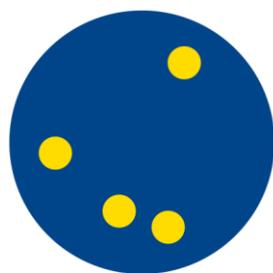


# COUNTRY REPORT

## Poland

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- **The report was drafted within the project “Visegrad in the EU – How Much Do We Matter?” whose aim is to identify the achievements of the V4 countries in four policy areas, the EU institutional set-up and the EMU, the EU Single Market, the area of Freedom, Security and Justice and the External Relations, during the first ten years of their participation in the EU. The project also sets out to define the Visegrad’ goals for the upcoming years in the chosen policy fields. This country report focuses on Poland and is based on four research papers, elaborated by different members of the Polish research team and focused on the following aspects:**
  - **Institutions and EMU – Grzegorz Gromadzki**
  - **Single Market – Olga Markiewicz**
  - **Freedom, Security and Justice – Barbara Audycka**
  - **External Relations – Grzegorz Gromadzki**



Visegrad  
in the EU

*HOW MUCH DO WE MATTER?*

## Introduction

The following report on Poland was drafted within the project *Visegrad in the EU – How Much Do We Matter*, whose aim is to analyse the standing of the countries of the region in the European Union, ten years into the 2004 EU-enlargement. The project also sets out to define the Visegrad's goals for the upcoming years in the chosen policy fields. Based on the key findings of four research reports, each of them devoted to a different policy area, namely the EU institutional set-up and the Economic and Monetary Union (EMU), the EU Single Market, the area of Freedom, Security and Justice as well as the External Relations, this paper provides a synthetic overview of the country's performance within the chosen fields of the Polish government's activity. It also tries to predict which objectives Poland will try to achieve in the chosen areas in the years to come. By investigating the key priorities within each of the policy areas, the report aims to demonstrate what impact Poland had and may have at the EU level and what coalitions it already secured and will continue to build around the initiatives in question. This, in turn, is to serve as a basis for the final evaluation of Poland's performance in the above mentioned policy areas, thereby being able to determine the extent to which the country could be considered as a policy driver in the chosen fields and whether it will continue to take the lead in those policy areas in the upcoming years.

## Retrospective Part

### 1. Four Policy Areas

#### 1.1 EU Institutional Set-up and the EMU

The European Union has for quite some time now been accelerating towards what began to be referred to as a “multi-speed Europe”. A number of new initiatives could be seen in the past few years, such as the creation of the Eurozone, the establishment of the Schengen area, the signing of the intergovernmental agreements on the European Fiscal Compact or, most recently, on the Single Supervisory Mechanism of the Banking Union, implemented in order to allow the EU Member States to integrate at different pace depending on the political situation in each country. This, however, could have its negative consequences as well, resulting in the growth of divisions between those of the EU countries that are considered as the core of the EU and those that are treated as the second category member states due to their lack of involvement in certain initiatives, such as the Eurozone. That is precisely why Poland has set out to pursue numerous priorities designed to combat the above tendency of splitting the EU into the groups of member states of different categories.

**First of all, Poland has been a staunch advocate of solutions at the EU level that would guarantee the openness of the newly created structures, mechanisms and institutions to those of the member states who are not able to take part in them at a given moment.** This can be seen in the example of Poland’s attitude towards the question of EMU reforms. While, on the one hand, Poland is strongly in favour of a quick and robust recovery of the EMU, believed to be possible only through a much deeper integration of the Eurozone, on the other hand, Polish government officials are trying to ensure that the reforms of the EMU architecture are gradual and non-Eurozone-countries-friendly. By doing so, Poland, unlikely to adopt a single

currency before 2020, tries to ensure the best possible conditions for functioning outside the Eurozone for as long as it will not have the Euro. At the same time, the opinion that a partial, at least, cleavage of the EU between the Eurozone and “the others” is unavoidable, prevails in Warsaw.

A second priority, strongly connected with Poland’s will to be considered as a fully-fledged EU member state, is related to the project of adopting the single European currency. Entry into the Eurozone requires, however, not only the fulfilment of the formal criteria (Poland has not fulfilled the Maastricht criteria yet), but also, or maybe first of all, profound structural reforms, indispensable to maintaining the competitiveness of the country’s economy within the Eurozone. For the time being, Poland is considered one of the least innovative countries in the EU, ranked 25th out of 28 EU Member States, according to the Innovation Union Scoreboard 2014.<sup>1</sup> Moreover, in order to accomplish the project of substituting Polish Zloty with the Euro, one needs to be sufficiently backed by the citizens. This, nevertheless, is not the case, as 64% of Poles are against the introduction of the European single currency, as opposed to only 29% of them in favour of the Euro.<sup>2</sup> Finally, instead of trying to engage the general public as well as the experts in the debate on the issue, **Polish authorities seem to have adopted what can be described as a “wait and see” strategy, according to which the main focus of the government’s activities tends to be on current affairs, rather than on the long-term, strategic processes of Eurozone accession.**

Yet another priority of Poland, when it comes to the EU institutional set-up, is connected with ensuring the strong position of the European Commission and guaranteeing the Community method of decision-making in the European Union. **Poland is of the opinion that in order for the EU to be powerful and united, it must be governed by strong EU leaders and based on well-**

<sup>1</sup> See the Innovation Union Scoreboard 2014, available at [http://ec.europa.eu/enterprise/policies/innovation/files/ius/ius-2014\\_en.pdf](http://ec.europa.eu/enterprise/policies/innovation/files/ius/ius-2014_en.pdf)

<sup>2</sup> See the results of the February 2013 CBOS survey, <http://www.cbos.pl/EN/publications/reports.php>

**founded institutions, endowed with real powers.** The key decisions in the EU, as Polish government officials see it, should not be taken only by the heads of states or governments of the EU countries.<sup>3</sup> Poland is therefore in favour of a strong European Commission, which it considers to be the most successful EU institution. Poland's views on other EU institutions tend to be similar, for it supports the strong position of the European Central Bank<sup>4</sup> and is in favour of the strengthening of the role of the President of the European Council, who could possibly be invited to every General Affairs Council.<sup>5</sup> This, undoubtedly, would be even more welcomed, given a recent appointment of a Pole, Prime Minister Donald Tusk, as the new President of the European Council. The only EU institution towards which Poland maintains a rather ambiguous approach is the European Parliament (EP). On the one hand, the EP is perceived as Poland's ally in pursuing the EU policy towards Eastern Europe, especially where its stance is much more progressive and closer to the Polish one than that of the European Council. On the other hand, however, there is a growing belief that EU governance has become unnecessarily complicated due to the growth of the EP's role after the signing of the Lisbon Treaty.

## 1.2 The EU Single Market

In the area of the EU Single Market, Poland identified the following key priorities: securing high inflows of EU funds, introduction of the EU-level natural gas supply policy and deepening of liberalization, primarily in the field of services. Maximizing the possible inflows of EU funds was considered crucial for the modernisation of the country, and a prerequisite to Poland's successful participation in a highly competitive EU Single Market. Therefore,

each "government that ruled the country in the analysed period saw maximization of the EU transfers as one of its key policy goals and considered participation in the budgetary negotiations as an important activity on the EU arena."<sup>6</sup> **Poland's aim was therefore to become the biggest net beneficiary of EU budget, i.e. the country receiving the largest portion of available resources.** The last ten years saw two budgetary battles, for the 2007-2013 and 2014-2020 financial perspectives. Each of them posed a challenge for Poland, albeit of a different kind. The former was the first budgetary battle for Poland and a laboratory for its negotiation skills. The latter took place during a deep economic downturn, when austerity became a catchword in all budgetary debates across Europe.

The introduction of the EU-level natural gas supply policy was set as another priority of Polish elites. **Building a common external gas security policy at the EU level was perceived as a way of strengthening Poland's position vis-à-vis Russia, Warsaw's biggest, but also problematic, supplier of gas, and was therefore set as a goal right from the moment of Poland's accession to the EU.**<sup>7</sup> "Such policy implies diversification of the sources and routes of imported gas on one hand, and speaking in one voice vis-à-vis Russia, the main gas supplier to the EU, on the other. Since 2004, nearly each of the Ministers of Foreign Affairs of Poland referred to the security of gas supplies as Poland's key priority in the EU. The country sought to engage in the EU initiatives leading to the improvement of security of supplies through, among others, the implementation of gas supply security legislation. Warsaw also supported the exploration

<sup>3</sup> This view has been recurring in several speeches of the Polish Minister of Foreign Affairs at the time, Radosław Sikorski: "The Commission would get powers to intervene in the policies of countries that could not fulfil their obligations. Countries persistently violating rules would have their voting rights suspended...The European Commission needs to be stronger." (Sikorski, Berlin, 28.11.11), "Surprising for some, we in Poland favour more 'Community method' and less intergovernmentalism. More Delors, less De Gaulle." (Sikorski, Budapest, 05.07.12)

<sup>4</sup> Views voiced by the Polish Minister of Foreign Affairs at the time, Radosław Sikorski: "Provided the European Council sets tough new rules in stone, the European Central Bank should become a proper

central bank, a lender of last resort that underpins the credibility to the entire Euro zone." (Sikorski-Berlin 28.11.11).

<sup>5</sup> See the speech of the Polish Minister of Foreign Affairs at the time, Radosław Sikorski: "Upgrading the standing of the General Affairs Council is highly recommended. We need to increase its influence and prestige. An idea worth implementing is inviting the President of the European Council to every GAC meeting. Yearly planning of the agenda and a more strategic thinking in the Foreign Affairs Council is also advisable." (Sikorski-Berlin 27.08.12)

<sup>6</sup> O. Markiewicz, Single Market – retrospective part, p. 3.

<sup>7</sup> See the governments' official document devoted to five-year-anniversary of Poland's participation in the EU, *Pięć lat Polski w Unii Europejskiej*, UKIE, Warszawa, 2009, p. 384.

of natural gas and crude oil from unconventional deposits,"<sup>8</sup> such as shale gas. An important step towards ensuring a common external gas security policy at the EU level was the proposal for the creation of the EU Energy Union, strongly advocated at the beginning of 2014 by the Polish Prime Minister at the time, Donald Tusk.

Finally, "improving the access of Polish goods, entrepreneurs and workers to the EU market has been Poland's national interest since the accession. Provided that the four freedoms were unrestrained, Poland would have competitive advantage thanks to its lower costs of labour, well-educated workers and geographical proximity to the EU market. **The aim of securing unfettered access to the Single Market translated into Poland's strong support for the liberalisation initiatives, in particular those related to the liberalisation of the services sector at the EU level.**"<sup>9</sup> Therefore, Poland became a supporter of the Lisbon Strategy, adopted by the EU to speed up liberalization and boost the EU's competitiveness.

### 1.3 The Area of Freedom, Security and Justice

Poland's policy concerning the area of Freedom, Security and Justice consisted of two main stages: the stage of adaptation and the one of policy-shaping. In the first stage, from 2004 to the end of 2007 (precisely till 21 December 2007, i.e. the first implementation of the Schengen rules) the main focus was on fulfilling the obligations stemming from the Treaty of Accession. In the area of Freedom, Security and Justice, the main tasks were to ensure that Polish borders could constitute the external border of the EU and adapt the legal system of Poland to EU standards. The second stage, from 2008 up until today, has been focused on raising awareness of Poland's state interest and policy goals. The country has clearly become more successful in EU negotiations and alliance-making. During both periods, the policy priorities were clearly visible and were concerned with several aspects.

First of all, **Poland's goal was to adjust to the Schengen rules, so as to be able to enter the Schengen Area as soon as possible.** Taking into account that the border of Poland is the longest land border of the EU, the country was given additional time to fulfil obligations arising from decontrolling Western borders and strengthening its Eastern ones. "Right from the start, Polish authorities declared their readiness to implement the whole *acquis communautaire* in the area of Freedom, Security and Justice, including Schengen rules. Adjustment to the EU standards concerned mainly introducing visas for some third-country nationals, building border infrastructure and preparing Polish administration for effective border management and legislative changes."<sup>10</sup> Once it entered the Schengen Area, due to the increase in the number of migrants from the Eastern border, Poland concentrated its efforts on ensuring solidarity in providing funding for migration policy and combatting the organized border crime, including human-trafficking and smuggling.

Secondly, another priority of Poland in the field of the Freedom, Security and Justice has been assuming an active role in shaping the Eastern Partnership (EaP). **Poland became and remained, the driving wheel of cooperation, sketching the policy towards the Eastern European countries.** Following Nicolas Sarkozy's call for the Union for the Mediterranean in 2008, Poland and Sweden put forward their proposal for the simultaneous strengthening of the Eastern dimension of the EU foreign policy. This project was welcomed by the other states and launched in 2009 during the Czech presidency. The activity of the Eastern Partnership within the area of the Freedom, Security and Justice has been focused on shaping migration policy towards the EU countries of the Partnership. This includes establishing the cooperation of the EU and the EaP police forces with the intention of providing assistance in the democratisation and autonomisation of the EaP countries' judiciary standards. What is more, Poland has been striving for the liberalisation of visa rules towards the EaP countries, with a long-term goal of introducing the visa-

<sup>8</sup> O. Markiewicz, op. cit., p. 4.

<sup>9</sup> O. Markiewicz, op. cit., p. 5.

<sup>10</sup> B. Audycka, Freedom, Security and Justice – retrospective part, p. 2.

free travels. In this area, Poland succeeded in implementing local border traffic based on Schengen rules with the countries of the EaP. Moreover, numerous institutions and mechanisms responsible for regular monitoring and communication with the EaP countries have been created, which in the area of Freedom, Security and Justice included: Integrated Border Management (flagship initiative), Euronest Parliamentary Assembly, the annual summit of head of government and states and regular meetings of Justice and Home Affairs Ministers. Finally, great effort was made in order to build cooperation between the EU and Ukraine, resulting eventually in the signing of the Association Agreement with Ukraine, Moldova and Georgia. This, however, was preceded by a long period of protests leading to a bloody revolution on Kiev's Maidan.

Finally, **Poland tried to maintain the autonomy of the judiciary when confronted with the need for the implementation of EU law.** Poland's policy in the field of justice was defined by "the tension between the effort of harmonising criminal and civic procedures and demanding autonomy of selected areas. The Ministry of Justice has always strived towards maximal sovereignty of judicature, especially in the field of material law. Recently this has been accompanied by the endeavour to regulate the EU legal issues... . Postulated autonomy of civic and material law has to a large extent been the result of conservative definition of family in Polish law, excluding same-sex marriages and registered partnership. As a consequence, numerous questions concerning harmonisation of the family law within the issues of parenthood, rights of children and recognition of legal consequences of civil partnerships, have not been acknowledged as the scope of EU competence. Many resolutions, aiming at regulating questions of succession or maintenance obligations at the EU level, have been dismissed in national positions and, if possible, vetoed."<sup>11</sup>

#### 1.4 External Relations

**One of the main priorities in the area of Poland's external relations in the course of the past ten years**

**was undoubtedly the consistent building of a policy towards the countries that since 2009 are referred to as the Eastern Partnership member states.** Eastern Europe has been one of the most important issues of Poland's foreign policy since the beginning of 90s, with priority initially given to Ukraine and Belarus. There was, however, a growing need for the division of the policy towards Eastern Europe into two separate approaches: one focused on today's Eastern Partnership countries and the other focused on Russia. Polish politicians, diplomats and experts in the field of external relations started to underline that the policy towards Ukraine and Belarus (and other EaP countries) cannot depend on Poland's policy and relations with Russia. In its relations with the EaP countries, Poland decided to focus on reaching the following goal: being surrounded with democratic neighbours with well-functioning market economies closely integrated with the EU. This stemmed from the fact that Poland did not act as the EU borderland. Among Poland's main postulates was therefore its proposal for offering the Eastern neighbours, Ukraine in particular, the EU membership perspective, supported by short and medium-term goals, such as the possibility of introducing the visa-free regime and tightening of relations between the EU and the today's EaP countries. With a view to achieving this goal, Poland needed to secure the support of some allies within the EU, such as that of Sweden, with whom it eventually put forward the proposal of the establishment of the Eastern Partnership.

As already mentioned, apart from the focus on building a consistent policy towards its Eastern immediate neighbours and the remaining countries of the EaP, **Poland has paid significant attention to shaping its external relations with Russia.** Polish-Russian bilateral relations have for years been rather tense, historical legacy being one of the reasons for the political status quo. New problems emerged after the Smolensk crash in 2010. One of the important aspects to be solved, when it comes to Polish policy towards Russia, was that of the so-called common neighbourhood of the EU and Russia. EaP countries, Ukraine

<sup>11</sup> B. Audycka, op. cit., p. 8.

in particular, are still considered to be problematic issues in both Polish-Russian dialogue as well as in the EU-Russia relations. Russia has consistently been exercising an enormous pressure on EaP countries, which is what Poland has been trying to highlight in the EU forum. Partially due to Poland's insistence on bringing up the topic of Russian neo-imperialistic approach towards the EaP countries, many of the EU member states began to share Poland's assessment of Russia's strategy versus the EaP countries, which was not the case several years ago. At the same time, Poland was trying to build better relations with Russia with the use of EU tools. As a result of successful negotiations of the Polish government with the European Commission, the local border traffic with the Kaliningrad region was introduced in July 2012. The solution has been welcomed by the Poles and the Russians living in the area. Both nationalities profit from the introduction of the visa-free travels as there has been a significant increase in cross-border trade and tourism. What is more, Ministry of Foreign Affairs of Poland was actively engaged in the launching of the Kaliningrad Triangle, i.e. the annual meetings of the Ministers of Foreign Affairs from Germany, Poland and Russia. The first meeting was organised in Kaliningrad in May 2011, attended by Guido Westerwelle, Radosław Sikorski and Sergey Lavrov. Four meetings have been held until now, the triangle serves the purpose of facilitating the trilateral co-operation and exchanging views on the international and regional situation. The Triangle parties also took up issues specific for the cooperation between Germany, Poland and Russia, such as the historical past of the countries, in order to fight the stereotype, still strongly rooted in Poland, of German-Russian collaboration behind Poland's back. Despite the above mentioned attempts at improving bilateral relations with Russia, Polish-Russian relations, just like those between the whole EU and Russia, are going through a difficult period given the escalation of the Russian-Ukrainian conflict and the imposition of EU sanctions on Russia.

Finally, Poland was pursuing yet another priority of democracy promotion among the countries emerging from authoritarian regimes. Apart from having to achieve this pragmatic goal, quite understandable given the fact that its immediate neighbour is Belarus, considered the last

authoritarian state in Europe, Poland was engaged in the spread of democratic values because of its own past experience. **Having successfully emerged from communist rule only 25 years ago, Poland would like to transfer its transformation know-how not only to the countries of Eastern Europe, but also to other continents.** It has therefore set out to propose the creation of the European Endowment for Democracy (EED) and succeeded in implementing the project at the EU level.

## 2. Consensus in Pursuing the Priorities

Given strong divisions on the Polish political scene, it comes as no surprise that there is hardly any consensus among the main Polish political parties on the future of the country in the reformed institutional set-up of the European Union. The ruling coalition and some of the opposition parties, such as the Social Democrats (SLD) or Janusz Palikot's Your Movement (Twój Ruch) party, voice their concerns about the growing divisions into "first class" and "second class" members of the EU and are therefore strongly in favour of Poland's further integration within the EU. This view, however, is not shared by the main opposition party, the Law and Justice party (PiS), which opposes the idea of deeper integration with the EU. It was therefore against Poland's entry to the Eurozone as well as disapproved of the signing by Poland of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (Fiscal Compact). Even more radical views are presented by the representatives of a small, extreme-right wing euro-sceptic party led by Janusz Korwin-Mikke, the Congress of the New Right (Kongres Nowej Prawicy), which maintains that the EU should be abolished.

Unlike in the case of the EU institutional set up and the reforms of the EMU, there was a relatively high degree of consensus in trying to achieve the goals in the field of the EU Single Market. Poland's top priorities remained the same in the analysed period, with only methods of achieving them subject to change. This variation in methods could be attributed to three factors: ruling elite's effectiveness, ruling

elite's ideological bent and the EU context. As for the effectiveness, "the initial period of membership involved learning how to effectively frame priorities and channel them through the EU decision-making process to achieve the preferred outcomes. This required informal knowledge of the functioning of the EU institutions and certain expertise in manoeuvring among the EU bodies and Member States."<sup>12</sup> Although new in the EU structures, Poles were quick to learn how to achieve their goals. The impact of the ruling elite's ideological bent on Poland's EU policy became evident in the realm of the security of gas supplies as the same priority was approached differently by different governments. While the conservative Law and Justice (PiS) adopted a more confrontational approach towards Russia, the Civic Platform (PO) was more consensual and less anti-Russian. Finally, what affected the way the priorities were approached was the economic and political context in which the whole EU was experiencing at a given moment. Taking this aspect into account, no wonder that it was a challenge for Poland to secure high money transfers within the EU budget for 2014-2020, when all of Europe struggled with recession and was driven by austerity policies. What Poland could do, and did indeed, was secure a bigger part of a smaller budget for itself.

When it comes to the achievement of the above described priorities in the area of the Freedom, Security and Justice, there was again a relatively high degree of consensus among the representatives of the Polish authorities throughout the period analysed. "The policy of the Ministry of Justice was mostly steady, with the only exception between 2005 and 2007 during the tenure of far-right minister Zbigniew Ziobro. In that period, the conservative political line, manifested in both symbolic and pragmatic issues, often obstructed decision-making process at the EU level. In the scope of freedom, security and justice, this was shown during the work on Data Retention Directive when, just before signing and without previous indications, Poland withdrew their support for the directive demanding increasing the period of data retention from 2

to 15 years (as in US model). However, after 2007 despite six different ministers taking the tenure, the justice policy has remained still."<sup>13</sup>

The priorities of Polish foreign policy have not been clearly defined since Poland's entry to the EU in 2004. While in the 90s there was a clear consensus among all main political forces on the main objectives in the area of external relations of Poland, EU and NATO accession being at the top of the list, now the situation is far more complex and therefore identifying goals that would be commonly accepted has become less evident. Once the NATO and EU memberships had been achieved, there is a strong need for a new strategy, as the end of consensus among the Polish political class with respect to the country's foreign policy is becoming more and more visible. "There are fundamental differences between the two main parties, PO (Civic Platform) and PiS (Law and Justice), on a majority of foreign policy issues, most importantly with respect to EU affairs and policy towards Russia."<sup>14</sup> PO is rather euro-enthusiastic, PiS, on the other hand, predominantly euro-sceptic. While PO demonstrated a certain degree of openness towards Russia, PiS preferred to adopt an assertive approach towards Russia, especially since the Smolensk plane crash in 2010. The current government, in power since autumn 2007, succeeded in consistently pursuing the above identified main three dimensions of Polish external relations.

### 3. Impact at the EU level and coalitions secured to achieve the chosen priorities

In spite of the above described lack of consensus on European affairs among the representatives of the domestic political scene, Poland has successfully gone through the period that tested its efficiency in pursuing goals at the EU level regarding EU institutional set-up, namely the time when it assumed the rotating presidency of the Council of the EU.<sup>15</sup> Given the favourable approach of the Polish

<sup>12</sup> O. Markiewicz, op. cit., p. 7.

<sup>13</sup> B. Audycka, op. cit., p. 9.

<sup>14</sup> G. Gromadzki, External Relations, p. 4.

<sup>15</sup> Poland assumed the six-month rotating presidency of the European Union on 1<sup>st</sup> July 2011.

České vize pro Evropu, evropské vize pro Česko  
Czech Visions for Europe, European Visions for the Czechs

government towards the deepening of EU integration, Poland successfully coordinated the negotiations concerning the final agreement on reforms, forcing greater fiscal discipline and aimed at preventing further worsening of the crisis in the Eurozone. Here, Poland's natural allies were the European Commission as well as the European Parliament, given Poland's interest in the strengthening of the Community Method. As a result, the decision on the so-called Six Pack, including five regulations and one directive strengthening economic governance across the monetary and currency union, was reached during Poland's rotating presidency. Moreover, in the course of the past few years, Poland has played an active role in the negotiations on the final shape of the new instruments of the EMU, such as the European Semester, the Fiscal Compact or, most recently, the banking union. In the negotiations on the latter, Poland, together with other non-Eurozone EU member states, in particular the Weimer Triangle countries<sup>16</sup>, and some non-Eurozone EU Member States, succeeded in ensuring the openness of the Banking Union to the countries whose currency is not the Euro. As a result, the "close cooperation with the European Central Bank" for the non-Eurozone countries wishing to join the first pillar of the currently created structure, i.e. the Single Supervisory Mechanism, was made possible.

Poland was also quite efficient in the pursuit of its top priorities in the area of the Single Market. The biggest success has by far been the securing of high inflows from both EU long-term budgets. Whereas in negotiations of the 2007-2013 budget Poland was learning its negotiation skills, during the 2014-2020 budgetary debate it took the lead in Friends of Cohesion group. It managed to pacify internal disagreements and helped the group to speak in one voice. Moreover, Poland prepared the ground for negotiations in advance by securing the nomination of Janusz Lewandowski for the EU Commissioner for Financial Planning and Budgeting in 2010. It was Lewandowski who came up with a balanced budget proposal, taking into account Poland's

interest. As a result, in the 2014-2020 budget plan Poland was given the highest allocation among the EU countries and became an unquestionable winner of the funds struggles, securing even more money than it had received in the previous financial perspectives. With regards to the common gas policy and the liberalisation of services, the outcomes were slightly different from what has been expected. Poland indeed managed to upload the issue of gas supply security into the EU agenda. It did so by means of finding allies with the German presidency and the countries for whom gas security was also an important domestic issue, such as Estonia, Latvia, Hungary and Austria. Thanks to the countries' insistence on the application of the so called "spirit of solidarity", stemming from the Lisbon Treaty,<sup>17</sup> the European Commission eventually presented a more extensive proposal to strengthen EU solidarity mechanisms. In the wake of the gas crisis of 2008-2009, the issue of supply security was lifted to the top of the EU agenda and Poland continued to focus on it in 2011 when it assumed the rotating presidency in the Council. Poland's proposal of the Europe-wide Energy Union was by far the action that brought the topic to the limelight in 2014. Given Poland's involvement in the question of energy security, chances are high that the Energy Union will be further pursued at the EU level, especially with the Polish ex-Prime Minister responsible for the agenda of the European Council summits. Finally, in terms of the liberalisation of services sector, Poland did not accomplish the removal of national barriers as it wished to do regarding the Services Directive. Although determined to eliminate the existing barriers to the free movement of services, Warsaw failed to succeed in this field due to strong resistance of the "old" EU Member States, France in particular. However, thanks to joining forces with the V4 countries and some more liberal member states of the "old" EU, such as the UK, Poland managed to prevent attempts at introducing greater protectionist measures into the Posted Workers Directive.

<sup>16</sup> See a commentary of Piotr Serafin, the former Secretary of State in the Polish Ministry of Foreign Affairs, on the cooperation within the Weimer Triangle regarding banking union, available at

<http://www.rp.pl/artykul/1029435-Ministrowie-panstw-Trojkaty-Weimarskiego-spotkaja-sie-w-Niemczech.html>

<sup>17</sup> See Article 194, section 1 of the Treaty on the Functioning of the European Union (TFEU).

When it comes to the area of Justice, Security and Home Affairs, Polish representatives in the European Parliament and in the European Commission lobbied intensively for equal redistribution of the costs of migration and asylum policy. They pointed at a possibly lower standard of care that would be provided by the relatively poor EU Member States from the Central and Eastern Europe. After the Arab Spring, Western European countries began to insist on limiting the right to free movement of people when faced with a massive migration, predominantly from the North African countries. The first signs of the crisis became visible in 2011, with a temporary introduction of the border control by France and Denmark. Within a year's time, the idea of revising the Schengen Agreement was articulated by two EU key players, Germany and France. Poland stood firmly in defence of the Schengen Area acquis and became a leading member of a coalition arguing for maintaining the existing freedoms. Together with Sweden, Portugal, Visegrad countries and Slovenia, it supported the European Commission resolution on limiting the rights of the EU member states to introduce one-sided border control, which met with severe reaction of France, Italy and Spain. It was the Polish Prime Minister who strongly stated that no action, especially the one related to limiting one of the four fundamental freedoms of the EU, should be taken ad hoc. Additionally, he postulated that the decisions with regard to the limitation of the freedom of movement of people should be prepared at the EU level and introduced by all of the EU member states simultaneously. Moreover, during the rotating presidency in the Council of the EU, Poland also played an active role when negotiating the terms of accession to Schengen by Romania and Bulgaria. It succeeded in convincing the previously sceptical governments of France, Germany, Sweden and Belgium. Nevertheless, as it failed to influence the Netherlands and Finland, its proposal of partial access for Bulgaria and Romania to the Schengen area, applying to the sea and air traffic with the two countries, was eventually dismissed.

Regarding the issues connected with the drive towards maintaining the autonomy of the judiciary when confronted with the need for the implementation of the EU law, Poland has often gained support of another conservative country,

i.e. Ireland. With the scepticism towards legal unification, not limited to Polish case, it turned out to be crucial to provide clear information on advancement and methods of implementation of EU law in member countries. The Polish presidency succeeded in resolving this problem by means of the introduction of the correlation tables. Correlation tables are the documents describing implementation of EU law in member countries. Their scope and preparation have been a long-standing matter of contention between Parliament, the Commission and the Council. The lack of solution handicapped many important legislative acts due to unmeritorious reasons.

Finally, Poland was quite successful in building coalitions at the EU level around the priorities it has identified in the area of external relations. With respect to the Eastern Partnership project, not only did Poland manage to get Sweden to be the co-author of the proposal. Also, the appointment of the representative of CEE region, Stefan Fule, for the Commissioner of Enlargement, was gladly welcomed by Poland, as it guaranteed that he would better understand the challenges related to the Eastern Neighbourhood than someone from the Western or Southern parts of the EU. Moreover, cooperation with the European External Action Service (EEAS) was identified as instrumental in achieving Poland's goal in its policy towards Eastern Europe. Thanks to those and others successful international coalitions, EU began to pay significantly more attention to what is happening in the EaP countries, the evidence of which was the signing of the Association Agreements with Georgia, Moldova and Ukraine in 2014. The creation of the European Endowment for Democracy can also be considered an important achievement of Polish diplomacy and a step towards providing assistance to non-registered, illegal organisations and movements in non-democratic countries.

#### 4. Policy driver, policy taker or policy killer?

**In general Poland has been somewhere between a policy driver and policy taker when it comes to voicing its views on the EU institutional set-up as well the functioning of the Economic**

**and Monetary Union**, with a slight tendency towards assuming the role of the policy taker after all. It is important to underline, however, that Polish authorities are trying to do their best in the negotiations over the future of the EMU and the EU as a whole, especially given the fact that Poland and other non-Eurozone Member States have a very limited influence on the process of reform in the Euro area. It seems that the representatives of Polish authorities understand that a veto is not a tool which could be used in the negotiations over the new instruments for Eurozone, for the recovery and the strengthening of the Eurozone is in the interest of Poland as well. What is more, overly strong opposition by Poland towards the reform proposals could lead to the Eurozone members opting for signing the intergovernmental agreements in the future rather than trying to inscribe the new instruments elaborated for Euro area in EU legal framework. Therefore, reaching a compromise when it comes to new solutions in the EU institutional set-up is the best way to maintain, as much as possible, a fragile coherence of the EU as a whole.<sup>18</sup>

In the Single Market policy area, Poland has clearly undergone transformation from adopting a reactive approach to a proactive one. When joining the EU in 2004, it did not have a clearly defined long-term strategy of how to use and shape the EU Single Market. It did not voice its priorities either. When it took actions, it was reacting rather than initiating or setting the tone of the EU market debates. **The rotating presidency played a crucial role in allowing the Polish ruling elite to become proactive participants of the EU Single Market. The evolution from a policy taker to policy driver has been most clearly visible in the two budgetary battles.** Whereas during the negotiations of the 2007-2014 financial framework, Poland was barely following the others, it unquestionably set the tone of the 2014-2020 budget talks. It took the lead in the Friends of Cohesion group, succeeded in the appointment of Pole as a budgetary commissioner and skillfully managed the budgetary debate during the rotating presidency. Yet, there is an exception to this pattern. With regards to gas supply security, Poland has

been the policy driver from the very beginning of its membership in the EU. Poland's long-time hope and ambition has been to develop common gas supply policy at the EU level and it succeeded to do so thanks to its consistent approach, but also because of the radical changes in the geopolitical situation related to the Russian-Ukrainian crisis of 2014.

Regarding the area of the Freedom, Security and Justice, it is difficult to clearly define the degree to which **Poland acted as a policy driver. Poland was undoubtedly a policy taker when adapting the EU regulations before joining the EU Schengen Area.** However, it gradually became a policy-shaper, when it opposed the project of the limitation of the freedom of movement of people or supported the case of granting partial access for Bulgaria and Romania to the Schengen area. This was accompanied by the increase in Poland's fluency in the negotiations and the alliance-making.

Finally, **in the area of external relations Poland's approach was rather provincial, focused on regional issues (notably EU and Eastern Europe) and, to some extent, transatlantic relations.** Engagement in global affairs, such as Poland's involvement in the wars in Iraq and Afghanistan, was not driven by 'global responsibility' of Poland but rather by necessity to prove that Poland is a reliable partner and ally for the U.S. and in NATO, which in the opinion of many Polish politicians and diplomats, is indispensable for Poland's security. Poland has tried to be the policy driver in all three priorities analysed above. However, it should be noted that results are ambivalent. Its efforts to persuade other EU member states about the importance of the EU's Eastern neighbourhood, can partially be perceived as a success story. The engagement of the European Commission and the European Parliament in EaP countries is much deeper than a few years ago. However, there is still strong opposition in many EU member states towards the potential future EU membership of EaP countries. As for Poland's engagement in democratisation issues, it is far more visible now than in the 90s. However,

<sup>18</sup> G. Gromadzki, Institutions and EMU, p. 5.

it seems that still there is rather more rhetoric than concrete actions. Although the proposal for the creation of the EED was important and perceived by many member states and EU institutions as a sign of Poland's activity in the EU, its achievements remain for the moment a rather mediocre success.<sup>19</sup> Finally, the most problematic aspect remains Polish policy towards Russia, which, in fact, remains a challenge for the EU as a whole. Poland's engagement in the EaP countries, especially its staunch support for Ukraine in the on-going Russian-Ukrainian conflict, provokes additional tensions in relations between Warsaw and Moscow.

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<sup>19</sup> G. Gromadzki, External Relations, op. cit., pp. 6-7.

## Future Oriented Part

### 1. EU Institutional Set-up and the EMU

It is estimated that most of the priorities that had so far been set with regards to the EU institutional set-up as well as the functioning of the Economic and Monetary Union will remain the same in the upcoming years.

First of all, **Poland will continue to pursue the goal of entering the Eurozone, as this objective has not been achieved so far.** The country has not met the convergence criteria yet (referred to as the Maastricht criteria<sup>20</sup>). This is, however, not the only reason why it did not adopt the single currency yet. Among other reasons for remaining outside of the Eurozone, are the insufficient level of preparation of the Polish economy for the monetary integration as well as constitutional constraints. As far as the state of Polish economy is concerned, there is an urgent need for structural reforms which would also render the country more competitive. The first group of reforms should be aimed at stimulating innovative solutions.<sup>21</sup> Since Poland is ranked among the least innovative EU countries,<sup>22</sup> there is a strong need to make the Polish economy more innovation-intensive, so that it would be more focused on the introduction of new solutions rather than the implementation of the already invented ones. The second group of reforms is concerned with considerable deregulation in the field of the economy, which would allow the country to be more business-friendly.<sup>23</sup> It should involve the introduction of e-government, allowing Polish citizens to have considerably easier access to public services, which is fundamental in facilitating contacts between the citizens

and the state. Without the introduction of necessary reforms, the country runs the risk of falling into the middle income trap.<sup>24</sup> On top of the above listed future reforms, Poland would need to amend its Constitution in order to be able to adopt a single European currency. According to the Constitution of Poland, the only institution that has the right to issue money and run the country's monetary policy is the National Central Bank.<sup>25</sup> If the euro is to be introduced, the current text of the Constitution would need to be amended in order for the European Central Bank to be able to take over relevant responsibilities. This, however, will most probably not be possible for a couple of upcoming years, as the government elected in autumn 2015 is not likely to gather a majority of two-thirds ready to back the constitutional amendments rendering the euro adoption possible.

Secondly, Poland will most probably continue to be a strong advocate of the openness of the Eurozone and the EU institutions to EU member states that have not adopted the common currency so far.<sup>26</sup> This is because Poland does not want to allow the growth of the already existing split in the EU into the first and the second category of Member States. In order to be perceived by the rest of the EU28 as a credible member state however, it should not only demand that the newly established institutions (such as, for example, the Banking Union) remain open to the non-euro area countries, but it also should make use of the already existing integration opportunities. That is why **Poland is likely to support EU policies which will stimulate further integration of all EU Member States, such as**

<sup>20</sup> The euro convergence criteria (also known as the Maastricht criteria) are the criteria which European Union Member States are to meet to enter the third stage of the Economic and Monetary Union (EMU) and adopt the euro as their currency. They are concerned with price stability, government finances, in particular the levels of government debt and deficit, exchange rates and long-term interest rates.

<sup>21</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 7

<sup>22</sup> Poland came 25<sup>th</sup> out of 28 EU Member States in the ranking of innovativeness, according to the Innovation Union Scoreboard 2014, available at [http://ec.europa.eu/enterprise/policies/innovation/files/ius/ius-2014\\_en.pdf](http://ec.europa.eu/enterprise/policies/innovation/files/ius/ius-2014_en.pdf)

<sup>23</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 8

<sup>24</sup> The middle income trap means to achieve approximately 60 % of the US GDP per capita and the inability to continue catching up with the rich countries. Polish GDP (PPP) per capita in 2012 reached 44.3 % US GDP.

<sup>25</sup> The article 227.1 of the Constitution of Poland states as follows: „The central bank of the State shall be the National Bank of Poland. It shall have the exclusive right to issue money as well as to formulate and implement monetary policy. The National Bank of Poland shall be responsible for the value of Polish currency.”

<sup>26</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 8

for example, the Energy Union, put forward by the Polish Prime Minister in April 2014.<sup>27</sup>

Finally, just as it was the case in the first ten years of Poland's membership in the EU, **the country will keep supporting the strong position of the European Commission and the Community method.**<sup>28</sup> It is due to the fact that Poland continues to perceive the European Commission as the institution representing the interests of all 28 EU Member States, as opposed to the Council, which may be perceived as leaning towards the national interests. That is why Poland is expected to support the new Commission's proposals towards the deepening of the integration of the internal market. It will also take the necessary steps in order to defend the so called "four freedoms" of the EU, enshrined in the treaties and therefore considered to be the cornerstone of the EU.<sup>29</sup>

## 2. The EU Single Market

In this area of the EU policy, the already defined priorities will most probably keep on being pursued by Poland in the upcoming years. This is partially due to the already existing EU strategies such as "Europe 2020"<sup>30</sup> or "2030 Framework for Climate and Energy Policies"<sup>31</sup>, which Poland is bound by.<sup>32</sup> Moreover, some of the goals within the area of the EU Single Market, described in the retrospective part of this report, have not been fully achieved by Warsaw yet. That is why Poland is likely to adhere to the already spelled-out objectives, trying to slightly alter their definition.

One of the main priorities will remain the introduction of the EU-level natural gas supply policy, although ensuring the support for the project among the member states might prove to be challenging. Poland's dependence on Russian gas is still large, in spite of the fact that it has clearly diminished thanks to the gradual introduction of the interconnectors.<sup>33</sup> **However, in order to ensure a higher level of energy security, Poland is determined to promote the creation of the EU-level energy policy.** Poland's proposal for the establishment of the Energy Union seems to be a step in the right direction and the project has already gained the backing of the European Commission. What still needs to be done is securing the support for the initiative among the EU member states. Here, the engagement of Donald Tusk, the President of the European Council, in building the intergovernmental coalition around the project, will definitely prove useful.<sup>34</sup>

Secondly, Poland is still a strong advocate of the liberalization of services especially its attempts at removing the national barriers regarding the Services Directive which proved futile. However, in order to improve its chances to achieve this particular goal and to ensure wider support among the EU28, **Poland is now in favour of what is called "the strengthening of the EU Single Market". This is even more relevant in the context of increased attempts of some of the EU Member States, notably from the so called "old EU", at curbing the freedom of movement of workers or services.** Among the main priorities in this field remain Poland's support for the liberalisation of postal services and

<sup>27</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 9

<sup>28</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 9

<sup>29</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 9

<sup>30</sup> Europe 2020 is the European Union's ten-year jobs and growth strategy. It was launched in 2010 to create the conditions for smart, sustainable and inclusive growth. Five headline targets have been agreed for the EU to achieve by the end of 2020. These cover employment; research and development; climate/energy; education; social inclusion and poverty reduction. More on the strategy available here: [http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/index_en.htm)

<sup>31</sup> EU leaders agreed on 23 October 2014 the domestic 2030 greenhouse gas reduction target of at least 40% compared to 1990

together with the other main building blocks of the 2030 policy framework for climate and energy, as proposed by the European Commission in January 2014. This 2030 policy framework aims to make the European Union's economy and energy system more competitive, secure and sustainable and also sets a target of at least 27% for renewable energy and energy savings by 2030. More on the strategy available here: [http://ec.europa.eu/clima/policies/2030/index\\_en.htm](http://ec.europa.eu/clima/policies/2030/index_en.htm)

<sup>32</sup> O. Markiewicz, Single Market – future-oriented part, p. 13.

<sup>33</sup> O. Markiewicz, op. cit., p. 13.

<sup>34</sup> O. Markiewicz, op. cit., p. 13.

roaming as well as the introduction of the measures that would stimulate e-commerce.<sup>35</sup>

Finally, **Poland will continue to pursue its goals within the EU industrial policy with a view to boosting competitiveness of the European industry.**

Warsaw will try to make such use of EU resources so that it could reach a balance between achieving higher levels of growth and meeting climate objectives on the other hand.<sup>36</sup> The former is necessary for the continent to emerge from the economic crisis. That is why Poland together with other EU Member States has set the goal of ensuring that industry's share of the EU GDP should amount to 20% by 2020, as opposed to the current 16%. In order to achieve this objective the EU28 needs to embark on a path of significant reforms which would result in easier access to markets and finance for entrepreneurs, wider application of new technologies as well as more business-friendly environment.<sup>37</sup> Aware of the threat of falling into the middle-income trap and, thereby, remaining an economy whose development model is based on cheap workforce, Poland will keep trying to make the best use of the available EU funds in order to modernize its growth model. The recently announced EU Investment Fund<sup>38</sup> offers great opportunity for improving the country's level of competitiveness. Indeed, Poland together with other V4 countries is planning to take advantage of the available funding in order to connect and upgrade its energy networks.<sup>39</sup> On the other hand, the current EU climate policy envisages drastic cuts in the levels of emissions. According to the "2030 Framework for Climate and Energy Policies," the EU Member States are determined to obtain the greenhouse gas reduction target of at least 40% compared to 1990 by 2030 as well as ensure that at least

27% of the energy produced will come from renewable sources by 2030. This, however, could lead to a drastic increase in energy prices and a decline in competitiveness of Poland, whose energy sector is to a large extent based on coal. That is why Poland together with its Visegrad partners<sup>40</sup> is trying to warn the EU28 about the potentially detrimental impact of the EU's climate policy in its current shape on the competitiveness of the CEE countries.<sup>41</sup>

### 3. The Area of Freedom, Security and Justice

This field of EU policy making heavily depends on the new institutional and political framework in the EU as well as the current geopolitical context following the outbreak of the Russian-Ukrainian conflict in 2014. What the EU is trying to achieve in this area is combining the advanced border management with an adequate response to new challenges resulting from the Russian-Ukrainian conflict.

First of all, one of the priorities in the field will undoubtedly be adjusting to the new legal framework in the area of Freedom, Security and Justice (AFSJ). The changes were designed to respond to the end of the five-year Stockholm Programme in 2014, which spelled out the "guidelines for a common policy on fundamental rights protection, privacy, citizenship and minority rights,"<sup>42</sup> the expiry of the 36 Protocol to the TFEU resulting from the implementation of Lisbon Treaty regulations as well as the formulation of the new policy guidelines in the area of Justice and Fundamental Rights following the appointment of the new European Commission.<sup>43</sup> What is more, the EU has recently developed a new entry-exit and registered

<sup>35</sup> O. Markiewicz, op. cit., p. 14.

<sup>36</sup> O. Markiewicz, op. cit., p. 14.

<sup>37</sup> O. Markiewicz, op. cit., p. 14.

<sup>38</sup> The recently announced by the President of the European Commission, Jean Claude Juncker, Investment Plan aims at unlocking public and private investments in the real economy of at least € 315 billion over the next three years (2015-2017), further details available at [http://ec.europa.eu/priorities/jobs-growth-investment/plan/index\\_en.htm](http://ec.europa.eu/priorities/jobs-growth-investment/plan/index_en.htm).

<sup>39</sup> O. Markiewicz, op. cit., p. 14

<sup>40</sup> Joint statement of the 21st Meeting of the Ministers of Environment of the Visegrad Group Countries, the Republic of Bulgaria and Romania, 30 September 2014, Bratislava, Slovakia.

<sup>41</sup> Economic effects of the proposed 2030 climate and energy policy framework on Poland and other EU regions, Centre for Climate Policy Analysis, Warsaw, 2014.

<sup>42</sup> B. Audycka, Freedom, Security and Justice – future oriented part, p. 1.

<sup>43</sup> Detailed description of the new policy guidelines in the area of Justice and Fundamental Rights Based on Mutual Trust and the New Policy on Migration available at [http://ec.europa.eu/commission/2014-2019/president\\_en](http://ec.europa.eu/commission/2014-2019/president_en)

travelers' system which are to be introduced shortly. The EU will also concentrate on the implementation of a new set of rules regarding border controls as well as the amendments to the visa code, aimed at facilitating travel across the EU for legitimate visitors.<sup>44</sup> At the same time, strict EU border policy will be maintained and the fight against illegal immigration will be intensified, with both Smart Borders Package<sup>45</sup> and the Passenger Name Record (PNR)<sup>46</sup> tool. All of the above described **modifications in the area of Freedom, Security and Justice constitute a major challenge for Poland. Given the fact that Poland has the longest external border in the whole EU, the country could face difficulties when trying to fulfil the new EU border security measures.**<sup>47</sup>

Although the EU strives to maintain strict external border policy, it has set out to enhance cross-border cooperation, especially with the Eastern Partnership (EP) countries. However, in the face of the ongoing Russian-Ukrainian conflict, the steps already taken towards the introduction of the visa-free short-term travel and Visa Facilitation Agreement with Ukraine were abandoned. On the contrary, the extra measures of border protection were introduced following the outbreak of the Maidan protests.<sup>48</sup> "The regulation of Ukrainian border crossing has not been loosened. It remains watertight with special measures of border protection undertaken. Thus **the upcoming years will pose a challenge to those of the EU member states who were strong advocates of Eastern Partnership, Poland in particular, as for the next steps that should be taken with regards to the EU-Ukraine visa regime.** Given the fact that the two other Eastern Partnership countries, Georgia and Moldova, have made significant progress in this respect<sup>49</sup>, Poland and other promoters of the EP will need to strike a balance between trying to maintain the adequate level of protection of the EU

external border and pursuing the goals of the Eastern Partnership, one of which is the introduction of the visa-free regime with the EP countries."<sup>50</sup>

The above mentioned two future challenges lying ahead of the whole EU in the area of freedom, security and justice which are combined with an ever growing pressure from civil society regarding human rights protection in border policy. **Due to increased concerns of EU citizens regarding the issues related to data protection, data security and new forms of border management in migration policy<sup>51</sup>, the European Commission is leaning towards finding better balance between the necessary security measures and observing human rights.** This will clearly be yet another issue to which Poland as well as other EU member states will be forced to take a decisive stand in the upcoming years.

#### 4. External Relations

One of the already defined priorities within the area of External Relations will surely remain constant for Poland. In the upcoming years Poland will continue to focus its efforts on the maintenance of the Eastern Partnership project. **Having as main objective the plan to anchor Ukraine, Moldova and Georgia in the Western world, Poland is ready to provide necessary assistance to these countries, leading to successful implementation of the already signed Association Agreements (AAs) with Deep and Comprehensive Free Trade Agreements (DCFTAs).**<sup>52</sup> It is all the more important that a positive example in these EaP countries could constitute an encouraging incentive for the remaining ones, i.e. Belarus, Armenia and Azerbaijan. Apart from support in the implementation of the AA and DCFTA, Poland will continue advocating the introduction of the visa-free regime with

<sup>44</sup> The newly amended visa code falls within the Schengen Information System II.

<sup>45</sup> Detailed description of the Smart Borders Package tool available at [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/smart-borders/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/smart-borders/index_en.htm)

<sup>46</sup> Detailed description of the PNR tool available at [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/police-cooperation/passenger-name-record/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/police-cooperation/passenger-name-record/index_en.htm)

<sup>47</sup> B. Audycka, op. cit., p. 3.

<sup>48</sup> B. Audycka, op. cit., p. 4.

<sup>49</sup> On 28th April 2014, Republic of Moldova became the first Eastern Partnership country with visa-free travels to the EU, with Georgia planning to follow at the beginning of 2016.

<sup>50</sup> B. Audycka, op. cit., p. 3.

<sup>51</sup> Read further in B. Audycka, op. cit., pp. 5-8.

<sup>52</sup> G. Gromadzki, External Relations – future-oriented part, p. 7.

Ukraine and Georgia. Since the Eastern Partnership in its current shape was not concerned with security issues, Poland is likely to postulate for the inclusion of the security dimension in the project, given the importance it has been given since the outbreak of fighting in Eastern Ukraine.

Poland's stance towards Russia has been deeply affected by the ongoing conflict. In its first years of EU membership, Poland has been trying to improve its rather tense bilateral relations with Russia, especially in the context of Russia's friendly relations with some Western European countries. Russia's hostile actions towards Ukraine in 2014, involving the annexation of Crimea and the launch of regular fighting in Eastern parts of the country, have led to Poland becoming convinced of the need for taking a firm stance towards Russia. That is why in the foreseeable future **Poland will continue to advocate the strategy of smart deterrence of Russia and taking common EU actions towards Moscow.**<sup>53</sup> An example of such a consistent EU approach towards Russia that Warsaw is in favour of is the extension of the EU sanctions on Russia for as long as Moscow keeps its military involvement in Ukraine.

In the context of Russia's aggressive policy, the Transatlantic relations will undoubtedly gain in importance. **Poland will try to strengthen its relations with the USA by supporting the idea of closer EU-US political and economic links and stronger military ties within NATO.** As for economic links, Polish authorities will continue to be in favour of the ongoing negotiations on the Transatlantic Trade and Investment Partnership (TTIP). Seeing the potential gains from the agreement not only for particular sectors of Polish economy (e.g. the small and medium sized enterprises which would gain easier access to American market), but also for the whole EU (e.g. thanks to the opening of the American gas sector to exports to Europe), Poland will be in favour of the signing of TTIP as soon as possible. In order to enhance the level of security in Europe, Poland will continue advocating the need for greater military presence of NATO in Europe. In this

context, Warsaw welcomed the agreements of the NATO summit in Newport and the readiness to deploy the so called "spearhead" rapid reaction force in Poland.

Finally, **Poland will try to improve its international standing by conducting an ambitious foreign policy and pursuing the goal of democracy promotion.** Polish authorities will continue to support the European Endowment for Democracy, perceived as a tool for the achievement of Poland's national interests through European institutions.<sup>54</sup> As for the global aspirations in the field of Polish foreign policy, due to limited resources of Polish diplomacy, Warsaw will maintain its active engagement in the EaP project and continue enhancing transatlantic relations, while letting the EEAS to take the lead in shaping foreign policy towards other regions of the globe.<sup>55</sup>

## 5. Consensus in pursuing the priorities

When it comes to the area of the institutional set-up of the EU and the EMU, there is little probability that consensus in the broad field of European affairs, the Eurozone accession in particular, could be achieved among the members of the Polish political stage. Polish political parties will most probably continue to adhere to their current positions on these topics. The Law and Justice Party (PIS) will continue objecting to Poland's participation in further integration with the EU. The Civic Platform (PO), on the other hand, will continue to be a moderate supporter of Poland's deepening its integration with the rest of the EU. However, this does not mean that the party would become an ardent supporter of European integration. Quite the contrary, it is likely to maintain the existing "wait and see" strategy during the upcoming years. There is, however, a political scenario in which the Civic Platform would be likely to assume a role of a staunch advocate of the substantial deepening of Poland's integration with the EU. This would probably be the case should the Civic Platform be forced to assume the role of the opposition party to the Law and

<sup>53</sup> G. Gromadzki, External Relations, op. cit., p. 8.

<sup>54</sup> G. Gromadzki, External Relations, op. cit., p. 8

<sup>55</sup> G. Gromadzki, External Relations, op. cit., p. 8

Justice, following the autumn 2015 elections. It would do so in order to mark its divergent stand with respect to the European integration from that of PiS.

A broader coalition of supporters of Poland joining the Eurozone is likely to be built by Polish President, Bronisław Komorowski. He is the only high ranking Polish official who is openly manifesting his support for Poland's accession to the Eurozone. It is probable that following his very likely re-election in May 2015, Komorowski will dedicate his second term to building a broader political coalition, possibly with the representatives of civil society in favour of adopting the single European currency.<sup>56</sup>

All in all, it can be concluded that when it comes to euro adoption, a lot depends on the results of the Polish parliamentary elections in autumn 2015. Supposing the victory of the Law and Justice, the measures that were already taken with respect to joining the Eurozone would most probably be withdrawn. Were the Civic Platform to win the autumn elections, the current moderate approach towards the adoption of the single currency would be maintained. In any case, it is rather improbable that following the autumn parliamentary elections there will be sufficient majority of euro-enthusiasts in Polish Parliament which would be able to introduce the necessary changes to the Polish constitution.<sup>57</sup>

Some degree of unity among Polish political parties may be observed when it comes to the area of external relations, especially with regards to the Russian-Ukrainian conflict. Although the Law and Justice party is far more anti-Russian in its rhetoric than the ruling coalition, all actors on the Polish political scene will strive to maintain a consensus among the EU members with regards to Russia. The same is true about the degree of consensus when it comes to Transatlantic relations. Enhancing Polish-American relations will probably become a common priority for all main Polish political forces.<sup>58</sup> Apart from these two aspects of foreign policy, the remaining ones, such as global dimension of Polish external relations, will most probably become a bone

of contention between political parties in Poland. While Civic Platform is more likely to be in favour of adopting a more expansionary foreign policy, the Law and Justice will rather opt for focusing on Poland's immediate neighbourhood in Poland's foreign relations.

## 6. Impact at the EU level and Coalitions Secured to Achieve the Chosen Priorities

The most important priority that Poland will undoubtedly pursue in the upcoming years regarding the EU institutional set-up and the EMU will be ensuring the openness of the Eurozone mechanisms to the non-euro area countries. **In order to successfully pursue this goal and ensure the non-euro area Member States the possibility of participating in the newly-created Eurozone mechanisms, such as for example the Banking Union, Poland will need to closely cooperate both with its big Eurozone allies, such as Germany, as well as with the other countries outside the Eurozone.** Given its close cooperation with Sweden or the Czech Republic with regard to the EU Eastern policy or the Visegrad Group respectively, it is probable that these countries will be Poland's close partners also when it comes to the institutional dimension of European affairs.

Along the same line, **Poland will continue to oppose the introduction of the mechanisms for the Eurozone only, perceived as further deepening the already existing divisions in the EU.** An example of such a measure that Poland is likely to oppose is the fiscal-capacity as a separate budget available only to the Eurozone countries. It is therefore highly probable that there will be an ongoing debate regarding this matter at the EU level in the upcoming years, with Poland on the side of its adversaries.

In order to try and maintain the unity of the EU28 and counter the drive towards further divisions within the EU, **Poland will continue to be a strong supporter of the**

<sup>56</sup> G. Gromadzki, External Relations, op. cit., p. 10

<sup>57</sup> G. Gromadzki, External Relations, op. cit., p. 10

<sup>58</sup> G. Gromadzki, External Relations, op. cit., p. 9

**European Commission, seen as the defender of the community method in the EU.** In this very respect Poland sees the importance of the role of the President of the European Commission, Jean-Claude Juncker, as well as the President of the European Council, Donald Tusk, whose task will be to act as a facilitator for all the EU Member States, both those with and without the single currency.<sup>59</sup>

Regarding the priorities that Poland will try to achieve in the area of the Single Market, it seems that the country will continue its close cooperation with the V4 countries. **Together with the members of the Visegrad Group, it will also try to warn the EU28 about the potentially detrimental impact of the EU's climate policy on the competitiveness of the CEE countries.** At the same time, Warsaw will make the effort to ensure the support of the remaining EU member states for the Energy Union project.

Regarding the area of Security, Justice and Home Affairs, there may be major challenges ahead of Poland as a member of the Schengen system. Given the fact that the country has the longest external border in the whole EU, it may face serious difficulties when trying to fulfil the new EU border security measurements.

**In the area of external relations, Poland will be active in trying to build different coalitions within the EU, depending on the priority it will try to achieve.** When it comes to Eastern Europe, Germany will be the most important partner for Poland. Poland is closely observing the gradual change of the German approach towards Russia, which has significantly changed in the wake of the Russian aggression on Ukraine. It seems that Berlin's perception of Eastern policy begins to overlap with Warsaw's stance, according to which what counts are not only good economic relations and business stability, but also the protection of unquestionable values and irrevocable norms of international relations.<sup>60</sup> Apart from Germany, also the Baltic states, i.e. Estonia, Latvia and Lithuania, could be Poland's natural allies, sharing Warsaw's concerns about the

Eastern neighbourhood of the EU. They are likely to back Poland in initiating the debate on the future EU membership of EaP countries as well as in maintaining a consistent EU policy towards Russia.

**Contrary to what was the case in the first decade of the EU membership of the Central and Eastern European countries, finding a common stand of the V4 countries on Eastern policy can prove to be a nearly impossible task.** "Differences between Poland on the one hand and Hungary and Slovakia on the other hand on Russian-Ukrainian conflict are significant if not fundamental. One can assume that this will continue to be the case in the future."<sup>61</sup>

When it comes to EU-US relations, Poland will most probably cooperate with the UK (although this depends to a large extent on UK's future approach towards the EU as a whole), as well as Italy, Spain, Denmark and Finland. "Cooperation with Visegrad partners can be, again, a difficult challenge for Poland, especially cooperation with Hungary governed by Fidesz whose relations with the US will probably deteriorate in the future. It appears that Hungarian Prime Minister Viktor Orban will not be interested in close links with US because it is heavily criticised by Washington due to his policy of undermining the basis of the liberal democracy."<sup>62</sup>

## 7. Policy driver, policy taker or policy killer?

It seems that the upcoming years will pose quite a significant challenge for Poland with respect to the role that it is to assume at the EU level.

**Although in the first ten years of its membership in the EU Poland has strived to consistently act against being perceived as a second-class EU member state, this dreaded scenario may soon come true, mostly due to Poland remaining for over a decade now outside of the Eurozone, perceived as the core of EU decision-**

<sup>59</sup> G. Gromadzki, Institutions and EMU, op. cit., p. 11

<sup>60</sup> G. Gromadzki, External Relations, op. cit., p. 10

<sup>61</sup> G. Gromadzki, External Relations, op. cit., p. 10

<sup>62</sup> G. Gromadzki, External Relations, op. cit., p. 10

**making.** If this continues to be the case for the years to come, Poland's position in the EU may be further marginalized, leading to its role as rather a policy taker than a policy driver. What renders this much dreaded scenario even more probable is the fact that Poland risks falling into a middle-income trap, which would further diminish its importance at the EU level.<sup>63</sup>

There are undoubtedly two aspects, in which Poland will try to play an important role, i.e. that of policy driver, in the years to come. First of all, **it will be an active supporter of the Energy Union project, trying to push forward the already initiated works in this field and enlarge the coalition of the EU Member States around the project. Second, Poland will undoubtedly assume the role of a policy driver in the field of External Relations with regards to Eastern Partnership.** It will actively support the implementation of AAs and DCFTAs with Ukraine, Moldova and Georgia and may even try to start a serious debate within the EU on the potential EU membership of these countries.<sup>64</sup>

**Poland's active engagement at the EU level, as a policy killer however, will be visible in the area of the EU climate policy.** In the upcoming years Poland will therefore continue to try and either alter the EU's ambitious climate policy projects or get sufficient compensations which could allow the country to gradually introduce a low-emission energy model.

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<sup>63</sup> G. Gromadzki, External Relations, op. cit., p. 11

<sup>64</sup> G. Gromadzki, External Relations, op. cit., p. 9

## Conclusions

All in all, it is clearly visible that the past ten years have brought significant changes for Poland and its standing on the European scene. From a position of a new-EU member state, whose main task was predominantly to adjust to the existing rules in the EU, as demonstrated in the objectives it pursued right after the accession, e.g. with regards to the adoption of the Schengen rules, Poland has gradually started to act as an autonomous player. It began to identify priorities which, on one hand, would benefit Poland itself, such as the liberalisation of the services sector in the EU, the openness of the new institutions within reformed EMU or the creation of the EU-wide initiative towards its Eastern neighbours, but that would at the same time be of importance for the EU as a whole, such as ensuring the gas supply security policy. Aware of the gradual division into a multi-speed Europe, Poland tried to neutralise the negative consequences of this phenomenon for the opting-out countries and supported a gradual speed of reforms, aimed at further deepening the integration among the Eurozone members states. In doing so, Poland succeeded in securing numerous alliances with other EU member states, proving that its negotiations skills have significantly matured.

Ten years into its EU accession, Poland's voice does matter in the EU politics. This, however, does not mean that Poland will be the policy driver or policy killer in all of the areas discussed above in the upcoming years. Clearly, the first ten years of the country's membership in the EU allowed Polish authorities to identify the policy areas where the country can make an impact at the EU level thanks to the level of expertise it has achieved or the strength of the coalitions it managed to build. One such areas is Poland's active and continuous engagement in the promotion of the Eastern Partnership and the support for EU membership aspirations of some of the EaP countries. Poland is aware of the fact that the next ten years will be decisive for the European choice for countries like Ukraine, Moldova and

Georgia and will therefore try to shape the EU Eastern policy accordingly.

Not only the area of foreign relations, but also that of the EU Single Market or EU institutional set-up will be fields where Poland will try to mark its position at the EU level. Given the importance of the question of EU energy security in the context of the ongoing Russian-Ukrainian conflict, Poland will definitely do its best to be considered as a policy driver regarding the Energy Union project. Poland will strive to speed up the works in this field and not only maintain but even broaden the existing coalition of the EU Member States around its proposal. However, when crucial national interests are at stake Poland may stand against the mainstream EU countries and try to block EU legislation on such issues. This will probably be the case when it comes to the area of EU climate policy, whose current shape is perceived as detrimental to the competitiveness of Poland's economy. Warsaw will therefore probably play the role of the policy killer, if not regarding the whole EU climate legislation, then at least with reference to some of its aspects so as to ensure sufficient compensations which could help Poland to switch towards a low-emission energy model.

The first ten years of EU membership allowed the new EU Member States to realise that they are more likely to achieve their goals in chosen policy areas if acting together in coalition with other EU countries. Poland will therefore try act jointly with its EU partners in the above described dimensions. There is, however, a high probability that in the upcoming years we will witness growing divisions among the Visegrad group, regarding issues such as EU policy on Eastern Europe and EU transatlantic relations. Although this does not necessarily mean that Poland will cease to cooperate with the Visegrad partners in the field of EU foreign policy, the depth of the future cooperation will surely depend on the ability to find a common position towards Eastern European and transatlantic affairs by the political elites of the V4 countries.<sup>65</sup>

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<sup>65</sup> G. Gromadzki, External Relations, op. cit., p. 11

DCFTA – Deep and Comprehensive Free Trade Agreement

EaP – Eastern Partnership

ECB – European Central Bank

EED – European Endowment for Democracy

EMU – Economic and Monetary Union

EP – European Parliament

EU – European Union

PiS – Law and Justice party (Prawo i Sprawiedliwość)

PO – Civic Platform party (Platforma Obywatelska)

SLD – Social Democrats party (Sojusz Lewicy  
Demokratycznej)

V4 – Visegrad Group (Czech Republic, Hungary, Poland  
and Slovakia)



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