

# EU–Russia Energy Dialogue: economic and political dimensions

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## Abstract

Against the background of strong and long-standing energy interdependence between the European Union and Russia, the two partners agreed in 2000 to launch the Energy Dialogue, which was intended to intensify their cooperation and to eliminate related problems.

The political and economic dimensions of the EU–Russia Energy Dialogue are presented and studied in this article. The aim is to analyse the scale of their impact on the basis of some important projects within this dialogue, taking into account the overall context. The results of conducted analysis demonstrate that while this comprehensive instrument for jointly creating the future of the two co-dependent partners should bring apparent improvements, its functionality is hindered by various economic and political factors. The latter, in particular, have had a significant impact, putting the Energy Dialogue on hold, not lastly with the outbreak of the Ukrainian crisis and growing bilateral and multilateral political tensions. Today, 20 years after the commissioning of this seemingly so fruitful platform of the Energy Dialogue, we are looking at a very disappointing intermediate assessment. Various problems of the Energy Dialogue hinder not only cooperation development based on trust, legal norms and understanding, but also existing and partly active projects, such as the *Roadmap EU–Russia Energy Cooperation until 2050* and *Nord Stream 2*, which are being pushed into the uncertain future. However, in view of existing and possible further projects in the energy sector, it is necessary to create the functional dialogue format.

**Keywords:** European Union, Russia, EU–Russia Energy Dialogue, energy relations

## Dialog energetyczny UE–Rosja: wymiar gospodarczy i polityczny

### Streszczenie

W kontekście silnej i długotrwałej współzależności energetycznej między Unią Europejską a Rosją, obaj partnerzy uzgodnili w 2000 r. rozpoczęcie Dialogu Energetycznego, który miał na celu zacieśnienie współpracy, a jednocześnie wyeliminowanie powiązanych problemów.

W niniejszym artykule przedstawiono i przeanalizowano wymiar polityczny i gospodarczy dialogu energetycznego UE–Rosja. Celem badania jest analiza skali ich wpływu na podstawie niektórych ważnych projektów, biorąc też pod uwagę ogólny kontekst omawianego dialogu. Przeprowadzona

analiza wskazuje, że chociaż ten kompleksowy instrument wspólnego kształtowania przyszłości dwóch współzależnych partnerów powinien być przynieść wyraźną poprawę, jego funkcjonowanie jest utrudnione przez różne czynniki gospodarcze i polityczne. W szczególności te ostatnie miały znaczący wpływ, wstrzymując dialog energetyczny, a mianowicie, wybuch kryzysu na Ukrainie oraz rosnące dwustronne i wielostronne napięcia polityczne. Tak więc dzisiaj, 20 lat po uruchomieniu tej pozornie tak owocnej platformy dialogu energetycznego, widzimy bardzo rozczarowujące wyniki oceny pośredniej. Istniejące problemy dialogu energetycznego nie tylko przeszkadzają dalszemu rozwojowi współpracy opartej na zaufaniu, normach prawa i zrozumieniu, ale także istniejącym i już częściowo zrealizowanym projektom, takim jak *Mapa drogowa współpracy energetycznej UE-Rosja do 2050 r.* oraz *Nord Stream 2*, które są odkładane w niepewną przyszłość. Jednakże w świetle istniejących i ewentualnych dalszych projektów w sektorze energetycznym konieczne jest znalezienie i wykreowanie funkcjonalnego formatu dialogu.

**Słowa kluczowe:** Unia Europejska, Rosja, dialog energetyczny, relacje energetyczne

"The relationship between a country's foreign policy and its economy is characterised by reciprocity: on the one hand, it is clear that politics and economics represent two different spheres with their own actors, their own interests and their own courses of action. On the other hand, it is also clear that the two spheres are not completely separate." (Goetschel, Lalive d'Epinau 2006: p. 7).

According to Laurent Goetschel and Danielle Lalive d'Epinau (2006: p. 7–8), many political and economic inter-state decisions and interests "go hand in hand". In this context, "foreign policy" is defined as a behaviour of organised societies in a sovereign state, by which they "perceive and assert" their interests *vis-à-vis* their environment (Goetschel, Lalive d'Epinau 2006: p. 7–8). These interests include not only the representation of domestic values and priorities, but also economic interests. Although, taking into account many bilateral and multilateral relationships in the world, not all foreign policy interests are also economic interests, and vice versa (Goetschel, Lalive d'Epinau 2006: p. 7–10).

With regard to the complex relations between Russia and the European Union (EU), especially in their Energy Dialogue, there are many political influences recognisable in addition to the economic components.

Since the collapse of the Soviet Union in 1991, EU–Russia relations have been characterised by mutually high political and economic expectations. Since then, there have been many rapprochements and many disappointments and tensions at the political level, which have reached a temporary climax, not lastly because of the war in Ukraine.

Due to various political challenges, sustainable relations based on trust and common goals seem to be very difficult. Simultaneously, a certain bilateral interdependence can be seen at the economic level as follows: while the EU is Russia's main trade and investment partner, Russia is one of the EU's main energy suppliers.

Thus, one of the most important connecting factors in economic and energy co-operation between Russia and the EU is their Energy Dialogue, which celebrated its 20th anniversary in October 2020. Although, foreign policy and economics are supposed to be considered as two different milieus in the relations and especially in the Energy Dialogue

between Russia and the EU, both the partial suspension of the Energy Dialogue in the wake of the Ukrainian crisis and the recent developments on *Nord Stream 2* revealed the opposite. Moreover, future energy relations also can be difficult in terms of differing climate policies and security of supply.

This situation primarily testifies a reciprocal effect of the political and economic dimensions with regard to trade relations and, thus, also to the Energy Dialogue between Russia and the EU, which apparently also caused the premature suspension of the Energy Dialogue. However, this impression, as with any political opinion-forming, also requires a close "look" and, thus, also a close analysis, considering the depth and complexity of the Energy Dialogue.

The designated political and economic dimensions of the EU–Russia Energy Dialogue are presented and studied in this article. The aim is to analyse the scale of their impact on the basis of some important projects of this dialogue, taking into account the overall context.

Considering the general scope and intensity of the Energy Dialogue, the following focal points are chosen. Firstly, the basis of the Energy Dialogue will be presented and analysed. In this context, the essential sub-points are both the Russian-European energy interdependence, which is an important component of the relationship between Russia and the EU, and the framework conditions and goals of the Energy Dialogue. Secondly, the article refers to the economic and political dimensions of the Energy Dialogue by analysis of the three energy-specific projects. Additionally, the fundamental challenges and the current prospects will be indicated in this article, in order to explain the assessment of the constructiveness of the Energy Dialogue, considering its economic and political dimensions.

## The EU as the most important trade and investment partner of Russia

Russia is the world's eleventh largest economy and bases its economic strength on the extraction and export of raw materials. In 2018, its strongest exports included petroleum-derived oil, with a slim share of almost 50% of total exports, followed by other commodities, especially natural gas, with just over 14% (*Made in Russia...* 2020). Additionally, Russia is the second largest petroleum exporting country with \$129 billion and a global market share of 11.2%<sup>1</sup> and also the first largest natural gas exporting country with \$52.1 billion and a global market share of 17.4%.<sup>2</sup>

In line with the enormous export revenues from raw materials and the simultaneous crucial importance for state revenues, the following companies are of great significance for Russia: the world's largest gas company "Gazprom" with a turnover of \$128.4 billion in 2018, "Lukoil" with \$127.9 billion in 2018 – one of the largest oil companies in the world, and "Rosneft" with \$112.9 billion in 2018 – Russia's third largest company in terms of turnover (see: *Die größten Unternehmen Russlands nach Umsatz 2020*). "Gazprom" and "Rosneft" are state-owned companies, while "Lukoil" is privately owned.

<sup>1</sup> as of 2018, according to: *Die international größten Exportländer von Erdöl 2020*.

<sup>2</sup> as of 2018, according to: *Die international größten Exportländer von Erdgas 2020*.

Russia's top exporting countries in terms of total exports in 2018 included China (12.4%), the Netherlands (9.6%), and Germany (7.6%). Two other European exporting countries were Poland in seventh place with 3.68% and Italy in eighth place with 3.63%. Russia's main import countries were China (21.7%), Germany (10.6%) and Belarus (5.4%) (Urmersbach 2020). The main import goods were machinery, transport equipment, pharmaceuticals, chemicals and other industrial products (*Countries and regions: Russia 2020*).

Thus, the European Union is the most important foreign trade partner for Russia in terms of imports, and Russia's strong focus on commodity exports. Russia's energy sector is the mainstay of its economic development. Its wealth in raw materials is used, among other things, for the development of other economic sectors (see: *Russische Föderation – Wirtschaftliche Beziehungen WWW*). However, commodity trade is also dependent on the prices of oil and natural gas (Garcés de los Fayos 2021). In turn, prices have an impact on the exchange rate of the Russian rouble and, thus, also on the cost of imported goods (Götz 2019: p. 3).

In addition, some European states (and, thus, also the EU as a whole) are Russia's most important partners for investments: Cyprus with about €140 billion, the Netherlands with about €51 billion and Luxembourg with about €37 billion were three the largest investors in 2019, half of which were returns of Russian funds. Other European investors included the UK, Ireland, France, Germany, Switzerland, Austria, and Sweden. Overall, foreign fixed investment in Russia increased by 1.7% in 2019 compared to 2018. More state and private money in national investment projects were planned for 2020 (*Rusland in Zahlen... 2020*: p. 8). Nevertheless, the weak economic development, the devaluation of the rouble and the foreign sanctions are currently "among the most massive disruptive factors for foreign companies" (Schulze 2019).

## **Russia as the most important supplier of raw materials to the EU**

Comprising 27 Member States, "the EU is the world's largest national economy, accounting for 20% of the world's gross domestic product (GDP)" (Damen 2020). While about 64% of the total trade of EU countries results from trade with other EU countries, about 36% of their total trade is accordingly with non-EU countries. In this context, "the EU's trade with the rest of the world accounts for a proportionate share of around 15.6% of global imports and exports" (*The economy WWW*).

The energy situation of the European Union is the following: because of declining own production since 2004, the EU covers on average about half of its energy needs by import from non-EU countries (*Energieimporte 2019*). This is due to the EU's relatively limited reserves of raw materials and still very low share of renewable energies in energy production (Chuvyckina 2011: p. 2).

While the EU's energy dependency ratio (i.e. the share of energy that an economy has to import), was already 44.3% in 1990, it rose to 53.6% in 2016. The highest dependence on the third countries in 2016 was on oil (86.7%), natural gas (70.4%) and solid fuels (40.2%). In the period between 1990 and 2016, there was a particular increase in energy

dependence on these three commodities: oil dependency (crude oil and petroleum products) experienced an overall increase of 6.6%, natural gas 29.8% and solid fuels (especially coal) 22.4% (*Energieabhängigkeit* 2019).

Particularly high energy dependency ratios were identified in the following countries in 2016: Malta (100.9%), Cyprus (96.2%) and Luxembourg (96.1%). Germany had a comparatively rather moderate energy dependence rate of 63.5% (*Energieabhängigkeit* 2019).

While the origins of EU energy imports have slightly changed in recent years, Russia remained the main energy supplier of the most important primary energy sources to the EU in the period from 2008 to 2018. Thus, in 2018, Russia was the main supplier of hard coal (42.4%), oil (29.8%) and natural gas (40.4%). Other importing countries for the EU are the US and Colombia as the second and the third most important hard coal suppliers, Iraq and Saudi Arabia as the second and the third most important oil suppliers, and Norway and Algeria as the second and the third most important natural gas suppliers (see: *Main origin of primary energy imports...* 2020).

While the EU is Russia's main trade and investment partner, Russia is one of the main suppliers of energy to the EU. The energy interdependence between Russia and the EU, which has an obvious long-term character, has always been an essential basis and framework for the EU-Russia Energy Dialogue. In the next parts of this article other framework conditions for the emergence of the Energy Dialogue and its goals will be analysed.

## Partnership and Cooperation Agreement (PCA)

One of the most essential foundations for economic and trade relations and the energy partnership between the EU and Russia is their *Partnership and Cooperation Agreement* (PCA). It is an "instrument governing the legal framework for cooperation between the EU and Russia" (Liebing 2010: p. 209). The bilateral political and economic agreement, which was signed in 1994 and entered into force on 1 December 1997, was valid until the end of 2007 and has since been extended annually by a further 12 months due to its non-termination by one of the contracting parties (*EU-Russia Strategic Partnership* WWW). Due to the outbreak of the Georgian war in 2008 and the Ukrainian crisis in 2014, the EU and Russia have been negotiating amendments and extensions to the PCA for more than ten years (Schütz 2019).

While the Energy Dialogue is not a legally binding part of the PCA (Chuvychkina 2011: p. 4), the agreement provided "an all-embracing framework covering almost every aspect of cooperation between the two powers including trade, human rights and democracy, science and technology, education and training, customs issues, fight against crime, transport, energy and telecommunications, environment and culture" (European Commission 1997). In addition to political dialogue on democracy and the completion of Russia's transition to a market economy, its central goals include the following: the expansion of trade and investment as well as balanced economic relations, the creation of an appropriate framework for Russia's economic integration into the European territory and addressing the necessary conditions for the establishment of a free trade area

between Russia and the EU (see more: *Agreement on partnership and cooperation 1997*). At the EU-Russia Summit in St. Petersburg in 2003, the agreement was intensified by two partners creating four "common spaces", which also included the energy sector as a part of the economic cooperation, and this way also formed the basis for the later energy policy discourse within the Energy Dialogue (Liebing 2010: p. 209). Thus, the PCA was aimed at expanding cooperation between the EU and Russia, which, however, also called for political and economic reforms in Russia, which was very unstable at that time (European Commission 1997). Moreover, in view of the end of the Cold War and the disintegration of the Soviet Union, the agreement was a very important point of reference for political dialogue, and also an important institutional framework for further bilateral contacts in the relationship between Russia and the EU at that time (Garcés de los Fayos 2021: p. 4; Kłaczyński 2019: p.110).

### **The Energy Charter Treaty (ECT)**

A far more energy-specific multilateral agreement, which already entered into force in December 1998, was the *Energy Charter Treaty* (ECT), signed by a total of 66 states in December 1994 (Wilson 2017: p. 1–4). This "first and unique" agreement, which covers "all forms of energy" and "all stages of the supply chain", serves to create a multilateral legal framework for diverse business relations in the energy sector and fair treatment of investors and Member States (Wilson 2017: p. 6). In doing so, it provides for a variety of binding procedures in the event of disputes, including regulations on trade, energy efficiency, energy transit, foreign investment matters and non-discrimination issues (Wilson 2017: p. 6–9). Russia was one of the countries that signed the European Energy Charter (EEC), a political framework declaration and Energy Charter Treaty (ECT) at that time (Wilson 2017: p. 4–5). However, Russia applied the legally binding treaty for years without ratification and exited it in October 2009 as a consequence of several economic and political reasons (Wilson 2017: p. 10–12).

### **EU–Russia Summit 2000**

„Energy was chosen at the Paris EU–Russia Summit of 30 October 2000 as the component in bilateral relations with most potential to lead the European subcontinent into deeper, mutually-beneficial integration" (*Roadmap EU–Russia 2013: p. 3*).

Based on the fundamental need of cooperation between Russia and the EU in the field of energy and the prior establishment of a legal and institutional basis for dialogue through the PCA, both parties agreed during the sixth EU–Russia Summit in Paris on 30 October 2000 to establish a regular Energy Dialogue in order to achieve further progress in the energy sector (Gaul 2006: p. 1). This was proposed by the European Union and was based on the awareness "that the Energy Charter Treaty had not been ratified by Russia and, thus, other mechanisms were needed to coordinate energy cooperation." (Liebing 2010: p. 204).

Besides balancing the interests of both parties and, thus, creating mutual benefits, the Energy Dialogue envisages “long-term and strategic cooperation between producers and clients, especially in the oil and gas sector” (Chuvyichkina 2011: p. 1). Three main central objectives of the Energy Dialogue are based on the following points: Establishing an institutional and policy framework to ensure “energy trade and investment activities” between the two parties, creating a lead through the coordination mechanism on energy issues at the EU level, expanding and developing Russia’s energy industry through exports to Europe and European technological and financial support (Liebing 2010: p. 204).

Further objectives are the following:

- „improve investment opportunities in the energy sector, including through the opening up of energy markets;
- ensure secure and adequate infrastructure;
- facilitate an increase in the use of environmentally friendly technologies and energy resources;
- promote energy efficiency and energy savings on the way to a low-carbon economy;
- exchange information on legislative initiatives” (*EU–Russia energy dialogue WWW*).

In the framework of these objectives, three operational working groups were set up by the previous Russian Minister of Industry and Energy, Victor Khristenko, and the General Director of the EU Directorate-General for Transport and Energy, François Lamoureux, focusing on energy strategies, investments, technology transfer and infrastructure, energy efficiency and environmental issues” (Gaul 2006: p. 1).

These thematic working groups bring together Russian and European experts from the private and public sectors <sup>3</sup> to analyse specific issues and contents of the Energy Dialogue:

- The *Energy strategies, forecasts and scenarios* group serves to exchange views on the EU’s and Russia’s strategies, policies and forecasts, to design coherent energy forecasts and scenarios until 2030, and also to create more transparency through bilateral data exchange.
- The *Market developments* group is responsible both for exchanging information on current and planned regulations and policy developments for confidence and transparency building, and for analysing key market developments for improving the investment climate.
- The *Energy efficiency* group provides a platform for exchanging information about law, regulations and practice in the field of energy efficiency, and works on energy efficiency projects.
- In addition, the *Gas Advisory Council*, consisting of representatives of leading European and Russian gas companies, and academic research organisations, “meets to assess developments in long-term cooperation between the EU

<sup>3</sup> including representatives from the European Commission, the Ministry of Energy of the Russian Federation, financial institutions, European businesses, and academia (*EU–Russia energy dialogue WWW*).

and Russia". Three work streams have been created for this purpose: scenarios, markets and infrastructures (see more: *EU-Russia energy dialogue* WWW).

The establishment of the Energy Dialogue was, thus, ostensibly a platform for increasing cooperation and the exchange of information in energy matters and, beyond that, an "enabler of energy policy co-operations" (Liebing 2010: p. 208). This should happen through the contribution of the expert groups.

The question of the actual constructiveness and success of the Energy Dialogue is highly controversial. In 2010, the politician Charles Grant expressed the following assessment: „Progress since 2000 has been mixed. There have been some notable successes, for example, the establishment of a technology centre in Moscow and the start of several pilot projects for energy savings. But on many of the more important issues – pipelines, gas supply contracts, electricity sector restructuring and nuclear fuels supplies – the two sides continue to disagree" (Liebing 2010: p. 207).

The current state of the Energy Dialogue is even more disappointing: „This dialogue has been on hold since 2014, pending positive developments in the resolution of the Ukraine crisis and implementation of the Minsk Agreements. Only the technical work-stream on internal market issues under the previous EU-Russia Gas Advisory Council (GAC WS2) remains operational" (*Russia* 2014).

After the above-mentioned consideration of the framework conditions for the emergence and the goals of the Energy Dialogue, it is necessary to focus on three important energy-specific projects between the EU and Russia, as well as to shed light on their political and economic dimensions. It will be the basis for analysis of the fundamental challenges and current prospects of the Energy Dialogue.

## **Roadmap: EU–Russia Energy Cooperation until 2050**

One of the important projects, which was intended to create a long-term perspective for mutual energy relations between Russia and Europe, is the *Roadmap for EU-Russia Energy Cooperation until 2050*, which was agreed by the European Commission and the Russian government in February 2011 and signed as a commitment in 2013 (*Roadmap EU-Russia...* 2013: p. 2). This agreement was an initiative of the European Union and was modelled on the European *Energy Roadmap 2050*, with which the EU ostensibly wanted to pursue its decarbonisation goal while ensuring energy security and competitiveness (European Commission 2011: p. 2).

The *Roadmap...* resulted from concerns about climate change and the increasing volatility of oil and gas markets because of globalisation, which prompted producer and consumer countries to seek stability, sustainability and security of energy resources (*Roadmap EU–Russia...* 2013: p. 3). In order to move closer to the transition of energy supply to renewable sources, one of the most important aspects was closer and forward-looking cooperation with the EU's international partners, such as Russia (European Commission 2011: p. 11). While the focus of energy relations between Russia and the European Union was mainly based on the import and export of oil and gas, the new focus between the



two partners should now be shifted as far as possible towards renewable energies, especially with regard to energy efficiency (Krushcheva, Maltby 2016: p. 1).

The *Roadmap* is divided into three major stages with different targets until 2020, 2030 and 2050 (*Roadmap EU–Russia...* 2013: p. 8–9). The overarching goal of the *Roadmap* is as follows: „The strategic target by 2050 should be to achieve a Pan-European Energy Space, with a functioning integrated network infrastructure, with open, transparent, efficient and competitive markets, making the necessary contribution to ensuring energy security and reaching the sustainable development goals of the EU and Russia” (*Roadmap EU–Russia* 2013: p. 5).

In other words, Russia and the EU should be the parts of a common, subcontinental energy market by 2050. Accordingly, a shift of the energy relations between the EU and Russia from a pure supplier-consumer relationship to a more technology-based cooperation was to be achieved. For this goal, however, it was necessary to establish the legal framework for relations between the two parties through the gradual convergence of rules, standards and markets in the energy sector, which could create the basis for greater mutual investment and technology exchange (*Roadmap EU–Russia...* 2013: p. 5). That also implied continuous monitoring of the *Roadmap...*, its implementation process, and regular presentation of the relevant results in the framework of the annual progress report on the EU–Russia Energy Dialogue.

There are the focal points of the implementation mechanisms, which were already defined in 2011. The relevant document<sup>4</sup> specified that the *Roadmap* “should concentrate on an analysis of different scenarios and their impact on EU–Russia energy relations, look into their consequences for the energy sectors, elaborate long-term opportunities and risks of the overall energy supply and demand situation and investigate the potential for long-term cooperation in the field of energy. After approval of this *Roadmap* by the Coordinators of the Dialogue, the EU and Russian sides should provide for using the respective potential for long-term cooperation as one of the priorities of their energy policies” (*Roadmap EU–Russia...* 2013: p. 2).

Despite this broad declaration of mutual interest in cooperation and common goals, very few objectives had been achieved by 2016 (Krushcheva, Maltby 2016: p. 2). Already in preliminary stages, the first problems emerged in the different energy policies of the two partners (*Roadmap EU–Russia* 2013: p. 4). While Russia’s energy policy generally intends to secure stable demand through long-term contracts in order to ensure “investments in the development of new deposits as well as in the development of transport infrastructure”, the EU, on the other hand, wants to consolidate its energy supply through “competition on the domestic market and diversification of import options” (Chuvychkina 2011: p. 5). Russia resisted the idea that the EU could export its liberal market rules (Krushcheva, Maltby 2016: p. 21).

Moreover, the EU’s ambitious plans to decarbonise its economy and energy sector do not seem to be in line with Russia’s energy policy, which is dominated by carbon

<sup>4</sup> *Common Understanding on the Preparation of the Roadmap of the EU–Russia Energy Cooperation until 2050*, Brussels, 24 February 2011.

exports (Krushcheva, Maltby 2016: p. 1). Another hurdle to cooperation is rooted in Russia's largely state-dominated energy sector, which has raised concerns about the rule of law and the consistency of Russian legislation for foreign investment in renewable energy projects due to several political events (Krushcheva, Maltby 2016: p. 21). Also, the Russian prioritisation and fundamental understanding of energy security still lies on the security of demand for fossil energy exports. Thus, the institutionalisation of non-carbon energy relations in terms of joint projects had been negligible (Krushcheva, Maltby 2016: p. 22).

The annual evaluations argued that different perceptions of energy security and types of energy policies were major obstacles for cooperation and trade in the energy roadmap (Krushcheva, Maltby 2016: p. 1). However, the sanctions imposed on Russia in the context of the Ukraine conflict in 2014, which restricted the access of some large Russian energy companies to European energy market, were probably the biggest obstacle to the further development of the *Roadmap*. In addition, the Energy Dialogue was also partially suspended in the course of the crisis (Krushcheva, Maltby 2016: p. 21).

## Nord Stream

The large-scale project *Nord Stream* already had its beginning at the end of the 1990s and was based on the idea of a secure gas supply across the Baltic Sea from Russia to north-western Europe and thus, also an expansion of the existing gas transports to Europe (*Sichere Energie für Europa...* 2013: p. 3–15). Taking into account the declining production levels in many European countries and the increasing demand in countries such as the UK, Germany, Italy, Poland and Spain, "the urgency of energy supply was included in EU directive" in 2004 (*Sichere Energie für Europa...* 2013: p. 17). After years of research and negotiations, Nord Stream AG was founded in 2005 to implement the project, consisting of the following five major companies: "Gazprom international projects LLC (PJSC Gazprom subsidiary), Wintershall Dea GmbH (formerly Wintershall Holding GmbH), PEG Infrastruktur AG (PEGI/E.ON subsidiary), N.V. Nederlandse Gasunie, and ENGIE. Gazprom international projects LLC holds a 51% stake in the project" (*Who We Are* WWW).

The already active *Nord Stream* export pipeline, which delivers gas from Russia to Europe through the Baltic Sea, has been in operation since 2012 (see more: *Nord Stream: The gas pipeline...* WWW).

The gas pipeline consists of two pipeline strings, each of which is 1,224 kilometres long and can deliver a total of 55 billion cubic metres of gas annually from Vyborg in Russia to Lubmin near Greifswald in Germany (*The Pipeline* WWW). With these capacities, about 26 million European households can be supplied annually (*Nord Stream Energy For Europe* WWW). The investment costs of the entire project amounted to about 7.4 billion euros (*Sichere Energie für Europa* 2013: p. 115).

By bypassing transit countries (such as Ukraine, Poland or Belarus), the hitherto novel gas pipeline forms a direct connection between Gazprom and the European consumer countries, whose operation is designed for up to 50 years (*The Pipeline* WWW).

While from an economic point of view the Nord Stream pipeline generally represents a long-term and sustainable solution for the EU's overall energy security and climate protection (*Gute Gründe* 2017), the project met with fierce international criticism, especially before its commissioning, which focused on the bypassing of transit countries:

"Although the pipeline will prove beneficial in guaranteeing more secure Western European access to Russian natural gas, it also has the potential to increase the dependence of the European Union (EU) on Russia, thereby making Russia even more powerful and, possibly, more assertive in the international arena." (Cohen 2006: p. 1).

"The construction of the Baltic seabed pipeline will give Russia access to new markets. Russia may use the new pipeline as a tool for political blackmail by threatening to turn off or limit the supplies [...]. Poland, like much of western Europe, depends heavily on Russia for its oil and gas supplies." (*Baltic deal...* 2005).

"Ukraine, Belarus and Poland will cease to be exclusive operators of gas transit and, consequently, will not be able even theoretically to resort to 'transit blackmail' in order to secure their interests in relations with Russia or Europe" (*Baltic deal...* 2005).

Regarding the last quote in particular, it should be noted that, according to calculations by the Institute of Energy Economics at the University of Cologne, gas transit from Russia through Ukraine decreased to 40% in the period from 2013 to 2014, while it amounted to between 60 and 70% in the period between 2009 and 2011. Russia justified this aspect with its "bypassing policy", by which Russia aims to circumvent "sensitive" areas, reduce transit fee expenses, avoid general gas transit problems and Russian dependency (Bros 2015: p. 9). From a legal point of view, Gazprom was not only responsible for the safe delivery of gas, but also bore the responsibility for organising gas transit through Europe and the Commonwealth of Independent States (CIS). Moreover, a legacy of the former Soviet Union was that, although there were long-term supply contracts after its collapse, there were no long-term transit contracts, which would have distinguished the "transit" term in terms of future contracts. The latter aspect also explains, why there is no real international consensus and no generally accepted transit tariff methodology (Bros 2015: p. 7).

An international guideline, according to critics, would have been provided by the *Energy Charter Treaty*, which ratification would have increased the "predictability" and "transparency" of Russia's market behaviour in the energy markets. This would have deterred Russia from "politically motivated energy cut-offs, and monopolistic practices", and more trust could be established (Cohen 2006: p. 1). In addition, the Ukrainian crisis has steadily reduced gas cooperation in the EU–Russia Energy Dialogue since 2014 (Bros 2015: p. 9, 33). Based on the criticism and mistrust, only 27.5 out of 55 cubic metres of pipeline capacity was utilised until 2017. As of 2017, utilisation reached up to 93% (Sziklai et al. 2019: p. 2).

While the *Nord Stream* project is still in operation today, despite international criticism, further international concerns are based on the completion of two more pipeline strings, namely *Nord Stream 2*.

## Nord Stream 2

Already in October 2012, the *Nord Stream* project partners evaluated the "preliminary results of the feasibility study for the third and fourth strings of the gas pipeline" and determined that the construction of two additional pipelines would be possible (*Nord Stream 2 W/W/W*). As forecasts indicate that the EU's basic gas demand will remain stable until 2030, production in the EU countries as a whole will shrink by about 50%. Countries particularly affected include the UK, Germany and the Netherlands, which together account for about 75% of total EU gas production (*Nord Stream 2 – mehr Energie für Europa W/W/W*). While two more pipeline strings would produce an additional 55 billion cubic metres of gas, and the combined capacity of *Nord Stream* and *Nord Stream 2* would amount to 110 billion cubic metres of gas per year, the construction of two more pipelines seemed to make sense for both sides (*Nord Stream 2: A new export gas pipeline... W/W/W*). According to the plans, the pipeline was to stretch "approximately 1,230 kilometres through the Baltic Sea from Russia to Germany" (*Construction W/W/W*).

In 2017, Nord Stream 2 AG signed the necessary funding measures with ENGIE, OMV, Royal Dutch Shell, Uniper and Wintershall (*Construction W/W/W*). Each company financed up to 950 million euros (*Fact Sheet 2018: p.1*).

In March 2018, all necessary permits for the start of construction were obtained (Sziklai et al. 2019: p. 2) and in September 2018, the laying of the gas pipeline began (*Nord Stream 2 W/W/W*). The *Nord Stream 2* pipeline, which runs parallel to *Nord Stream*, was expected to be completed and put into operation by the end of 2019 (*Die Pipeline... 2020*).<sup>5</sup>

On the one hand, in addition to serving the EU's increased demand for natural gas, the main arguments for the project from the European perspective were based on the following points: reducing gas prices in the EU through *Nord Stream 2*, creating viable alternatives to the already dilapidated pipelines in the Ukraine, and terminating the uncertainty caused by the Ukrainian transit route (Sziklai et al. 2019: p. 2). Furthermore, *Nord Stream 2* created more than 31,000 jobs worldwide through its cooperation with more than 600 contractors (*Die Pipeline... 2020*).

On the other hand, there were almost as many arguments against the construction of two more pipeline routes within the EU from the outset: the incompatibility with the strategic goals of the Energy Union, the lack of diversification of European energy supply, the creation of infrastructural overcapacity in the EU and the undermining of economic sanctions against Russia (Sziklai et al. 2019: p. 2). In addition, in March 2016, eight EU leaders (from the Czechia, Estonia, Hungary, Latvia, Poland, Slovakia, Lithuania and Romania)

<sup>5</sup> According to the information on official Nord Stream 2 website: „By the end of 2019, it was complete in Russian, Finnish and Swedish waters, with much of the work finished in German and Danish waters as well. [...] With 94 percent of the pipeline now finished, there are approximately 120 kilometres in Danish waters and just over 30 kilometres in German waters left to be laid. However, pipeline was suspended in December 2019 due to the threat of US sanctions that target the project's contractors and financial investors. The European Commission has described these sanctions as a breach of international law, and we are currently looking for solutions to ensure that the pipeline is commissioned as soon as possible. This is in the interest of European energy security and consumers, as well as EU economic competitiveness and climate protection commitments." (*Construction W/W/W*).

submitted a letter to the European Parliament against the *Nord Stream 2* project, judging it to be detrimental to diversification, energy security and European solidarity. They argued that *Nord Stream 2* would threaten to “plunge the Central Eastern European states back into a pre-2004 market of greater supply security risk and greater Russian leverage in their markets” (Sziklai et al. 2019: p. 3). Such damage and loss of funds in the existing EU countries and Ukraine due to the lack of transit, would violate the solidarity principle of the Treaty on the Functioning of the European Union (Sziklai et al. 2019: p. 3).

A certain dominance of various self-interests and disagreements in the EU countries has emerged, varying between main beneficiaries, supporters and eventual “losers”.

Further hurdles were forced by the USA, which imposed sanctions on the private-sector construction companies involved at the end of December 2019 shortly before completion of the pipeline, with only around 300 of 2100 kilometres still missing (*US-Sanktionen...* 2019). This situation led to a premature halt to the construction of the pipeline. (Koch, Stratmann 2020). America’s motives have been deeply rooted since 2017 and are grounded in its own insecurity about a loss of political and economic power in the European space. Accordingly, three Republican senators from Washington described the pipeline “as a grave threat to European energy security and American national security” (Bauchmüller 2020). “Moreover, the USA is primarily interested in selling its liquefied gas to European states,” reported the German newsletter “Tagesschau” in September 2020 (*Eine Pipeline als Politikum* 2020).

While the German government’s position was clearly against the US sanctions and, thus, against “interference in internal affairs”, neither German nor European counter-measures were taken (*US-Sanktionen...* 2020).

German support for the pipeline project took a turning point in connection with the poisoning of Russian critic of Kremlin’s activity, Alexei Nawalny on 20 August 2020 and the subsequent findings of a special laboratory of the German Armed Forces, which proved that Nawalny was poisoned with the chemical nerve agent from the “Novichok” group in early September (see: *Nawalny mit Nervenkampfstoff vergiftet* 2020). The Russian government has been suspected of the poison attack and called upon to clarify the case (Koch, Stratmann 2020). The construction stop of *Nord Stream 2* had been brought into consideration as an instrument of political pressure by some political actors in the German government, which at the same time was controversially discussed within the German government and parliament (*Es geht um mehr als Gas* 2020).

Due to these international events, *Nord Stream 2* finally became a “politicum” (*Eine Pipeline als Politikum* 2020) and a “game ball of conflicting interests” (Koch, Stratmann 2020).

## Fundamental challenges and current outlooks

As the overall political and economic relations between Russia and the European Union have experienced several ups and downs over the last twenty years, we can see some fundamental challenges of the Energy Dialogue and current perspectives.

One of these fundamental challenges, according to the first nine annual reports of the three thematic working groups, was based on the "lack of intensified exchange of information and experience" of the Energy Dialogue. It stated that "both sides actually feel a large information deficit about objectives and motivational structures, although the EU-Russia dialogue is described as a helpful instrument to reduce this deficit." (Liebing 2010: p. 206).

Another fundamental challenge is the insufficient binding legal norms between the two partners, which could be created by renegotiating the *Partnership and Cooperation Agreement* (PCA) or the *Energy Charter Treaty* (ECT) (Chuvychkina 2011: p. 4). The lack of comprehensive mutually ratified and institutionalised legal norms has an impact on mutual trust, which has become apparent, for example, in the numerous disagreements and debates on the *Roadmap for EU-Russia Energy Cooperation until 2050*, *Nord Stream* and *Nord Stream 2*. Especially in view of the different national interests and goals of Russia and the 27 states of the European Union, long-term mutually recognised agreements should create an essential basis for negotiations in addition to the Energy Dialogue.

In this context, another fundamental challenge lies in the differences of opinion between the inner-European states, which have an impact on finding a common position and whose negative effects can be seen in the Energy Dialogue, not least in the case of *Nord Stream 2* (Liebing 2010: p. 207).

By far the greatest challenge for the EU-Russia Energy Dialogue is the Ukrainian crisis, which has been ongoing since 2014. The EU is pursuing a "twin-track approach": the imposition of gradual sanctions and efforts to find a diplomatic solution to the conflict in eastern Ukraine (Garcés de los Fayos 2021). The Dialogue is being conducted in anticipation of positive results in resolving the crisis in Ukraine and implementing the Minsk agreements (Russia 2014). Of the three thematic working groups and the Gas Advisory Council, only the technical workflow on internal market consultation of the Gas Advisory Council is functional to date. Bilateral talks on pressing issues and trilateral negotiations on gas transit in Ukraine are also still underway (Russia 2014).

Thus, the current outlook has remained basically unchanged for the last six years and still today. This fact is currently having an impact on the implementation of further energy-specific agreements and projects, such as the pursuit of the *Roadmap for EU-Russia Energy Cooperation until 2050* and, last but not least, the multiple difficulties related to the construction of *Nord Stream 2*.

Together with the challenges and difficulties between the two partners that still exist now, there are other future issues that inevitably require a basis for dialogue. Kirsten Westphal in her article *German-Russian gas relations in face of the energy transition*, discusses the different decarbonisation strategies and security of supply of Russia and the EU (Westphal 2020). In order to combat one of the most important problems of our time, the climate change, it is absolutely necessary to change from a natural gas relationship to a climate-friendly and neutral energy relationship in the long run (Westphal 2020: p. 420–421). In this context, an outlook and orientation for the redevelopment of the Energy Dialogue could be the EU's "Green Deal", which aims to make the EU's economy more sustainable by 2050 (European Commission 2019).

However, as such comprehensive changes can cause a lot of misunderstandings and complications, also with regard to the differing ideas and strategies of the two partners, as Kirsten Westphal points out, there is an even greater need for an Energy Dialogue (Westphal 2020: p. 420–421).

## Conclusions

While inter-state relations are subject of various internal and external influencing factors, dialogue is the most important approach for effective and fruitful bilateral and multilateral cooperation. Considering the energy cooperation between the EU and Russia, these two partners had also chosen such approach.

In this article, the fundamentals and the economic and political dimensions of the *EU–Russia Energy Dialogue* were analysed, which can be illustrated by three energy-specific projects.

One of the most important foundations of the relations between Russia and the EU is the energy sector, that is why both partners have a fundamental interest in long-term cooperation. The Energy Dialogue, which was established for the promotion of such strategic and long-term cooperation, provides a platform for the exchange of information, legislation and opinions on strategies, forecasts, policies, regulations, experiences, etc. through its three thematic working groups and the Gas Advisory Council. At the time of the establishment of the Energy Dialogue, the *Partnership and Cooperation Agreement* and the multilateral *Energy Charter Treaty* provided a comprehensive legal basis for cooperation between the two partners. While the former did not undergo any renegotiations, Russia withdrew from the latter treaty as a result of several political and economic events. The political and economic dimensions of the Energy Dialogue subsequently became evident in some energy-specific projects between Russia and the EU, such as the *Roadmap for EU–Russia Energy Cooperation until 2050*, as well as *Nord Stream* and *Nord Stream 2*. The underlying problem at present is the suspension of the Energy Dialogue and the continuing sanctions against Russia due to the political events in the course of the Ukrainian crisis since 2014. In this respect, it can be postulated that the Energy Dialogue in its previous form has not yet been constructive and, thus, not successful with regard to its essential challenges.

The presented analysis demonstrates that political and economic interests of both partners influence the entire cooperation within the framework of the Energy Dialogue. A platform that should acknowledge problems at the early stage, provides space for scientific analysis, negotiations and support for existing projects. As a result of various internal and external economic and political influencing factors, and especially the simultaneous decoupling of the energy-related reasons for the Energy Dialogue due to the growing political bilateral and multilateral tensions, the *status quo* has merely come to a standstill to date. For instance, there has been no progress in implementation of the *Roadmap for EU–Russia Energy Cooperation until 2050*. At the same time, the actual purpose of implementation monitoring of the Energy Dialogue

cannot be achieved either. Similarly, the format of the platform cannot be used in a supportive way for the *Nord Stream 2* project, although this was urgently required and remains so to this day.

Much greater efforts are now needed to sustainably re-launch the Energy Dialogue. First of all, the legal framework would have to be clarified and agreed upon in a legally binding manner. In addition, the political irritations between the EU and Russia should be cleared up at the political level (e.g. "Ukrainian crisis", sanctions, the current case "Nawalny", etc.). Since both parties have a high political and economic interest in cooperation in the future, it is to be hoped that, even with some setbacks, reasonable cooperation in the field of the Energy Dialogue will be achieved. However, this does not correspond to the currently existing political realities.

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