding of political discourse, taking into account only the political actors in the European Union. Although the discourse may differ from the actual behaviour of the political actor (see Searle, 1979; Kubáľková, Onuf, Kower, 1998), it plays an important role in social analysis because it always reflects the basic conceptual framework of the actor and its cognitive process. *'In this way the political discourse reveals the fundamental principles that are formative for the actor's behaviour and through which the actor interprets the political reality. The study of the political discourse also allows us to detect any inconsistencies in the employed rhetoric or manipulative techniques present in the discourse.'* (Kratochvíl, Tichý, 2013, p. 393)

1.2 The theoretical framework

In this article, the main theoretical approach employed in the examination of the EU discourse on the energy relations with Ukraine is that of social constructivism. It

is centred on the role of ideas in the discourse and the way in which interests and identities can influence behaviour (on social constructivism see also Hopf, 1998, pp. 171-200; Reus-Smit, 2009, pp. 212-236; Hurd, 2008, pp. 298-316; Epstein, 2013, pp. 499-519). For social constructivism, discourses do not represent simply abstract ideas, or ways in which people talk about and represent things that '*float far above the real world*'. Discourses are intimately tied to the institutional and social practices that profoundly affect the way we live our daily lives, and what we can do and what can be done to us (Burr, 2003, p. 75).

According to **Jennifer Milliken**, social constructivism reflects three theoretical assumptions in relation to discourse. First, there is the critical constructivist belief that discourse represents a semantic structure that constructs social reality. Second, discourse is understood as a socially productive phenomenon that allows the creation or reproduction of a discursively defined social reality. Third, there is the fact that the formation and legitimisation of social constructivism has oriented the research of discourse towards dominant discourses and the structuring of their meaning, which is connected to implementing practices and ways of making these intelligible and legitimate (Milliken 1999, pp. 229-230; Hynek, Střítecký, 2010, p. 85).

In a similar vein, from the point of view of social constructivism we can distinguish three aspects of the constructive effects of discourse. Firstly, discourse contributes to the construction of '*social identity*' and the 'subjective position' in relation to '*social actors*'. Secondly, discourse helps to construct social relationships between actors. Thirdly, discourse contributes to the construction of the system of cognition and values. These three effects correspond to the three functions of language (i.e. the '*identity*', '*relational*' and '*ideational*' function of language) and they capture the dimensions of meanings, which coexist and interact in all discourses. According to **Norman Fairclough**, the identity function is related to the way in which social identities are set up in discourse, the relational function corresponds to how social relationships between discourse participants are enacted and negotiated, and the ideational function corresponds to ways in which the text signifies the world and its processes, entities and relations (Fairclough, 1992, p. 64).

As has been noted above, social constructivism does not treat discourses and their interpretation as mere tools of the pursuit of the interests of the actors, as they represent the fundamental building blocks of the definition of their identity, which predetermines their interests and the way they will be pursued. According to social constructivism, the actors are not considered to be simply automatons, but

are recognised as having values and ideas. The ideas that rule society are conceived within the framework of discourse, and these ideas will determine societal norms, values and the political reality (Savigny, Marsden, 2011). At the same time, these values and norms, which are framed by discourse, influence and shape social identity (Howarth, Torfling, 2005). In order to understand the behaviour of the actors (the EU), it is crucial to understand their collective identity, because only the identities of the actors, which can change and evolve over time, determine their interests, which have to reflect the political discourse (Kratochvíl, 2008, p. 182).

1.3 The methodological framework

The main methodological tool used in this article is discourse analysis (Philips, Hardy, 2002; Johnstone, 2012, pp. 1-31), which is most often associated with either the structure of the language of the text or message, or the rhetorical or augmentative organisation of the text and speech (McNabb, 2004, p. 473). At the same time, discourse analysis examines patterns of language across texts and evaluates the relationship between language and the social and cultural context in which it is used. According to Brian Paltridge, discourse analysis focuses on how language presents different views and understandings of the world and how the relationships between participants influence the use of language, as well as what effects the use of language has on social identities and relations. It also considers how views of the world and identities are constructed using discourse (Paltridge, 2012, p. 2).

Discourse analysis in the context of this article is not to be understood as a specific method, but as an overarching methodology within which it is possible to combine different methods (Philips, Hardy, 2002, p. 3). The aim is to explore a number of documents and statements dealing with the issue of the EU-Ukraine energy relations in order to discover their basic themes, as well as the basic arguments presented in relation to them.

The main method of data analysis within the discourse-analysis methodology, which the author employs to examine the individual aspects of the EU energy discourse on Ukraine, is thematic analysis. Thematic analysis is a qualitative method of analysis based on the strategy of searching for and finding the key themes for characterising the relevant phenomenon. In essence, this research strategy is close to repeated source-text reading. The key is to detect patterns of content organisation and relationships within the analysed data,

which transform the emerging themes into analytical categories (for more on thematic analysis, see Hynek, Střítecký, 2010, p. 88; Braun, Clarke, 2006, pp. 77-101).

1.4 The corpus of documents and the criteria for their selection

In practical terms, the author first focused on the selection criteria for the documents to be examined and on defining the period the selected documents would cover. In the second stage, the author proceeded to create a corpus of documents containing speeches and interviews with selected representatives of the EU and documents produced by individual EU institutions dealing with the issue of the energy relations between the European Union and Ukraine. The selected documents originated in the period of 2004–2009, i.e. in the period of the first **Barroso Commission**, where a number of significant incidents took place that had a major impact on the energy relations between the European Union and its eastern neighbour Ukraine. This selection resulted in the inclusion of 130 documents in the corpus, which was subsequently divided as described below.

First, the author included the texts of six key representatives of the EU in the corpus (speeches, addresses and interviews). These leaders included **the** President of the European Commission **José Manuel Barroso**, the European Commissioner for External Relations **Benita Ferrero-Waldner**, the European Commissioner for Energy **Andris Piebalgs**, the European Commissioner for Enlargement **Olli Rehn**, the European Commissioner for Regional Policy **Danuta Hübner** (and **Pawel Samecki**, who held the same position from July to November 2009), and the Head of the Delegation of the European Commission to Ukraine and Belarus **Ian Boag** (and **José Manuel Pinto Teixeira**, who held this position from October 2008). The choice of the sample of EU political leaders was predetermined by anticipation of the presence of the subject of the EU-Ukraine energy relations in their statements, whereby the author only chose those documents in which the keyword 'Ukraine' or 'Ukrainian' was found in connection with 'energy'.

At the same time, two criteria were taken into account when choosing the political leaders. The first criterion was that the leader in question was required to mention repeatedly in his or her speeches and statements the issue of the energy relations between the European Union and Ukraine or the issue of

Ukraine in direct relation to the EU energy policy in the course of his or her term. The second criterion was the presence of an immediate influence of negotiations or direct decision-making on the selected political leader concerning the issue of the EU energy relations with Ukraine, in terms of foreign, security and economic policy.

In this way, the author obtained 98 unabridged documents (official and unofficial speeches and interviews). In all the cases, these were the complete and unabridged versions of the speeches and interviews of the selected representatives of the European Commission. A substantial portion (over 85%) of all the interviews and speeches were obtained from the official websites of the individual Commissioners. Only a small portion (less than 15 per cent) of them was obtained from the websites of other institutions and organisations or the sites of the leading world mass media (newspapers, TV stations and radio stations). The distribution of the selected statements and interviews by author and date of publication is summarised in Table 1.

Table 1: Speeches and interviews of the EU representatives

Year	Number of texts						Total
	A. Piebalgs	B. Ferrero-Waldner	J. M. Barroso	O. Rehn	D. Hübner/ P. Samecki	I. Boag/ J.M. P.Teixeira	
2004	0	1	1	0	0	0	2
2005	0	2	0	1	2	1	6
2006	8	4	4	2	3	3	24
2007	6	3	2	0	3	2	16
2008	5	4	2	4	3	1/1	20
2009	7	9	6	3	1/2	2	30
Total	26	23	15	10	14	10	98

Source: Author's Survey

In an identical manner, the author thereafter also obtained 32 key documents of an official nature that dealt with Ukraine and the issue of energy, and were published by various EU institutions. In all cases, these documents were obtained from the official websites of individual EU institutions. They comprise legislative texts in thirteen cases (40%) and staff working documents, evaluation reports, interim reports or recommendations of individual EU institutions in nineteen cases (60%). The distribution of documents across the

different EU institutions and their dates of publication are shown in the following table (Table 2).

Table 2: Documents of the individual EU institutions

Year	Number of documents of the selected EU institutions				
	European Commission	Council of the European Union	European Parliament	European Council	Total
2004	1	0	1	0	2
2005	2	1	1	0	4
2006	4	1	0	0	5
2007	3	1	3	1	8
2008	3	1	2	0	6
2009	3	2	2	0	7
Total	16	6	9	1	32

Source: Author' Survey

2 An Overview of the EU Energy Discourse on Ukraine

A preliminary analysis of these documents using thematic analysis revealed that the EU energy discourse on Ukraine employs three basic approaches – the cooperative approach, the modernisation approach and the security approach. In the analysis of the selected documents, the author proceeded by identifying the key phrases or concepts that relate to these three discourses. An overview of these phrases is included in Table 3. Within each of the three EU energy discourses on Ukraine, in addition to their content, the common as well as the different features and the approach of the selected EU political leaders to the fundamental issues are examined. Furthermore, in relation to Ukraine the author will also monitor the relationship of the EU norms and ideological values to the identity of the EU and their resulting influence on the interests of the EU concerning Ukraine.

Table 3: Key words and terms related to the three discourses

Discourse of	Key words and terms
Cooperation	Mutual relations Cooperation and partnership Integration The energy community Implementation of agreements

Modernisation	Keeping obligations Reform and efficiency Modernisation Transparency Investment
Security	Energy security Energy crisis Diversification Alternative routes, sources and projects Energy Charter Treaty (ECT)

Source: Author's Survey

2.1 The EU cooperation discourse

As the analysis of selected European Union documents and speeches has revealed, despite the frequent use of the term *'energy security'* associated with the security discourse in the media, the cooperation discourse is clearly the predominant EU discourse on Ukraine. This discourse is characterised by certain ambivalence. On the one hand, the cooperation discourse emphasizes the specific bond between the European Union and Ukraine and the positive potential of their energy relationship, which should be further deepened so that it would become a strong partnership resulting in mutual economic benefits. On the other hand, however, the cooperation discourse makes a successful energy cooperation dependent on establishing a clear legislative and institutional framework and a mutual rapprochement in the form of the eventual integration of the Ukrainian energy market in the European Union gas and electricity market.

In both the cooperation and the modernisation discourse, the EU is aware of the importance of Ukraine, which is a *'key energy transit country for the EU, in particular for Russian gas and oil'*, in the field of energy (Boag, 2006a; likewise Piebalgs, 2009a, but also Barroso, 2009a). In the cooperation discourse, the emphasis on the strategic position of Ukraine is associated with the relatively frequent use of the term *'mutual relationship'*, which underlines the importance of this transit country in the EU energy policy. This was confirmed, for example, by the demand of **Ferrero-Waldner** in a statement by her: *'... we want to create mutual and firm ties with Ukraine'* (Ferrero-Waldner, 2007). But it was also confirmed by **Olli Rehn**, who expressed the need for a further rapprochement between the EU and Ukraine, adding that *'[t]he EU is committed to closer ties with Ukraine'*, whereby *'...the energy sector remains a key element in EU-*

Ukraine bilateral relations' (Rehn, 2008a but also European Commission, 2005a; Hübner, 2008; Boag, 2006b).

The main object of the definition of the EU-Ukraine relations is the energy cooperation, where *'re-enforced cooperation with Ukraine is a key element of our considerations in this respect'* (Piebalgs, 2006a) and therefore, *'we need to continue to pursue [a] close energy cooperation with Ukraine'* (Ferrero-Waldner, 2006 or Hübner, 2006a). In the context of the energy cooperation between the EU and Ukraine, the cooperation discourse emphasizes the bilateral economic profitability, where the EU *'... foresees increased cooperation in all energy fields ..., with the long term perspective of a future integration of European Union and Ukraine energy markets. This will be of mutual benefit to both Ukraine and the EU'* (Ferrero-Waldner, 2005, but also Rehn, 2008b).

From this perspective, the utility of the energy cooperation is suggested by the symmetrical perception of the bilateral relations. It is confirmed by the EU's commitment to further strengthening the cooperation so that it would lead to a mutual partnership where *'...Ukraine is a strategic (energy) partner for the Union ...'* (Ferrero-Waldner, 2007; Barroso, 2007; Teixeira, 2008) and both parties confirmed *'their joint strategic interest in energy cooperation ...'* (Council of the EU, 2008, p. 5; Ferrero-Waldner, 2009a).

On the other hand, an important element of the cooperation discourse is the fact that the symmetry with respect to the mutual benefits of the partnership is associated with significant asymmetry in terms of adjustment. In other words, if we deal with the subject on a more abstract level, in the framework of the cooperation discourse the EU unequivocally assumes the role of a *'normative power'* (Manners, 2002) vis-à-vis Ukraine. The cooperation of the EU and Ukraine basically boils down to Ukraine adopting the EU norms and values for the sake of competition policy, economic transparency and improving the investment climate in Ukraine. The identity of the *'normative actor'* (Tocci, 2008) is based on the promotion of its own norms, values and rules – in particular, the economic norms, values and rules that are to be adopted by Ukraine. At the same time, in the context of this normative identity the EU promotes its normative and integrative interests in relation to Ukraine with the aim of ensuring Ukraine's integration and approximation of Ukraine to the EU, thus bringing some predictability into the mutual energy cooperation.

The proponents of the cooperation discourse – contrary to the proponents of the modernisation discourse – accentuate the special relationship between the European Union and Ukraine and refuse to see this relationship as a mere trade

partnership. The second difference between the cooperation and the modernisation discourse that the author identified is that in the former, an important condition for a successful cooperation is not just the liberalisation/modernisation of markets as such, but also a clear institutional framework that regulates the relations between the two actors. For this reason, a successful cooperation in the cooperation discourse is conditioned by creating a clear framework regulating the mutual relations between the EU and Ukraine.

Firstly, in its energy relations with Ukraine, the European Union promotes the creation of a legislative framework based on the implementation of legally binding agreements on the part of Ukraine. It is, for example, the Memorandum of Understanding on cooperation in the field of energy between the European Union and Ukraine (MoU),⁷ which *'provides a comprehensive framework for cooperation in key energy sectors'* (see Council of the EU, 2005, p. 3, likewise Boag, 2006b), or the EU-Ukraine Action Plan (AP)⁸, which – inter alia – obliges Ukraine to carry out a *'gradual convergence towards the principles of the EU internal electricity and gas markets'* in the area of energy (European Commission, 2005b, p. 33). These provisions will then *'reinforce [the] EU-Ukraine energy policy cooperation'* (Hübner, 2006b). Secondly, the EU believes that an enhanced cooperation can only work if Ukraine joins the Energy Community⁹, which *'will result in the gradual integration of the Ukrainian market into the single EU energy market ...'* (European Commission, 2009; European Council, 2007).

These demands show a certain degree of Europeanisation, as, for example, the gradual adoption by Ukraine of the EU energy *acquis* *'would constitute a significant step towards Ukraine's objective of gradual economic integration and [a] deepening of [its] political cooperation with the EU'* (European Commission, 2005a, p. 1). **José Barroso** made a similar statement, according to which *'the deal would be that Ukraine [would] adopt EU rules for its energy market'*, which would constitute a contribution *'for building a stable and viable gas sector in Ukraine'* (Barroso, 2009b).

⁷ The MoU was signed by the representatives of the EU and Ukraine on 1 December 2005.

⁸ The AP was signed by the representatives of the EU and Ukraine in 2005.

⁹ Ukraine became a member of the Energy Community in February 2011.

2.2 The EU modernisation discourse

The second discourse that the author identified by analysing the selected documents and speeches is the modernisation discourse. In contrast to the cooperation discourse, the modernisation discourse focuses primarily on the reform of the energy sector of Ukraine and the modernisation of Ukraine's transport infrastructure and transit systems. Such a modernisation is supposed to lead to greater transparency, greater openness and an improvement of the market and investment environment, resulting in mutual economic benefits.

On the other hand, the modernisation discourse is very often present in conjunction with the cooperation discourse throughout the examined documents and speeches, as they do share many common aspects in spite of the differences stated above. The modernisation discourse and the cooperation discourse both emphasize cooperation between the European Union and Ukraine based on economic aspects rather than security aspects. While from the perspective of the cooperation discourse the creation of a legally binding framework governing the mutual relations is a prerequisite for a successful cooperation, the modernisation discourse in this context stresses, in particular, the process of meeting the obligations of Ukraine towards the European Union in the field of energy, resulting from the implementation of agreements and contracts and the humiliating integration into the Energy Community.

By signing the Memorandum of Understanding on energy between the EU and Ukraine in 2005, for example, Ukraine committed itself to a gradual change in four areas of the domestic energy sector, which include nuclear safety, the integration of the Ukrainian market for electricity and natural gas into the EU market, the security of energy supplies and transport and the improvement of the functioning of the Ukrainian coal sector (European Commission, 2005a).¹⁰ Therefore, in the interim reports of the Council of the European Union *'the leaders of Ukraine and the EU reaffirmed their joint strategic interest in energy cooperation. They welcomed the significant progress achieved in implementing the priorities of the EU-Ukraine Memorandum of Understanding on cooperation in the field of energy ...'* (Council of the European Union, 2007, p. 3, 2008, p. 5, also in Boag, 2006b).

Similarly, since 2006, Ukraine has been under certain obligations by gaining observer status in the Energy Community and committed itself to the gradual

¹⁰ Since 2008, energy efficiency and renewable sources were further added to these areas.

integration of the domestic energy market into the EU market, which ‘... is based on common principles [and] values and ... Ukraine should form part of such a wider Energy market’ (Piebalgs, 2006a). Furthermore, according to **Andris Piebalgs**, ‘...both sides consider [the] membership of Ukraine in the Energy Community as the appropriate solution’ (Piebalgs, 2006a; Council of the EU, 2008, p. 6). However, this entails further obligations for Ukraine, in particular negotiating the exact timeframe for the implementation of the complete set of EU gas laws ‘in the framework of its negotiations for accession to the Energy Community Treaty’ (Piebalgs, 2009a; Ferrero-Waldner, 2009b). It also ‘requires [a] strong commitment of the Ukrainian government to the process of reforming its electricity and gas sector’ (Piebalgs, 2006a, likewise Hübner, 2006a).

In the framework of the modernisation discourse as well as the cooperation discourse, the EU, on the one hand, has the identity of a ‘*normative actor*’, which is based on the EU norms and values promoted in its relation towards Ukraine. At the same time, by calling for market integration and the adoption of EU norms and legislation, the modernisation and the cooperation discourse emphasize the greater economic maturity of the EU and the asymmetry between the EU and Ukraine. On the other hand, these predominantly market-related and energy-related norms and values that are supposed to regulate the energy relations between the EU and Ukraine and bring both sides maximum benefits and profits at the same time move the identity of the EU rather towards that of a ‘*normative-rationalist actor*’ (Kratochvíl, Tulmets, 2010, pp. 30-46). The European Union as a ‘*normative-rationalist actor*’ then promotes rationalist and liberalisation-related interests and uses its influence to trigger changes in the behaviour of Ukraine, which should contribute to a greater openness of the mutual trade. In this respect, the modernisation discourse then emphasizes symmetry rather than asymmetry in the EU-Ukraine energy relations.

From a rationalist point of view, the modernisation discourse conceives of the reform of the energy sector of Ukraine and the modernisation of the Ukrainian transit system as key elements that should help to reinforce and increase the benefits and the efficiency of the mutual energy cooperation.¹¹ This was confirmed, for example, by **Andris Piebalgs**, who claimed that the

¹¹ The representatives of the European Commission and Ukraine signed a joint declaration of the EU and Ukraine on the modernisation of the Ukrainian gas-transportation system on 23 March 2009.

European Commission intensively '*...supports the reform of the Ukrainian energy sector and market*', as a successful reform will bring about a '*greater openness of the Ukrainian gas and electricity market and facilitate market and infrastructure access...*' (Piebalgs, 2006a; European Commission, 2005a, p. 6). Similarly, **Danuta Hübner** stated the following: '*Some of these necessary energy reforms would aim at making the business environment less burdensome for companies but at the same time rendering energy business in Ukraine more open and transparent*' (Hübner, 2006a).

Intrinsically linked to the requirement for reform is the emphasis on the modernisation of the Ukrainian transit system and transportation infrastructure, particularly in the natural gas sector, as '*the gas transit system across Ukraine is one of those vital energy arteries that keeps the European body functioning. It has been essential for many years and it will remain of strategic importance for the EU...*' (Barroso, 2009a). Therefore, according to **Andris Piebalgs**, '*...Ukraine must make sure it continues to be an attractive transit option. For this, modern and reliable infrastructure is of utmost importance*'. He also said, '*I welcome that it identifies priority projects for modernisation and reconstruction of all the main facilities of importance for the transit to Europe...*' (Piebalgs, 2009a, likewise Rehn, 2009 or Teixeira, 2009).

The modernisation of the energy infrastructure will result in the '*transparency and efficiency of the transit system of Ukraine*', which are '*essential to creating the climate of confidence which is a sine qua non for investment*' (Ferrero-Waldner, 2009b), and '*... set out a framework for permitting the necessary investments that will bring advantages to all sides*' (Ferrero-Waldner, 2009b, but also Barroso, 2009a; Piebalgs, 2009a).

2.3 The EU security discourse

The third discourse analysed in this article is the security discourse. While in the case of the two previous discourses the emphasis was on the technical and economic aspects of the cooperation, the security discourse focuses on the security and political aspects of the energy relations between the EU and Ukraine. Furthermore, while the cooperation and the modernisation discourses are in some ways related and it is possible to imagine a single speaker employing both discourses interchangeably, the security discourse has a rather different focus - with certain exceptions.

Firstly, the security discourse focuses its attention on issues related to

security risks and threats that exist in the mutual EU-Ukraine energy relations. In this context, the most frequently discussed issues are the effects and consequences of the previous energy crises between Russia and Ukraine. For example, there was *'the recent crisis between Russia and Ukraine, which had a serious knock-on effect in some EU Member States ...'* (Barroso, 2006) and *'provided a sharp reminder of the importance of energy security, and its susceptibility to political manipulation'* (Ferrero-Waldner, 2006). This was also confirmed by **José Barroso**, according to whom through no fault on the EU side, *'we have had to plunge into [the] dispute between Russia and Ukraine on gas transit'*, whereby *'[i]t was utterly unacceptable that European gas consumers were held hostage to this dispute between Russia and Ukraine'* (Barroso, 2009b, 2009c). However, **Andris Piebalgs** did not rule out that the *'energy crisis can occur again. From this I concluded that our power is not safe'* (Piebalgs, 2009b).

Secondly, while the EU cooperation and the modernisation discourse perceive Ukraine as a reliable and stable trade and energy partner, this is not always the case. For example, **Ferrero-Waldner** clearly highlighted that *'the gas conflict between Russia and Ukraine of course distorted a lot. Also the trust [was distorted]... both in Russia and Ukraine'* (Ferrero-Waldner, 2009c), and *'it is very clear that both parties have lost their reputation as reliable energy partners of the European Union'* (Piebalgs, 2009b, but also Rehn, 2009a).

Thirdly, although the relationship between Ukraine and the European Union is symmetrical, both parties also need to be seen partly as rivals. This rivalry in the relationship, however, intensifies mostly in times of energy crises or immediately after them. For example, when *'the gas dispute ... triggered the debate on the security of [the] supply to the European Union'* and *'underlined the need for [a] more cohesive and proactive EU-wide energy security policy'* (Piebalgs, 2006b), which should be based on a diversification of energy sources, routes and suppliers. Similarly, **Olli Rehn** stated that *'the recent Russia-Ukraine gas crisis illustrates the urgent need for diversification and investment'*, for example *'in LNG terminals, [in] gas storage facilities and in gas pipelines for diversification of supplies'* (Rehn, 2009b, but also Piebalgs, 2006b, Barroso, 2009c; Boag, 2006b), through which we *'could get gas from the Caspian region and [the] Middle East'* (Piebalgs, 2006b). Finally, *'we need to build a connection to be able to bring this gas to Europe ...'* (see more European Commission, 2007).

The security discourse derives the identity of the European Union as a 'soft

security actor' (Rieker, 2007; Zwolski, 2009) from the security norms of the EU, which in its relations with Ukraine are understood as a defensive tool for ensuring its own energy security. Moreover, this identity shapes the security and the diversification interests of the EU, which aim toward reducing the dependence on Ukraine, and the diversification of transport routes, sources and suppliers to increase the EU's bargaining power. However, the diversification in the relations between the European Union and Ukraine is not presented as a process of running away from or terminating the energy interactions. This was confirmed, for example, by **Ian Boag**: *'Ukraine is obviously very important for the EU ..., and I think it will continue to be so for a long time even if the additional pipes are constructed because the amount of consumption (in Europe) will probably increase'* (Boag, 2006a). On the contrary, the interest of the EU is in strengthening the energy security through an enhanced cooperation with Ukraine and in increasing its energy stability and reliability.

The EU security discourse shares some common arguments regarding these interests with the two previous discourses. Firstly, the security and the cooperation discourse agree on the need for *'the involvement of Ukraine in the development of [the] Nabucco Gas Pipeline Project ... [which aims] to diversify energy sources and to achieve a higher energy security in the region...'* (Piebalgs, 2007). At the same time, the two discourses are also in agreement concerning the development of a joint strategy between the European Union and Ukraine on a common energy security *'based on the principles of the Energy Charter Treaty (ECT), such as openness, transparency and reciprocity as regards access to markets and investments'*. Such agreement is present also regarding the necessity to strengthen the mutual energy cooperation, which *'ensures a safe, transparent and reliable transit system of energy between Ukraine and the European Union'* (European Parliament, 2008, but also Hübner, 2008). Last but not least, if *'countries such as Ukraine... are also [progressing toward bringing] their national markets closer to the EU market ... [it] will offer [an] increased security of [the] energy supplies... of the EU'* (Teixeira, 2009).

Secondly, the security discourse, as well as the modernisation discourse, sees the reform of the Ukrainian energy sector and the modernisation of its transport infrastructure as a positive prerequisite and an important tool for enhancing the energy security of the EU. Thus, *'[t]he modernisation of the Ukrainian gas transit system is not only important for EU energy security but also for ... [the] economic development of Ukraine itself'* (Piebalgs, 2009a). In a similar vein, the successful reform of the energy sector of Ukraine can

contribute ‘... to restoring confidence and confirming Ukraine’s status as a reliable energy partner’ (Ferrero-Waldner, 2009b). We suggest answering the research questions from the Introduction in the Conclusions part of this paper, even though the answers are present in table form in Table 4.

Table 4: The main themes of the three EU energy discourses and the related questions

Criteria	Cooperation Discourse	Modernisation Discourse	Security Discourse
Main themes	<ul style="list-style-type: none"> - Emphasizes the positive potential of the partnership; - Ukraine is seen as a key transit country; - Focuses on the economic benefits of the mutual cooperation; - Places emphasis on the legislative and institutional framework for the mutual energy relations; - Calls for Ukraine’s accession to the Energy Community and the implementation of the EU <i>acquis</i> by Ukraine; - Demands a mutual rapprochement and the integration of the EU and Ukrainian markets 	<ul style="list-style-type: none"> - Focuses on the economic aspects of the cooperation; - Stresses the importance of Ukraine as an energy partner; - Calls for a systematic reform of the Ukrainian energy sector; - Places emphasis on the modernisation of the transport infrastructure and transit system of Ukraine; - Demands that Ukraine meets the EU obligations in the field of energy 	<ul style="list-style-type: none"> - Stresses the security and political implications of the energy relations; - Ukraine is perceived as a problematic energy partner; - Places emphasis on diversification; - Requires compliance with the principles of the ECT on the part of Ukraine; - Sees a positive effect for the enhancing of the energy security of the EU in the reform of the Ukrainian energy sector and the modernisation of its transport infrastructure, but also in the integration of the EU and Ukrainian energy markets

<p style="text-align: center;">The meaning of EU norms and values in the energy relations of the EU and Ukraine</p>	<p>The European Union promotes economic norms and values in its energy relations with Ukraine, and Ukraine should adopt them in the process of integration and mutual rapprochement.</p>	<p>The European Union employs market and energy norms for regulating the energy relations, which should bring maximum benefits for both sides.</p>	<p>The EU employs security norms and values in its relations with Ukraine as a defensive tool with the aim of eliminating potential threats and risks and safeguarding its own energy security.</p>
<p style="text-align: center;">The relationship between norms/ values and the identity/interests of the EU</p>	<p>A significant influence of norms and values on the identity of the EU, which, as a <i>'normative actor'</i>, prefers normative and integrative interests vis-à-vis Ukraine.</p>	<p>Norms shape the identity of the EU, which – as a <i>'normative rationalist actor'</i> – stresses its liberalisation and rationalist interests.</p>	<p>An influence of norms and values on the identity of the EU, which, as a <i>'soft-security actor'</i>, advocates its diversification and security interests in relation to Ukraine.</p>

Source: Author' Survey

Conclusions

The main objective of this article was to analyse the EU energy discourse on Ukraine based on an identification of the various discursive approaches. A set of selected documents of EU institutions and some statements of, speeches of and interviews with six leading representatives of the European Commission from the period of 2004-2009 were used as the basis for the examination of the EU energy discourse. The subsequent analysis revealed the presence of three EU discourses on Ukraine, namely (1) the cooperation discourse, (2) the modernisation discourse and (3) the security discourse. When further examining these discourses, the author focused on: (a) the common and the differing aspects of the individual energy discourses; (b) their major topics; (c) their interpretation by the EU and the perception of Ukraine by the European Union; and (d) the relationship of norms and values between the identity of the EU and its influence on the interests of the European Union towards Ukraine.

The dominant EU energy discourse on Ukraine is the cooperation discourse, which recognises the importance of Ukraine as a transit country and emphasizes the usefulness and the benefits of the bilateral EU-Ukraine energy cooperation. On the other hand, it sees the EU's efficient energy cooperation

with Ukraine as being contingent on the creation of a clear legislative and institutional framework and the integration of the Ukrainian energy market into the EU energy market. The cooperation discourse is in many ways linked to the second discourse, the modernisation discourse. The modernisation discourse – like the cooperation discourse – stresses in particular the economic aspects of the cooperation, which it sees as being reliant on the reform of the energy sector of Ukraine and the modernisation of the Ukrainian transport infrastructure and transit system. In the view of the modernisation discourse, a successful accomplishment of these goals would improve the investment climate in Ukraine, strengthen the energy cooperation and result in huge benefits for both parties.

The third discourse is the security discourse, which has been gaining strength particularly in the times of the energy crises. The security discourse pays special attention to the political and security implications of the energy relations between the European Union and Ukraine. In this respect, it is significantly different from the modernisation and cooperation discourses. On the other hand, the security discourse, like the cooperation and modernisation discourses, emphasizes the necessity for a legally binding and technical framework for the mutual energy cooperation, which the discourses see as an important tool for ensuring and enhancing the energy security of the EU.

All three discourses manifested – with a varying level of intensity – a clear and direct influence of values and norms on the formation of the identity of the European Union, which, in turn, influenced the interests and preferences of the EU towards Ukraine.

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