

Poland

The EU New Member States as Agenda Setters in the Enlarged European Union

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The publication is a product of the Open Society Institute – Sofia within the European Policies Initiative (EuPI) and the project “The EU New Member States as Agenda Setters in the Enlarged European Union”. This EuPI project has been implemented in close partnership with EUROPEUM Institute for European Policy, with funding provided by the Open Society Institute – Sofia.

About EuPI

The European Policy Initiative (EuPI) aims at stimulating and assisting the New Member States from CEE to develop capacity for constructive co-authorship of common European policies at both government and civil society level. As a new priority area of the European Policies and Civic Participation Program of Open Society Institute – Sofia, EuPI will contribute to improving the capacity of New Member States to effectively impact common European policies through quality research, policy recommendations, networking and advocacy. The initiative operates in the ten New Member States from CEE through a network of experts and policy institutes.

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The objective has been to map the positions and level of activity of the ten new EU Member States on a number of issues on the EU agenda; identifying the factors and drives behind these positions; looking at the level of political and public consensus and the influence of major stakeholders; outlining coalition patterns within the EU and, finally, trying to provide an outlook on possible change of these positions.

The countries have been classified on each of the policy issues as “Policy Takers”, “Policy Killers” or “Policy Drivers”, depending on their particular position and level of activity. In the classification of this study, Policy Takers are those states that usually follow the mainstream in the EU and in general accept whatever is offered from the EU. The Policy Driver is a country that assertively promotes an issue at EU level. A Policy Killer is a country that actively opposes the policy in question.

The research has been carried out by individual researchers in each of the ten new members on the basis of specially designed methodology, developed by EUROPEUM and major input from EuPI/OSI-Sofia. The seven policy areas under research are: I. Internal market/Lisbon Strategy; II. Minority integration and citizenship issues; III. Energy and climate change; IV. Budget review and CAP Health Check; V. EU foreign policy and enlargement; VI. Freedom, Security and Justice; VII. Institutional issues.

The research was carried out primarily in the period September 2008 – December 2009, but there may be references beyond this period. Some positions and circumstances described in the reports may have changed since the information was last made available to the researchers or reached the stage of publication.

The researchers’ findings are published in ten country reports on each of the New Member States: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The structure of the country reports includes an overview of the country’s performance as an EU member and seven chapters following the seven broad policy areas. Each chapter contains an overview of the position of this country in the area, including the top three national priorities. Then the chapters provide in-depth analyses, information and prognoses on a set of issues (defined as general and specific) within each of the seven policy areas.

A comparative report, based on the ten country reports, was produced to highlight the project’s findings.

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Country Report

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Poland

**The EU New Member States as Agenda
Setters in the Enlarged European Union**

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About the author

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Poland in the EU: An overview

Poland's accession to the EU in May 2004 coincided with a major shift on the domestic political scene, which was finalised in the fall of 2005. During the first 18 months of its presence in the European Union Poland was ruled by a minority technocratic left-wing government with almost no majority support in the Parliament. The president of the country was also a left-wing politician, Aleksander Kwaśniewski. The socialist rulers of the country, joined by liberal and conservative opposition, engaged strongly in addressing the political crisis in Ukraine following its presidential elections in late 2004. Until 2008, that engagement of 2004 is largely perceived as the only major contribution of Poland to EU's foreign policy. In other policy areas Poland was largely a passive member.

The political situation shifted dramatically in the fall of 2005. Ever since president Lech Kaczyński took office (December) and his original party, the Law and Justice (Prawo i Sprawiedliwość, PiS) took over the executive and legislative branches, Polish EU membership began to evolve. There were many clashes between Warsaw and Brussels between 2005 and 2007,¹ as well as almost permanent bilateral tensions with Germany and Russia, and with other nations on a more ad-hoc basis. The period since 2005 can be characterised as an active membership, though many activities were directed towards defensive solutions with a few attempts to veto proposed solutions. During this period Poland gained a label of being "unpredictable", which had a negative impact on the country's position in the EU.

Since late 2007, when early popular elections were called, the government is composed of a liberal-conservative Civic Platform (Platforma Obywatelska, PO). Since then Poland has been fighting with the "unpredictable" label. There have been fewer clashes with Brussels and a more constructive approach (even in case of the highly controversial climate change package, consensus with other Member States has been achieved). Generally, Poland is slowly but steadily evolving towards a position of an active stakeholder in most policy areas, as the 6th EU Member State ranked not only by population, but also by the size of its economy. The Polish-Swedish joint proposal of Eastern Partnership was the first initiative of that kind. Nevertheless it should not be forgotten that there are other domestic stakeholders, who have another opinion: the President, Lech Kaczyński, and the opposition PiS represent a less cooperative approach (hence, a more defensive and more intergovernmental model aiming at a looser integration), the extreme-right parties are openly anti-European (recently a former leader of the League of Polish Families called for leaving the EU once the funds end), and the left-wing parties would probably propose a more passive approach (though they claim the opposite).

There are a number of policy areas in which the Polish position is and will be important. These include (in no particular order): (1) the budget and regional funds — Poland is the main beneficiary of the current multiannual budget; (2) agriculture — Poland has the second highest number of farmers in the EU (after Romania) and has a major agriculture production; farmers are also very influential stakeholders in domestic politics; (3) macroeconomic policy — it is currently the 6th largest EU economy (though, as it not a member of the Euro zone, the impact is limited for the moment); (4) business (internal market, enterprise, competition) — extremely important, as those decisions influence economic growth; currently the major focus is on SMEs and heavy industry, potentially also on services; (5) mobility — there are millions of Poles working in other EU Member States (though very few foreign migrants in Poland); (6) climate change and energy — adapting the coal-based economy to carbon-free production constitutes a major challenge; (7) justice and home affairs, especially in trafficking — Poland is a major transit route for the traffic of drugs, goods and people; (8) foreign and defence — Poland's aspiration is to shape the EU's Eastern policy as well as to influence transatlantic relations and defence cooperation. Among other topics are strong support for the external component of EU energy security, opposition towards tax harmonisation

¹ To name a few: milk quotas (2005-2006), the pan-European merger of banks (2006), "Nature 2000" programme application (2006-), public support to shipyards (2005-2008), the situation of sexual minorities in Poland (EP resolution in 2007), the veto on the new EC-Russia agreement negotiations (2006-2008), opposition to climate change policy (2007-2008), refusal to accept the Charter of Fundamental Rights (2007, hence the Polish opt-out from the document), the double majority voting system in the Council (2007), and the recent problems with ratification of the Lisbon Treaty in Poland caused by the President's refusal to sign (2008-).

(though approximation is not excluded), support for further enlargement, consumer rights, human rights and promotion of democracy in third countries, etc.

Poland does not have one coalition-building partner. Already over the past years it has worked closely with such diverse countries as Spain (big, old member, on the Constitutional Treaty) and Sweden (relatively new, small member, on the "Eastern Partnership" initiative). However, there is a coalition pattern of Poland's partners in the EU. On the first level of partners in the region are: the Visegrad group, the Baltic nations (including Sweden, Finland and Denmark) and Germany. The second group is composed of new member countries, especially the post-communist 10. The third layer is relations with the largest EU members (G-6), though Poland refuses (so far) to work exclusively with those states and consults its position with smaller nations (i.e. there are regular Visegrad summits ahead of European Council meetings). The final layer is the whole EU-27. Yet, depending on an issue, this pattern is not necessarily used, and relations with Austria or Ireland, not seen as important on, say, defence, are crucial when it comes to labour markets (Austria is closed, while in Ireland there are hundreds of thousands of Poles working).

I. Internal market and Lisbon Strategy

(Growth and jobs in EC work plan and policy strategy)

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1. Overview

The Polish approach towards issues of internal market is characterised by the principle of pragmatism. This approach manifests itself throughout the issues, as well as in the issue prioritisation. Among other general characteristics are: the drive towards liberalisation; support for completion of the single market and removal of obstacles; general support (though critical) of European Commission initiatives.

The three policy issues in the Internal Market/Lisbon Treaty pillar are:

1. Ensuring synergy between the competitiveness of economy and the other policies;
2. Establishment of the "real" services sector; and
3. Small and Medium-sized Enterprises (SMEs)

This list does not limit the number of priorities in internal market, but presents the top three from a long list.

The first principle, "synergy", is of great importance as there is not currently enough synergy between the policies around the internal market and the internal market/industrial policy. This is visible, inter alia, in the environmental policy or the energy policy. As the climate change package is an overreaching new policy, which determines the conditions under which European companies will perform in the future, let us examine this package in the area of internal market, even though it has also strong implications for the energy policy of the EU. Therefore, the initially proposed climate change package did not well enough reflect the principle of synergy with European industrial competitiveness. This lack of synergy between policies in principle is very dangerous as it may lead to deterioration of competitiveness environment for European industries, therefore forcing industries to close down or to move to third countries. At the same time, the EU cannot win the fight against the climate change alone, as it is responsible for some 15% of global CO₂ pollution. So if there is no global solution to climate change with simultaneous restrictions on European industry we risk closing down in Europe and helping out the planet, as the pollution will still happen in other regions of the world. For Poland it may be not only India or China, but also Russia, Ukraine or other neighbouring countries.

Enhancing the free movement of services in the EU is the second priority. This is a result of the situation in which Poland (and many other 2004 and 2007 EU entrants) has a significant comparative advantage over richer nations of Western and Northern Europe (cheaper labour; lower taxes). The sector's third priority is small and medium-sized enterprises. SMEs are responsible for about half of Polish GDP; they are also most important employer.

The issues of services and SMEs are covered more closely in the General and Specific issues section.

The developing economic crisis has not impacted Poland greatly so far. No major bank collapsed or asked the government for support; no major investments were withheld and there was no wave of company bankruptcies. The European Commission January 2009 forecast was cautiously optimistic for Poland with 2% GDP growth and 8.4% unemployment expected by the end of the year. At the same time many companies have lost significant resources by over-investing in so-called "currency options" (with one company, Swarzedz, a well known furniture manufacturer, most likely going

bankrupt). However, as time passes by, more companies have started to cut their projections and started layoffs. The currency, zloty, was very vulnerable and lost a third of its value over 6 months. An additional challenge are the large numbers of Poles coming back from abroad (mainly the UK and Ireland), who are also looking for jobs in Poland. So far the government's approach is conservative: the budgetary spending has been cut by almost 20 billion PLN (EUR 4.4 billion) for 2009 and no stimulus package was debated until January. Only in February did the government lay out a new law allowing for public support for banks.

The global economic crisis has had limited impact so far on political stability; polls of 10-11 February still give the ruling PO over 50% support. The public discourse, however, is evolving in two ways. On the one hand, from all across the political scene there is a call for a greater unity, which is needed to fight against the crisis' negative consequences. On the other hand, main parties diverge over what to do: the opposition PiS calls for increased public investments; some union members have mentioned that they would like to close the national labour market for non-EU citizens, such as Ukrainians or Russians (for whom the labour market is relatively open thus far).

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1.1. Priority: Synergy	Policy Driver; Policy Driver	National Consensus	Within the mainstream debate between "liberals" and "étatists"
2.1. Review of merger regulations	Policy Taker; Policy Taker	National Consensus	Within the mainstream
2.2. Free movement of workers and transitional periods	Policy Driver; Policy Driver	National Consensus	Within the mainstream
2.3. Review of Better Regulation and Simplification Rolling Programme	Policy Taker; Policy Taker	National Consensus	Within the mainstream
2.4. Free movement of services	Policy Driver; Policy Driver	National Consensus	Within the mainstream
2.5. Taxation harmonisation	Policy Taker; Potential Policy Killer	National Consensus; potential lack of it on the CCCTB	Within the mainstream
3.1. Small Business Act	Policy Driver; Policy Driver	National Consensus	Within the mainstream
3.2. Financial Retail Services	Policy Taker; Policy Taker	National Consensus	Within the mainstream

2.1. General issues: Review of merger regulations

Definition: Policy Taker

Outlook: Policy Taker

Poland is satisfied with the current status quo and does not see any reason to change anything in the merger regulations. Especially important is not to shift competences to the EU level. The approach is probably the result of the fact that both the government and the national competition authority are dominated by a liberal approach and they are ideologically largely satisfied with the status quo. However, the approach is not a locked-in approach and the government was ready to be engaged in a constructive dialogue on the specific arrangements.

2.2. Free movement of workers across the EU and transitional periods

Definition: Policy Driver

Outlook: Potential Policy Driver

The transitional periods should be terminated as soon as possible; they are abnormal in the EU. Their removal would be in line with the Lisbon Strategy objectives. This general approach was confirmed, for example, when France decided to open its labour market to citizens of Poland and other New Member States. At the time (spring 2008), the Polish Prime Minister Tusk said "This is a decision of a political and symbolical meaning for Poland. Thanks to that we know that the European Union, as a common house of all member nations, is a fact, not a slogan."

Regarding the Directive on posting workers (Directive 96/71) Poland has changed its position after the ECJ rulings on the Laval case. Before that Poland considered the Directive vague and not going far enough. The results of the court case changed this position; Poland is of the opinion that it is not the Directive that is bad, but the way it was implemented in some member states. Therefore, the Directive does not require any change today. The Polish government looks forward to the 2009 Czech Presidency initiatives in this policy area.

2.3. Positions on the Strategic Review of the "Better Regulation" package (COM(2006) 689) and ECOFIN Conclusions, 22 January 2008; EC Simplification Rolling Programme after screening the acquis

Definition: Policy Taker

Outlook: Policy Taker

Poland supports the Better Regulation and the European Commission initiatives, because the administrative burdens need to be limited, especially for SMEs. The national target in limiting administrative burdens is ambitious, but realistic.

In the Council there are two approaches to Better Regulation. On one side there are countries that prefer to legislate on everything. On the other side there are countries that support exploring non-legislative solutions (which are most suitable) before taking a decision on legislating. Poland is an active member of the second camp, which is led by the United Kingdom. Domestically, the government's approach is praised by the business community; the social partners are policy takers' on their own: the unions stand by whatever the ETUC position is.

2.4. General issues: Free movement of services

Definition: Policy Driver

Outlook: Policy Driver

Poland is not satisfied with the Services Directive as it stands today, but the good thing about the Directive is that it exists. The European Commission's actions are, unfortunately, fragmented, in a situation where the approach should be holistic and complex. The issue requires a lot of work, as the list of waivers (cases exempted from the application of the Directive) is too long. Another problem with the Directive is that the procedures require harmonisation, and some of the Directive solutions already need to be simplified. There is a need for realisation of the freedom of services in the internal market.

Should this issue re-emerge on the European legislative table, the Polish government's position would be probably positive towards liberalising solutions. Such an approach would most likely be backed by the opposition and only several unions might be opposed, as was the case a couple of years ago when the original Services Directive was adopted.

2.5. General issues: Taxation harmonisation

Definition: Policy Killer

Outlook: Potential Policy Killer

In principle, Poland opposes the idea of harmonisation of taxation systems or taxation rates, but in the past it has supported the work done on terminology unification. However, over the years the Polish position has somewhat softened and currently, in principle, the idea of a corporate tax base is more acceptable (one of the largest business organisations supports the idea). But there is a strong opposition to any harmonisation of the levels of taxation.

3.1. Specific issue: Small Business Act (SBA)

Definition: Policy Driver

Outlook: Policy Driver

The situation of the SMEs is among top priorities of Poland in the area of internal market. Poland strongly supports the position of the European Commission in principle, but there are smaller individual points to which the Polish delegation will contribute. Of particular importance are: (1) transfer of property; (2) support and provision of advice to SMEs; (3) activity of the 50 Plus generation and (4) bankruptcy law. In principle, the Polish position is guided by a liberalising approach and the removal of barriers for SMEs. This position is backed by all major political parties and social stakeholders (both the unions and business organisations).

3.2. Specific issue: Financial Retail Services

Definition: Policy Taker

Outlook: Policy Taker

Poland supports everything that "eases life". At the same time Poland prefers self-organisation of banks on this issue before legislating. Only if the banks fail to self-organise should there be a legislative proposal. What Poland criticises the Commission for is the EC's non-holistic approach. Poland would prefer to have a complex proposal coming from the EC, rather than only one element that may change some things, but in the end, not much.

II. Minority integration and citizenship issues

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2. General Issues:
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3. Specific issues:
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 - 3.2. Institutionalisation of European policy on Roma by establishment of a Roma Unit within the EC;
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1. Overview

The Polish position towards all minority issues is based on one principle: respect for individual and group rights. Hence, the Polish position towards all identified issues (general and specific) can be described as positive engagement. This passive approach is a direct consequence of the fact that Poland is a country with virtually no significant ethnic minorities. The 2002 census showed that 96.7% of the population are ethnic Poles. Only 1.23% of the population described themselves as ethnic minority members (other did not respond to the question). This means that among 27 EU countries, Poland is ranked 27th in number of ethnic indigenous or immigrant minorities.

The state's policy towards ethnic minorities is based on positive engagement. Members of ethnic groups have social and political rights. The state's constitution grants them a series of specific rights, such as religious freedom, linguistic freedom of expression, or the right to self-organisation and promotion of the minority culture and traditions. The current 2001 Electoral Act exempts minorities' political parties from a requirement to receive 5% of support country-wide to enter into the national parliament (the Sejm). Since 1991 the German political organisations were able to benefit from this regulation and have had their representatives in the Sejm ever since. Other minorities have not been sufficiently organised to achieve a similar result.

The ethnic minorities' rights also include the right to public schooling in their language, where they should also have access to teaching on the group's tradition, history, religion and culture. Public radio and television broadcast programmes in minorities' languages. The right to language also means that official texts or labels can be provided also in minority's language on the local level. Members of an ethnic minority can express themselves in their language in offices and courts. Out of 2478 communes in Poland, those provisions can be implemented in only 51 (the law requires that ethnic minority members need to constitute at least 20% of the local population). Out of these 51 communes, the "second language" option has been implemented in 21 (1 for Belarusian, 1 for Lithuanian, 2 for Kashubian, and 17 for German).

All acts of discrimination against an ethnic or national minority are penalised. No one can be forced to assimilate or forced to reveal their ethnic background.

In practice, there have been no major problems with ethnic groups or clashes between peoples of different ethnic background in many years. Quite to the contrary, there is a revival of the Jewish culture among ethnic Poles (though anti-Semitism is still present in the country) with many attempts to increase the people-to-people contacts between Israeli and Polish youth. Two representatives of minorities have been elected Prime Ministers of the country: religious, Lutheran Jerzy Buzek (1997-2001); and ethnic, Kashubian Donald Tusk (since 2007).

The Polish Roma Association in its statement on the European Roma Strategy did not mention the Polish government at all and instead focused its attention fully on the European Commission. It also criticised the conditions in which the Roma people live in Slovakia. This is to illustrate the insignificance of the issue in the Polish context.

For this reason the assessment for the entire section is the following:

Definition: Policy Taker

Outlook: Policy Taker

III. Energy and climate

1. Overview
2. General issues:
 - 2.1. Strategic energy review (2007) and positions towards 2010-2014 energy action plan
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 - 3.3. Establishment of the Agency for Co-operation of Energy Regulators (COM(2007) 503)

1. Overview

The Polish policy towards EU energy policy and climate change has two faces. On the one hand, Poland is a strong protagonist of an EU-led EU-wide common energy policy, also in its external dimension. On the other hand, Poland was among the most vocal critics of the climate change package and proposals (up to the December 2008 European Council). Here its approach is that there are two guiding principles, which need to find a common ground: climate change and economic growth. Poland believes that it would be disastrous for the EU to put too many burdens on its industry through its climate change policy, because it could not have any impact on climate change worldwide (for this requires a global approach) and would have a devastating impact on the home industry's competitiveness worldwide.

Generally, Polish electricity consumption is over 90% based on fossil fuels (almost exclusively coal). In 2006, renewable energy sources contributed to 5.1% of energy consumption (Eurostat). The relative dependence on imports of energy sources of Poland is low in comparison with other EU Member States: only 19.9 in 2006 (the EU average is 53.7; Eurostat). This is a result of high coal dependence. At the same time over 70% of its natural gas consumption and 95% of its oil consumption comes from abroad, primarily from Russia (data from Energy Policy of Poland until 2030 by the Ministry of Economy, 2008). Poland has no nuclear power plants; all major political stakeholders agree that developing nuclear power plants is Polish energy's future. This issue is addressed also below.

The three policy issues in this pillar are:

1. The energy solidarity clause;
2. External dimension of the European Energy Policy; and
3. Climate change package.

All these issues are presented in greater detail below in the General and Specific issues sections.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
2.1. Strategic energy review, etc.	Policy Taker; Policy Taker	National Consensus	Within the mainstream
2.2. Post-Kyoto	Policy Driver; Policy Driver	National Consensus	Within the mainstream
2.3. Greenhouse emissions	Policy Taker/ Killer; Policy Taker	National Consensus	Within the mainstream
2.4. Renewable sources	Policy Driver; Policy Taker	National Consensus	Within the mainstream
2.5. Nuclear energy	Policy Taker; Policy Taker	National Political Consensus; society remains sceptical	Outside of the mainstream as there is no nuclear power plant
2.6. ETS	Policy Driver; Policy Driver	National Consensus	Within the mainstream
2.7. External dimension of energy security	Policy Driver; Policy Driver	National Consensus	Within the mainstream
3.1. Energy package	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.2. Internal market	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.3. Agency	Policy Taker; Policy Taker	National Consensus	Within the mainstream

2.1. General issues: Strategic energy review (2007) and positions towards 2010-2014 energy action plan

Definition: Policy Taker

Outlook: Policy Taker

Poland was a contributor to the review with the notion of “energy solidarity”. However, the energy action plan was somewhat overlooked in 2007 due to internal political instability (break-off in the ruling coalition, which has led to early elections of a new government, which in turn took a closer look at the issue only once the Commission-led consultations were over). Once the situation developed and the possible implications of the review became imminent to Polish decision makers, they began to act. Since they could no longer influence the Commission’s proposal (it was already out), first they began attempts to block the entire climate change package. Only during the French EU Presidency (second semester of 2008) did a more constructive approach arise, which led to the December 2008 compromise.

The main issue for Poland was the fact that almost the entire electricity production in the country comes from coal, which massively pollutes the atmosphere with CO₂ emissions. Changing the status quo will require enormous investments and will take time. The Polish government could not risk a situation in which Polish companies producing electricity would have to increase prices by a few hundred percent. It would have a devastating result on those companies, Polish households’ budgets and the entire economy’s competitiveness. It became known as a coal-fight.

2.2. General issues: The post-Kyoto/post-2012 proposals – the global dimension

Definition: Policy Driver

Outlook: Policy Driver, especially during the Poznan Conference in December 2008

There is a specific situation when it comes to Poland (and other post-communist Member States) and the Kyoto/post-Kyoto process. In general, Poland is very unsatisfied with the EU tightening regulations, but it is very happy with the Kyoto process, as it did meet all the deliverables under Kyoto, unlike some of the older EU Member States. As for the new agreement, there is a general consensus that it is needed, but the poorer EU Member States should not be “paying” for whatever solution. At the same time, Poland is hosting the Poznan conference in December 2008, which is an interim step between Bali and Copenhagen. Hence this will be a test for Polish officials on how flexible they will be in facilitating a rapprochement between various global actors – the developed and the developing nations.

2.3. General issues: Commitment to meet the benchmarks for greenhouse emissions

Definition: Policy Taker/Killer

Outlook: Policy Taker

The benchmarks are generally acceptable, but they should be differentiated depending on the conditions for each country, so that they take into account the specific situation of a carbon-based economy like the Polish one. The "effort sharing" is also a very important overall objective, because Poland has the impression that all its achievements from the 1990s are not fully taken into account.

2.4. General issues: Strategy and commitment to increase the share of renewable sources

Definition: Policy Driver

Outlook: Policy Taker

There is a national consensus in Poland that the development of renewable energy in the EU needs to fully take into account the economic potential of each Member State. In Poland's opinion, the energy mix includes biomass. With this in mind, the meeting of high objectives has not been questioned. There is a substantial interest among the public in renewable sources, but in general what is lacking is good leadership with vision. For example, in Poland if you produce energy you have to sell it to the grid, you cannot sell it directly to the customer. This "single buyer" system substantially limits investments into renewable sources. The grid in Poland is in such a bad shape (underinvested), that in the Eastern part of the country there is a problem of keeping the level of current. Another big challenge is energy efficiency (or, it should be easier to reach better results in energy efficiency as the current indicators are extremely low).

2.5. General issues: Strategy towards nuclear energy

Definition: Policy Taker

Outlook: Policy Taker

Poland does not have any nuclear power plants. For the moment it is considering all options; this is a major change in approach. Since the 1980s nuclear energy has been a non-issue for politicians, as the topic was largely unpopular with the public. Currently this has changed and both the government and the opposition forces recognised that nuclear power needs to be considered. There are several options currently on the table and few decisions taken. First, there is the Polish co-investment into the renewed Ignalina power plant (Lithuania). Second, the Prime Minister recently mentioned a need to build two nuclear power plants in Northern and Eastern Poland. For the moment there has been no major opposition to this statement, but as projects will become more and more imminent there will be opposition coming mainly from environmental NGOs and local populations (unless the latter is addressed with an information campaign first). The environmental NGOs are already known for stopping some major investments in the country, for which they are largely criticised. Nevertheless, they tend to win in courts, or win time in courts, as legal cases often take many months or years to conclude. Thirdly, there was also mentioned a possibility of building a nuclear power plant in Western Ukraine with the objective of transferring the energy to Poland. The reason for this is simple: if people tend to recognise more and more the need to build a nuclear power plant in principle, they will nonetheless be largely sceptical if such an investment is to be located in their neighbourhood.

2.6. General issues: Implementation of the revised Emission Trading Scheme

Definition: Policy Driver

Outlook: Policy Driver

At first, Poland did everything to block the ETS to the extent that the Prime Minister accused the President of Poland of a bad deal back in 2006. Poland wanted to postpone the process as long as possible. It also wanted to postpone full auctioning for the energy sector. It hoped to get away with the problem and to keep the status quo. "We need room for development, for polluting more", says the unofficial line, as the economy grows fast, and with it grows energy consumption. The new points on the horizon are energy efficiency and energy intensity of the economy. For the moment, the Polish economy is not efficient and very energy-intensive.

After the October 2008 European Council, where Poland led a coalition of states against the entire climate change package, the Presidency decided to postpone the decision until the December meeting. In the meantime the most important meeting on the issue took place on 6 December between the EU Presidency (France) and the New Member States led by Poland during a mini-summit in Gdansk, with participation of the leaders of 8 other nations (Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Lithuania, Latvia, Estonia). Even if after this meeting there were still some reservations on the side of the coalition, the meeting allowed for a final compromise decision to be taken a week later in Brussels. Poland's arguments were all taken in; it organised the "coalition of the willing" and negotiated with the Presidency on its own soil. The Presidency has identified Warsaw as the main important counterpart in the negotiations and agreed to all of its requests in order to achieve a consensus. Without Poland other members were able to reject the proposals — nevertheless most of their arguments were also addressed.

2.7. General issues: External dimension of energy security

Definition: Policy Driver

Outlook: Policy Driver

The external dimension of energy security is of prime concern for Polish decision makers. There is political will to develop an EU policy in this area. There was a Polish proposal for an "energy NATO" back in 2006; this idea was rejected. Yet in 2008 the Polish government proposed a revision of the energy solidarity clause to ensure a reaction from the EU countries should delivery from external sources drop significantly. Poland was also able to convince the Commission to accept a Polish definition of "diversification", which now means diversification of geographical sources (i.e. Russia to Norway), not only diversification of materials used for energy production (i.e. coal to oil). This issue is of grave importance, as Poland is dependent on Russia not only for gas and oil: about 20% of the coal used in Poland also comes from Russia. In Polish eyes, the January 2009 conflict between Russia and Ukraine on gas transit to the EU only confirmed the general need of diversification. For this reason its opposition to the Nord Stream project solidified even more since the events of January 2009. The opposition to the Nord Stream is shared by all political forces. They differ however on what could be done about the problem; the PiS represents the most radical view of "'no' under no conditions", while the social democratic parties would be more open to negotiate Polish accession to the project in order to balance the threat of exclusion of Poland from the supply network. The government, which was in between those two extreme views (i.e. supporting the Amber project and Yamal II), has hardened its stance since the January events. Prime Minister Tusk said on 6 February that "the [Nord Stream] could go through Poland, not necessarily under the sea."

Poland supports EC investment into grids, such as an electricity ring around the Baltic Sea. Poland also supports the creation of a single electricity market and a single gas market in the EU. As mentioned above, Warsaw is in strong opposition to the Nord Stream pipeline not only for strategic, but also for environmental reasons. It supports the Nabucco project.

3.1. Specific issue: Liberalisation of the energy market – 3rd energy package (unbundling)

Definition: Policy Taker

Outlook: Policy Taker

In principle, Poland is wholeheartedly in favor. Yet, because of the ownership structure, it may be somewhat difficult in application. For the moment, the same company (PGNIG) owns the grids and the production. However, recent developments in another sector of the economy (telecommunications) indicate that the strong liberalisation approach may prove more effective than any company's opposition. In telecommunications, the UOKIK (national competition agency) recommended recently to cut the largest telecoms (Telekomunikacja Polska) in two in order to "unbundle" the network from the services provider. The move was largely welcomed by the government and the public. A similar development is likely to emerge in the energy sector.

3.2. Specific issue: Common rules for the internal market in electricity, cross border exchanges in electricity, common rules for the internal market in gas, access conditions to the gas transition network

Definition: Policy Taker

Outlook: Policy Taker

In principle, Poland is wholeheartedly in favor and supports the Commission's actions.

3.3. Specific issue: Agency for Co-operation of Energy Regulators***Definition: Policy Taker******Outlook: Policy Taker***

Poland was sceptical about the agency. Agencies should be established only where it is necessary and creates added value. One interview revealed the view that "we should first force the national regulators to cooperate, as there is room for it. [...] The European agency would just create another unnecessary bureaucratic mechanism, while the problems might be solved without that institution." At the same time, it was not a major issue for Poland. Hence, its liberal pragmatic approach (targeted towards increased cooperation without unnecessary burdens) had to be compromised. In a spirit of a unity, Poland has agreed to the agency's establishment.

IV. Budget review and CAP "Health Check"

1. Overview
2. General issues:
 - 2.1. Position towards CAP "Health Check" (COM(2007)722)
 - 2.2. Positions towards the expenditure structure of post-2013 budget (SEC (2007) 1188)
 - 2.3. Position towards Common Market Organisation for Fisheries

1. Overview

The Polish position constantly evolves on this policy issue and changes depending on the debate. For example, at a certain point in the past there was a notion of renationalisation of the Common Agriculture Policy: Poland was against this. But currently this debate shifted away from renationalisation towards reducing CAP; hence the Polish position also evolved. In principle, the Polish reading of the entire budgetary review is that it is and will continue to be a weak process. The Commission, which at first supported an increased budget, now seems to manoeuvre itself within the smaller budget. In this environment, the official Polish position had three major problems (fears) related to the budgetary review ahead of the process.

They were three R's:

1. The idea of renationalisation of CAP;
2. The idea of renationalisation of the cohesion policy; and
3. The idea of renationalisation of the budgetary income.

The renationalisation of CAP means that CAP financial spending would be taken up by Member States towards their own farmers. Poland opposes this principle because it would mean a higher GDP percentage spent on CAP by poorer countries; hence it would go against the principle of equal share of costs of the common policies. This point was among most important Polish points in the national position on budgetary review.

Currently the EU debate is shifting away from the idea of renationalisation of the agriculture policy and towards limiting the scope of the policy. Poland does not strongly oppose this concept, as long as it is evenly distributed.

The renationalisation of the cohesion policy: on this point Poland opposes the idea of limiting cohesion policy to the poorest countries and regions. Currently there is pressure to accept an overall smaller EU budget and use the extra-budgetary financial sources (i.e. auctioning) to a greater degree to finance projects. The problem with such a solution is that while in the budget, the contributions are more or less even (in the Polish case, 3% of the EU budget), while in the extra-budgetary regimes those proportions do not reflect economic reality, but other realities. For example, in the auctioning market the Polish share is 12%; should this be used as a source for financing EU activities, the overall Polish contribution through budgetary and extra-budgetary means would be disproportionate.

The third element is the idea of renationalisation of the budgetary incomes. The fear is that the EU budget would be fully (and exclusively) financed from Member States' contributions. Poland supports developing own resources (but not necessarily calling them taxes). New own resources should be closely linked with the EU activity and EU policies. For example own resources could originate from air transport or corporate taxation (in those segments of the economy that benefitted from closer integration).

In general, 38% of the population lives in the countryside. About two million people work in agriculture, which constitutes 15.6% of the Polish labour force (2007). This number is constant (2.1 million), but the percentage is decreasing as new jobs are created in other segments of the economy. Agricultural contribution to the national GDP is also decreasing and currently constitutes 4%.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1.1. Renationalisation of CAP	Policy Killer	National Consensus	Within the mainstream
1.2. Renationalisation of cohesion policy	Policy Killer	National Consensus	Within the mainstream
1.3. Renationalisation of budgetary income	Policy Killer	National Consensus	There is no EU mainstream.
2.1. CAP "Health Check"	Policy Taker; Policy Killer	National Consensus	There is no mainstream; Poland is "on the defensive" side
2.2. expenditure structure of post-2013 budget	Policy Driver; Policy Driver	National Consensus	There is no mainstream, the EU is divided. Poland is in the camps "in favour of a big budget" and "against limiting CAP and cohesion funds"
2.3. New Integrated Maritime Policy and Common Market for Fisheries	Policy Taker (Maritime and Fisheries); Potential Policy Driver (Maritime) and Taker (Fisheries)	National Consensus	Within the mainstream

2.1. General issues: CAP "Health Check"

Definition: Policy Taker

Outlook: Policy Killer

As already pointed out, the foremost important element in any CAP revision for Poland will be to keep community payments for CAP. This has been achieved. Other elements were cross-compliance, decoupling production from payments, modulation, capping, milk quotas, safety net in the grains market, climate change and bio-energy and crisis management. In all those elements Poland presented a "keep the status quo" approach, but it was pragmatic and open to argumentation; hence it could be complemented: "keep the status quo as long as possible, and if not possible — reduce the damages".

2.2. General issues: expenditure structure of post-2013 budget

Definition: Policy Driver

Outlook: Policy Driver, it will be one of the main stakeholders in negotiations ahead of 2013

Poland is a strong supporter of an enlarged EU budget. The expenditure structure of the post-2013 budget should evolve gradually together with the entire budget reorientation. The budget's expenditure side should cover the existing cohesion and agriculture policies, the new challenges and those existing challenges which need increased support from the EU budget. The last category includes climate change, internal security, including food security, growth and jobs, and home affairs. All those priorities need to be reflected in the (enlarged) budget. The CAP budget should change internally and better reflect issues such as food security and quality, prevention of epidemics, observance of standards in the scope of environmental protection, public health and animal welfare. The current policies should not be drastically limited, but evolve. On a smaller note, in Polish opinion, the budgetary surpluses should not be sent back to the Member States, but redirected towards such objectives as climate change.

2.3. General issues: New Integrated Maritime Policy and Common Market for Fisheries

Definition: Policy Taker (Maritime) and Policy Taker (Fisheries)

Outlook: Potential Policy Driver (Maritime) and Policy Taker (Fisheries)

Poland is an excellent pupil of the Commission in the field of maritime policy. During the first years, it learned from other Member States. It is now one of very few EU countries dedicated to strengthening of the common maritime policy. The Commission uses Polish best practices in the preparations for its new integrated policy. Having said that, for

Poland both maritime and fisheries policies are important elements of its own development policy.

Concerning the revision of the organisation of the common market for fisheries and aquaculture products, Poland's detailed position will be known only after the Commission makes its specific proposals. For the moment Poland supports the idea of a reform in order to improve the system, as currently only about 1% of the EU's trade in this area uses this system, demonstrating a strong need to simplify and reform it. On a marginal point, Polish state structures and system users (companies) are relatively new to the system; hence they are reactive rather than proactive in the fisheries.

V. EU foreign policy and enlargement

1. Overview
2. General issues:
 - 2.1. Preference of countries for accession and any specific points or concerns relating to it (including bilateral disputes and how they might translate into EU-level policy and decision making)
 - 2.2. Preference for any particular country in the framework of ENP
 - 2.3. Enhanced ESDP, increasing Europe's defence capabilities etc.
 - 2.4. Position towards Kosovo, e.g. status and EU mission in Kosovo
 - 2.5. Transatlantic relations
3. Specific issues:
 - 3.1. Completion of accession negotiations with Croatia
 - 3.2. Opening of accession negotiations with Macedonia
 - 3.3. Signing of SAA with Serbia
 - 3.4. Blockage of accession talks with Turkey, possibility of unblocking it
 - 3.5. Polish–Swedish initiative for ENP Eastern Partnership
 - 3.6. Strategy for the Black Sea Region/Black Sea Synergy Implementation assessment
 - 3.7. Strategy for the Baltic Sea Region
 - 3.8. Revision of European Security Strategy

1. Overview

Polish engagement in the EU's external, foreign and defence relations has been significant since Day 1 of its membership. Among the most significant developments with a Polish contribution (positive and negative) have been: firm support for the US-led operation in Iraq; engagement in conflict resolution during the Orange Revolution in Ukraine (and engaging the EU in the process); meat embargo on Polish meat export to Russia and subsequent Polish veto on the post-PCA negotiations; proposal of the Eastern Partnership; engagement in conflict resolution in Georgia (and engaging the EU in the process). This picture already shows the three geographical priorities of Poland in this area:

1. EU relations with the countries situated between the EU and Russia, as well as in the Caucasus and, to a lesser degree, Central Asia;
2. EU relations with Russia;
3. EU relations with the United States.

The relations with Russia are of prime concern for many reasons. They are of historical, strategic and interest-related character. The historical nature of those bilateral relations result from a long-standing rivalry between these two large Slavic nations (from the 16th century until 1989, there has been either a war with or hostility towards Russia — interrupted by a few years of peace). Strategic relations are also tight, as one of Poland's overarching ideas of national foreign policy is to limit Russian influence in the countries of Eastern Europe and the Caucasus. The interests-related relations result from the fact that Russia is a very important trade partner for Poland (and vice-versa; Poland is a bigger trading partner for Russia than France, for example).

Having said that, in principle, the Polish objective in the EU is that the European policy towards Russia should always be a common policy, and individual relations between European nations and Russia should be restrained. For that reason, Poland is ready to limit its own ambitions in Eastern Europe. This common policy should be inclusive, which means it should represent all Member States' concerns, positions and issues. Since strategic issues are considered to be of greater importance than, for example, business relations, the European policy should first take as its top priority the approaches of countries whose relations with Russia are of a strategic nature: matters of hard security, borders, etc. Poland is not against developing deeper relations between Russia and the EU; quite to the contrary it is in favour of developing a close relationship. But this relationship should be based on mutual trust, which is currently missing. In the Polish opinion this mistrust is a result of Russian, not European (or EU Member States' national) policy.

On other topics Poland largely accepts a Policy Taker position. That was also the case with the developments in Gaza in January 2009, when the Polish government firmly stood by the EU presidency position. In the domestic debate there was no united view on the Middle East conflict, though the majority of opinions were that the Israel had a right to retaliate.

Two other priorities are presented in greater detail below in the General and Specific issues sections.

There is a national consensus on the geographical distribution of national interests in foreign policy. Parties differ, often substantially, on concrete issues. For example, all major political forces (current parliamentary parties) supported engagement in the Orange Revolution in Ukraine in 2004. However, the left wing politicians are much less enthusiastic today about the developments in Kiev and therefore less supportive of Ukrainian pro-Western aspirations. During the war in Georgia, there was a major divergence of views. The government and left-wing parties were critical of President Saakashvili and President Lech Kaczyński's one-sided engagement in the conflict, while PiS firmly stood by the Polish President's decisions. On transatlantic relations, too, parties diverge, with the left-wing being much more critical of the role of the US than the government or the PiS.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1.2 Russia	Policy Driver; Policy Driver (and Killer when necessary)	A general national consensus, but on specific issues differences between the government and the president and between the government parties and the opposition ones: PiS supports tougher line; the Left a softer one.	On the edge of the EU mainstream
2.1. Accession	Policy Driver; Policy Driver	National Consensus	Within the mainstream on W. Balkans and Iceland, taking one side on Turkey (EU's split), and outside of the mainstream on Ukraine
2.2. ENP	Policy Driver; Policy Driver	National Consensus	Within the mainstream
2.3. ESDP	Policy Driver; Policy Driver	National Consensus	Within the mainstream
2.4. Kosovo	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.1. Croatia	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.2. Macedonia (FYROM)	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.3. Serbia	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.4. Turkey	Policy Taker; Policy Taker, potential Policy Killer	National Consensus	There is no mainstream, the EU is divided. Poland is in the camp "in favour"
3.5. Eastern Partnership	Policy Driver; Policy Driver	National Consensus	Within the mainstream
3.6. Black Sea Synergy	Policy Killer; Policy Taker	National Consensus	Within the mainstream
3.7. Baltic Sea Strategy	Policy Driver; Policy Driver	National Consensus	Within the mainstream
3.8. European Security Strategy	Policy Taker/ Driver; Policy Driver	National Consensus	Within the mainstream

2.1. General issues: Preference of countries for accession and any specific points or concerns relating to it

Definition: Policy Driver

Outlook: Policy Driver

Poland supports enlargement in principle to all countries who meet the Copenhagen criteria. It supports enlargement to all countries in the Western Balkans and Turkey. The specificity of Poland is in its firm support for Ukrainian EU membership. Poland would like to see in the EU one day all the countries which are currently between the EU and

Russia: Ukraine, Belarus and Moldova, as well as Georgia and (if they and the EU Members so desire) other Caucasus republics. From this group Ukraine is the most important country for Poland because of geographical and historical proximity and because of its size. In other words, should Ukrainian membership be possible, other countries' should be possible as well (with the exception of Turkey).

2.2. General issues: Preference for any particular country in the framework of ENP

Definition: Policy Driver

Outlook: Policy Driver

The Polish preference within the ENP is towards the ENP Eastern countries, especially Ukraine and Georgia. In principle, Poland has much stronger relations with all Eastern ENP countries than with Southern ENP states. The preference for Ukraine and Georgia results from the fact that those states and nations have experienced democratic revolutions and present a clearly pro-Western policy. Poland wants to help "those who want to help themselves" — in other words, should Armenia, Azerbaijan or Moldova become as openly and vividly pro-Western as Georgia or Ukraine, they will also gain Polish support.

2.3. General issues: Enhanced ESDP, increasing Europe's defence capabilities

Definition: Policy Driver

Outlook: Policy Driver

In the past Poland had been sceptical about the ESDP since its inception in late 1990s, but this attitude has evolved. The initial problem was a suspicion on the nature of the ESDP which could, potentially, undermine the transatlantic alliance. As this fear became irrelevant, Poland has supported a very strong ESDP, in fact, the stronger the better. It supports the idea of a close link between the ESDP and NATO; the two should not be in competition to each other, also because Europe cannot afford it. Poland supports the increase of military spending in the EU countries in order to develop national capacities to be later used in ESDP or NATO activity. Should the Lisbon Treaty come into force, Poland would like to participate in the permanent structured cooperation. Poland supports the battle groups, but so far it does not participate in any of the existing groups. There is a plan to create a Polish-led battle group (with Slovak, German, Lithuanian and Latvian forces); another plan was to establish a Visegrad battle group. The third idea was to create a Weimar battle group (Poland, Germany and France).

The Polish dedication to the cause goes beyond rhetoric (i.e. former Polish Prime Minister Jarosław Kaczyński openly supported the idea of a single European army). In 2008 Poland joined the Eurocorps as a full member (the first and so far the only New EU Member State to do so).

Poland participates (or participated) in ESDP missions in Bosnia and Herzegovina, Kosovo, FYROM, Georgia, and DRC, Chad (3rd contribution after France, former colonial power, and Ireland, which took up the commandership). It participates and supports the EDA. It also opened up the defence procurement market.

2.4. General issues: Position towards Kosovo, e.g. status and EU mission in Kosovo

Definition: Policy Taker

Outlook: Policy Taker

Poland recognised Kosovo on 22 February without much controversy.

2.5. General issues: Transatlantic relations

Definition: Policy Driver

Outlook: Policy Driver

EU-US relations are of great importance for Poland, especially in the CFSP domain (less so in economic cooperation). The US is perceived as the ultimate guarantor of Polish security, be it through NATO or bilateral relations. This is why it is of prime importance for Poland to keep the Western (EU and US) alliance closely together and not to allow for any shifting apart. On the political level, Poland refuses to make choices between the US and the EU ("which one do you like more?"). But although some researchers claim its outlook is similar to that of the UK, Poland is not at all in the British situation, as its objective is to be fully included in European integration (though there are major differences among stakeholders on the nature of the "fully") and would like to see the

entire EU in the pro-American camp (there is wide political consensus on this issue). Only in the past year, some left-wing politicians (who do not necessarily belong to the political mainstream, since the largest of the left-wing parties, SLD, has 6-11% support) tended to answer the above question, "who do you like more?" by saying "Europe". The two largest parties (ruling PO and opposition PiS) as well as the leadership of SLD consider this question irrelevant. This may be even more so after the election of Barack Obama as US President.

3.1. Specific issue: Completion of accession negotiations with Croatia

Definition: Policy Taker

Outlook: Policy Taker

Poland supports Croatian accession and leaves the process in the hands of the Commission. There was no official Polish reaction to the Slovene-Croat "differences of opinion" on the maritime border between the two states.

3.2. Specific issue: Opening of accession negotiations with Macedonia (FYROM)

Definition: Policy Taker

Outlook: Policy Taker

Poland supports the opening of accession negotiations with Macedonia (FYROM) without reservations or delays.

3.3. Specific issue: Signing of SAA with Serbia

Definition: Policy Taker

Outlook: Policy Taker

Poland supports fostering relations with Serbia and goes along with the EU mainstream (unlike the Dutch, where is "the Srebrenica guilt"). Poland has not ratified the SAA with Serbia yet, but there is no political obstacle to doing so. Handing in Mladić is not a condition for granting Serbia candidate status for EU membership.

3.4. Specific issue: Blockage of accession talks with Turkey, possibility of unblocking it

Definition: Policy Taker

Outlook: Policy Taker, potential Policy Killer

Poland supports Turkish accession and leaves the process in the hands of the Commission (at least for the moment). The Cyprus issue does not seem to resonate in Warsaw, though any peace process would be fully backed by Warsaw (and other Member States as well). Should the prospect of Turkish membership become realistic, there might be an emerging opposition based on two factors. One, Turkey would ultimately become the biggest beneficiary of EU structural funds, at the expense of Poland. Yet should the issue arrive only after 2020, then the perspective is too far away to predict the state of Polish economic development by that time. Two, Poland would like Ukraine to join the EU before, or together with Turkey, but not after Turkey. This is not to say that Poland would openly "veto" Turkish membership, but should the perspective become more realistic, a delaying policy might be applied, especially if Ukrainian membership was left aside. Such an approach was hinted at by some Polish politicians a few years back.

3.5. Specific issue: Polish – Swedish initiative for Eastern Partnership

Definition: Policy Driver

Outlook: Policy Driver

Poland proposed the initiative of Eastern Partnership together with Sweden; hence it is a Driver of the idea. This is thought of as an inclusive project politically, geographically and towards other initiatives (Black Sea Synergy, ENP). It has already been further substantiated with the European Commission's input in December 2008 (see Communication COM(2008) 823 with accompanying document). Ideally, the initiative should serve as a basis for fostering EU relationship with the Eastern Partnership countries through cooperation in JHA and economic matters leading to a creation of a free trade agreement, then to a customs union, and maybe one day to full membership (which in Polish eyes should remain an option). Another important element is the visa facilitation prospects with an objective of lifting the visa regime for the participating

states' citizens. Other detailed proposals have been laid out by the EC; Poland has strongly backed all of them and will see to those objectives' implementation.

3.6. Specific issue: Black Sea Region/Black Sea Synergy Implementation

Definition: Policy Killer

Outlook: Policy Taker

Poland was against it, as it was thought of as an anti-Polish proposal. Since the Eastern Partnership's success there is no more hostility towards the BSS as the two processes should not contradict, but should complement each other. BSS becomes technical cooperation, whereas the Eastern Partnership is a political instrument.

3.7. Specific issue: Strategy for the Baltic Sea Region

Definition: Policy Driver

Outlook: Policy Driver

In principle, Poland is wholeheartedly in favour and strongly contributes to the process. During Poland's EU presidency in 2011, the Baltic Sea Strategy will be among the priorities. The Polish position is that the Baltic Sea region should be considered widely, to include countries such as Belarus, Ukraine or Norway. The strategy should have the following objectives: (1) to enhance the instruments of cooperation already in use; (2) to strengthen the region's coherence (including development of TENS); (3) to enhance the competitiveness of the region; (4) to enhance economic, social and environmental interaction between Baltic nations; (5) to contribute to regional security; and (6) the Strategy cannot be exclusive, that is, enhancing Baltic cooperation cannot be done at the expense of other dimensions (such as Eastern).

3.8. Specific issue: Revision of European Security Strategy

Definition: Policy Taker/Driver

Outlook: Policy Driver

The Polish Security Strategy of 2007 (prepared by the Law and Justice government and signed by President Lech Kaczynski) states that it is one of three strategic documents that determine the operationalisation process. The other two are the NATO Strategic Concept and the European Security Strategy, as adopted in 2003. Hence, it is justified to say that the ESS is a crucial element in Polish national security thinking, and it is fair to expect support from Poland for a strong, in-depth ESS, which would go much further than the original text adopted in 2003. The 2008 evaluation of the ESS by Javier Solana was not an attempt to change the document, but to "update" it. When the new security strategy will be worked out, Poland is likely to support inclusion of hard security principles in the European strategy and to make sure that there is a close link between the EU and NATO in the area of military affairs (though this might meet strong opposition from some of the neutral states).

VI. Freedom, Security and Justice

1. Overview
2. General issues:
 - 2.1. Common European asylum system
 - 2.2. Common European migration policy
 - 2.3. Enhanced role in co-operation of law enforcement agencies and their co-operation at EU level
 - 2.4. Harmonisation of serious aspects of cross-border crimes
3. Specific issues:
 - 3.1. Establishment of Eurosur (European border surveillance system)
 - 3.2. Establishment of entry–exit system and other border management tools
 - 3.3. Amendments of asylum-related regulations (2003/9/EC – reception conditions for asylum seekers, regulation 343/2003 on the determination of Member States responsible for assessing asylum applications)
 - 3.4. Evaluation of FRONTEX and the future developments in this area

1. Overview

The Polish policy towards the freedom, security and justice issues is based on the principle of keeping balance amongst the three elements, as well as keeping the balance in the geographical focus: between the Community dimension and the Member States' role; and last, but not least, between the security dimension and human rights, privacy, etc.

The three priorities within this area refer more to trends, as there is no one single government document that lists priorities within JHA. The three policy issues in this pillar are:

1. Protection of the EU's external borders;
2. Fighting organised crime, including counter-narcotics; and
3. Keeping the principle of national sovereignty over the judicial systems and independence of penal law systems.

The first principle is the protection of external borders. What is especially important for Poland is the creation of sound legal bases as well as developing good practices exchanges. Poland is strongly engaged in those kinds of cooperation; there is a significant own-input in those activities. This is not only limited to Poland's own external borders, but also for example in North Africa, where activities are targeted towards capacity building in border protection in places like Algeria or Libya. Also important in the area of external borders protection are the Schengen evaluation missions, which enable good practices exchanges. The particular interest is linked to the fact that Poland has the second longest external border on land and there is a need to create confidence in Polish border control guards among Western Europeans. The last element of this component refers to the Polish opposition to creating additional burdens on the external borders, i.e. between Poland and Ukraine. The Polish input involves practical application, since for most countries external borders are only or mostly airports, while for Poland it is also road and train traffic.

The second principle is fighting organised crime, including counter-narcotics activities. There is a big own potential (knowledge, experience), especially when it comes to transport routes from Central Asia and own production of synthetic drugs.

The third principle is the sovereignty of the Polish judicial system and the independence of its penal legislation. Poland supports evolutionary rapprochement (i.e. mutual recognition) in those matters, but no harmonisation for the moment. European arrest warrants (EWAs) proved very useful, and over 50% of EWA applications in 2007 originated in Polish courts! To sum up: Poland seeks open cooperation, but autonomy.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1.1. Priority #1 (external borders)	Policy Taker; Policy Driver	National Consensus	Within the mainstream
1.2. Priority #2 (organised crime)	Policy Driver; Policy Driver	National Consensus	Within the mainstream
1.3. Priority #3 (penal law)	Policy Taker; Policy Driver	National Consensus, though left-wing opposition would be more accommodating to the idea and would not have this as a priority	Within the mainstream
2.1. Asylum system	Policy Taker; Policy Taker	National Consensus	Within the mainstream
2.2. Migration policy	Policy Taker; Policy Taker, sometimes Driver	National Consensus	Within the mainstream
2.3. Law enforcement agencies	Policy Taker; Policy Driver	National Consensus	Within the mainstream
2.4. Cross-border crimes	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.1. Eurosur	Policy Taker; Policy Taker	National Consensus;	Sceptical, but not a priority issue
3.2. Entry-exit	Policy Taker; Policy Killer	National Consensus	Within the mainstream
3.3. Asylum-related	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.4. FRONTEX	Policy Taker; Policy Taker	National Consensus	Within the mainstream

2.1. General issues: Common European asylum system

Definition: Policy Taker

Outlook: Policy Taker

No problems, smoother application than in some Western European countries because of accession. Poland is on a defensive side when the future developments are discussed, and prefers to take slower steps, but understands that immigration is not (so far) as important a topic in Poland as in, say, the Netherlands. Poland also opposes the establishment of a European Asylum Office. It believes that a harmonised asylum procedure will not be possible for many years to come due to large differences of opinion among Member States.

2.2. General issues: Common European migration policy

Definition: Policy Taker

Outlook: Policy Taker, sometimes Driver

Poland is generally positive about the Pact's objectives. It sees itself as a driving force to balance the geographical dimensions of the policy: migrations are not only about North Africa, the Mediterranean Sea and Western Balkans — there is also the Eastern European migration. Poland succeeded in introducing Mobility Partnerships for Moldova and Ukraine in the Pact and previous documents.

Initially, the Blue Card proposal was coldly received in Poland. The Employment Minister at the time expressed worries that the incomes of new migrants to the EU would have negative impact on Poles working in other EU Member States, as well as in Poland (i.e. the migrants might be willing to work for lower remuneration). This view however is not shared by the current government (today it is the opposition's perspective), which sees in the Blue Card an interesting new tool for attracting those specialists to Poland who are lacking (IT, biotechnologies, financial analysts, etc.).

2.3. General issues: Enhanced role in co-operation of law enforcement agencies and their co-operation at EU level

Definition: Policy Taker

Outlook: Policy Driver

Poland strongly supports enhanced cooperation, which should be enlarged in scope. There is support for further "Europeanisation" of EUROPOL, which means increasing the amount of data-sharing, more bilateral and multilateral cooperation initiatives, etc. This enthusiastic approach is a result of the fact that Poland is a transit country for organised crime routes, and the only way to combat organised crime is through deepened international cooperation: not only on EU level, but also beyond and bilateral (i.e. Polish-German). This position also refers to the Prüm Decision and its implementation.

At the same time there are some reservations on how far this cooperation can go. That is, there are concerns among EU ministries' officials (including Polish), that allowing for the EUROPOL to function on the territory of Member States (a sort of "European FBI") would be too much; "we are not ready yet" in terms of socialisation of police forces. As one interviewee put it, "those processes are in place, but it will take some more time".

2.4. General issues: Harmonisation of serious aspects of cross-border crimes

Definition: Policy Taker

Outlook: Policy Taker

There is limited support, but this harmonisation should not go too far. On this issue the approach is similar to the topic of law enforcement agencies: cooperation is good, but strict harmonisation and communitarisation will not necessarily bring positive developments. At the same time this is not a strong opinion, as the self-described attitude is "far-reaching pragmatism" on this issue, as much as on the entire JHA/JLS section.

3.1. Specific issue: Eurosur (European border surveillance system)

Definition: Policy Taker

Outlook: Policy Taker

Sceptical approach due to high costs. EU should be more careful about spending money. What is needed is application of means adequate to the risk. Eurosur does not seem to be the one. "We should not shoot flies with cannonballs", as one observer noted.

3.2. Specific issue: entry – exit system and other border management tools

Definition: Policy Taker

Outlook: Policy Killer

Like in the Eurosur case, Poland is opposed the idea of entry–exit system. It demands proofs that such a system is needed. Unlike the Eurosur case, its objections are much more genuine: What is the added value of the new system? Will it replace or complement the existing systems (SIS, VIS are in place and PNR is to be developed)? What is the cost/benefit relationship? The objection is also to the system's objective, which has not been articulated clearly enough.

3.3. Specific issue: Amendments of asylum-related regulations

Definition: Policy Taker

Outlook: Policy Taker

No problems and no comments.

3.4. Specific issue: FRONTEX

Definition: Policy Taker

Outlook: Policy Taker

FRONTEX is needed, but it is still in the process of definition. Poland categorically opposes the establishment of a body of European Border Control Guards; it defends its national guards. FRONTEX should focus more attention on trainings and raising standards of national forces; it should become a support office. The operations managed by FRONTEX in Malta and the Canary Islands did not prove effective — improvements are necessary. However, FRONTEX does an excellent job when it comes to promoting the topic of border security.

VII. Institutional issues

1. Overview
2. General issues:
 - 2.1. Representation of the country in the EU institutions: EC, European council, EP – a backgrounder
 - 2.2. Position of the country and the different stakeholders (including public opinion) towards the Lisbon Treaty and the framework of changes introduced by it
 - 2.3. Alternative proposals to the institutional development of the EU, rated by the relative influence of their proponents (e.g. multi-speed Europe, one-voice foreign policy, etc.)
3. Specific issues:
 - 3.1. Position towards the main changes offered by the Lisbon Treaty:
 - Extended qualified majority voting;
 - European Parliament's increased role;
 - President of the European Council;
 - High Representative for Foreign Policy;
 - Revision of the representation in the European Commission;
 - Charter of Fundamental Rights legally binding
 - 3.2. Implementation of institutional innovations:
 - President of the European Council: competences vis-à-vis the rotating presidency, job description, secretariat and its size etc.
 - EU High Representative: competences vis-à-vis the two presidents, relation to other commissioners with external relations portfolios, competences and relations vis-à-vis the rotating presidency
 - EU External Action Service: Implementation of the EU External Action Service:
 - 3.3. Future of Lisbon Treaty ratification

1. Overview

Poland is an enfant terrible of the EU's institutional reform (together with Ireland and Czech Republic). First, it took special convincing by the German Chancellor for the Polish President to recognise that the Constitutional Treaty would be a good departure for further negotiations that eventually took the shape of the Lisbon Treaty (2006). President Lech Kaczyński and Prime Minister at the time Jarosław Kaczyński negotiated hard on the institutional details of the new Treaty in 2007; safeguarding for Poland an opt-out from the Charter of Fundamental Rights, postponing entry into force of the double majority (de jure until 2014; de facto until 2017) and enforcing the Ioannina protocol into the Treaty. Some other minor gains were made elsewhere, such as a permanent Advocate General in the ECJ for Poland. And now, at the ratification phase, Poland is once again a "trouble-maker" as President L. Kaczyński refuses to sign the Ratification Act of the Lisbon Treaty until he hears out the plans of the Irish government in mid-December 2008.

The institutional issues were of great importance for Poland ever since the IGC in 2003. Currently, the three most important elements in the Lisbon Treaty are:

1. The opt-out from the Charter of Fundamental Rights
2. The energy solidarity clause
3. Voting system in the Council

All of these issues are presented in a greater detail below.

Table of national positions

*please, refer to the methodology disclaimer in the supplements

Issue	Definition and Outlook	National Consensus	EU mainstream
1.1. Priority: Charter opt-out	Policy Driver; potential Policy Killer (President), or Policy Taker (Government)	Divided, the President and biggest opposition party in favour of the opt-out; the Government and left-wing opposition against the opt-out	Against the mainstream; a similar opt-out only in the UK
1.2. Priority: Energy solidarity	Policy Driver; Policy Driver	National Consensus	Within the mainstream
1.3. Priority: Voting in the Council	Policy Driver; Policy Taker (LT) or Policy Driver (new arrangements)	National Consensus	Against the mainstream, which favoured double majority introduction ASAP
2.1. Backgrounder	Policy Taker; Policy Driver	National Consensus	Within the mainstream
2.2. Lisbon Treaty	Policy Driver; outlook depends on Ireland	Leaning towards a National Consensus (opt-out) once Treaty in force	Within the mainstream with problems (final signature pending)
2.3. Alternative proposals	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.1. LT changes	Policy Taker; Policy Driver	National Consensus	Within the mainstream
3.2. Implementation of institutional innovations	Policy Taker; Policy Taker	National Consensus	Within the mainstream
3.3. Future Ratification	Policy Driver; Policy Driver	Division: President against (Ireland) and conditional; Government in favour	Against the mainstream (President) and within (Government)

2.1. General issues: Representation of the country in the EU institutions: EC, European Council, EP – a backgrounder

Definition: Policy Taker

Outlook: Potential Policy Driver in 2009 as many new positions will be decided (such as EP President, EC Commissioners' portfolios)

In the Council, Poland has 27 votes under the Nice voting system, which makes it a big country (compared with 29 votes of each of the G4 — Germany, France, UK and Italy — and 27 of Spain); this is a place where the scale difference is the biggest between Poland and other New Member States.

In the Commission the Polish Commissioner is Ms. Danuta Hubner, who holds a very important portfolio and probably the one most important for New Member States: she is Commissioner for Regional Development. Having said that, the Commissioner's political impact has been seriously challenged by the fact that she does not have any close links to the post-2005 governments of Marcinkiewicz (2005-2006), J. Kaczynski (2006-2007) or Tusk (since 2007). [To the contrary, Commissioners such as Mandelson or Barrot have clearly benefitted from the fact of being closely affiliated to their national governments]. In the Services the highest-ranking Poles are two Deputy Directors-General Jerzy Plewa (DG AGRI) and Jan Truszczyński (DG ELARG).

In the European Parliament there are 54 Polish MEPs in 5 groups and among non-attached members. However, in each of the group their position is marginal. Among the conservatives, Poles (15 MEPs) are 7th, but politically are less represented than for example the Hungarians (13 MEPs) or the Czechs (14 MEPs). Among the socialists, Poles are ranked 8th (9 MEPs) and among the liberals 6th (with no representation in the ALDE Bureau!). The only group where Poles "dominate" the group is UEN (19 MEPs out of 43 MEPs in the group), but this group has limited impact on the EP. Institutionally, Polish performance looks better: there were 2 Polish Vice-Presidents of the EP and a Questor during the term 2004-2007, and currently there are 2 Polish Vice-Presidents (Siwiec from PES and Bielan from UEN). There are also 2 Polish Committee Chairs (Saryusz-

Wolski, Foreign Affairs and Libicki, Petitions) and 1 Chair of a Delegation (Buzek, on Belarus).

On the institutional level it has to be said that the representation is "proper", since the Polish delegation holds similar positions compared with the Spanish delegation (the Spanish also have 2 Vice-Presidents of the EP, 2 Committee Chairs and 2 Delegation Chairs). There is also talk about the possibility for a Pole to become the next EP President (so far, the names mentioned are Buzek or Protasiewicz).

2.2. General issues: Position of the country and the different stakeholders (including public opinion) towards the Lisbon Treaty and the framework of changes introduced by it

Definition: Policy Driver

Outlook: Policy Taker (once Treaty enters into force), or Policy Driver (should there be new negotiations)

After lengthy and emotional negotiations during the European Council of June 2007, where the Polish delegation was one of the key players and most vocal opponents, the ratification process went rather smoothly until the Irish referendum. In June 2007 Poland successfully negotiated:

- Opt-out from the Charter of Fundamental Rights
- Delay in entry into force of double-majority voting until 2017 (with the official switch from one system to the other in 2014)
- Introduction of the Ioannina compromise, which makes it possible to postpone unwanted proposals almost indefinitely (in situations where one does not have a blocking minority).

On 1 April and 2 April both Chambers (Sejm and Senate) granted consent for the President to ratify the Lisbon Treaty. The President signed the Act of Parliament, but not the Ratification Act itself. His original reason for delay was domestic (to increase the powers of the President in European affairs at the expense of the government); but this changed after the Irish vote. The President's position evolved, and currently he argues that he will not ratify the document until the Irish say what they will do (hence, they will not be "forced" to do anything).

The general public is supportive of the Lisbon Treaty (in March 2008, 60% of those polled said they favour adoption of the Lisbon Treaty; in July 52% against 14% said the President should ratify the document) and there was no major outcry on the lack of referendum (since the outcome would probably be positive and the campaign would be divisive of the Law and Justice party).

2.3. General issues: Alternatives proposals to the institutional development of the EU, rated by the relative influence of their proponents (e.g. multi speed Europe, one-voice foreign policy, etc.)

Definition: Policy Taker

Outlook: Policy Taker

The idea of multi-speed Europe draws more reservations than hopes, but the European leaders do not cross it out completely (see various statements of Jacques Chirac, former President of France; Guy Verhofstadt, former Prime Minister of Belgium; or Joschka Fischer, former Foreign Minister of Germany). In Poland the general approach towards the very idea of multi-speed Europe was negative. In other words, Poles will not be the first to propose any "enhanced cooperation", but will not play down any proposal of that kind just because it is "enhanced". The reason for that is simple: as long as each new proposal remains open for other EU members to join at a later stage, there is nothing to fear. So far, the experience of the Euro and Schengen are rather positive in this regard.

One voice in foreign policy and a single representation in principle are not only not ruled out, but embraced. This is something that Polish officials would like to see taking place. The problem is how to organise the one-voice approach so it is inclusive and so that the single voice represents all interests. At the same time it should not be the lowest common denominator. The fear is that it would become the voice of the biggest and the strongest EU countries. On the institutional level, the problem is who will be the single voice should the Lisbon Treaty come into force: the European Council permanent President or the High Representative/Vice-president of the Commission? The general

preference among Polish officials is for the latter, though another fear is that this person will show a tendency to link himself with the Council rather than the Commission.

3.1. Specific issue: Position towards the main changes offered by the Lisbon Treaty (important in case the Lisbon Treaty is revamped and/or introduced through its separate elements) in case the treaty is scrapped – what innovations should be implemented (and how)?

Definition: Policy Taker

Outlook: Potential Policy Driver

3.1.1. Specific issue: Extended qualified majority voting (if the national position differs from the areas, envisaged in the Lisbon Treaty)

Definition: Policy Taker

Outlook: Policy Taker

Positive and did not or does not create any public debate, mainly because of the highly advantageous position of Poland in the Council. Another reason for this development is the fact that Poland has almost entirely focused on the definition of the QMV, rather than on the QMV's application.

3.1.2. Specific issue: European Parliament increased role

Definition: Policy Taker

Outlook: Policy Taker

The general perspective on the issue is neutral as it does not create any public debate. The European Parliament is relatively visible in Poland (as compared with other Member States), and the government at times tried to use it for its purposes (especially to delay a process, or to water something down), yet it seems that the Polish political parties reject the formal organisation of the Parliament: they've established a Polish Club (Klub Polski) with all Polish parties participating in it with a rotating chairmanship system. This Club serves as a platform for coordinating efforts to promote Polish national interests. This is only to show that the Polish parliamentarians perceive the chamber as a site for national-based politics, rather than ideological politics (conservative vs. social-democrats vs. liberal vs. green, etc.).

3.1.3. Specific issue: President of the European Council

Definition: Policy Taker

Outlook: Potential Policy Driver

The creation of this post does not create any problems or reflections so far; there is a wide understanding that either the new Council Permanent President will adopt 100% rotating presidency programming, or by the time of the Polish Presidency (second semester of 2011) there will already be new rules of the game on the table. In any case, Poland is too big a country to be marginalised in any way in the European Council. Recent nominations only prove the extended and growing impact of Polish Prime Minister D. Tusk and Minister of Foreign Affairs R. Sikorski in the Council (L. Walesa was included in the Reflection Group on the Future of Europe and L. Balcerowicz was included in the High Level Expert Group on the financial crisis).

3.1.4. Specific issue: High Representative for Foreign Policy

Definition: Policy Taker

Outlook: Policy Taker

No problems whatsoever. More challenges may come with the European External Action Service, but the political leadership rather welcomes the development (in order to re-allocate resources and reduce costs). The bureaucrats and diplomats are less supportive.

3.1.5. Specific issue: Revision of the representation in the European Commission

Definition: Policy Taker

Outlook: Potential Policy Driver

Since D. Hubner was not closely affiliated with any of the Polish governments since 2005, there is little understanding in Poland of the potential benefits of having "our own" Commissioner. Hence, the government does not have any public pressure to fight to keep a Polish Commissioner. However, taking into account the likelihood that there will be a Polish Commissioner in the next Commission, the Prime Minister will most likely invest a lot of time and energy for the next Polish Commissioner to have a "valuable" portfolio.

3.1.6. Specific issue: Charter of Fundamental Rights legally binding

Definition: Not Applicable (opt-out)

Outlook: Potential Policy Killer

This does not concern Poland as it keeps a partial opt-out from the Charter under the Lisbon Treaty. Should the issue of making the Charter legally binding in Poland reappear, there would be an internal division and political fight over the issue with the President Lech Kaczynski and the PiS against and the government rather in favour.

3.2. Specific issue: Implementation of institutional innovations

Definition: Policy Taker

Outlook: Policy Taker

3.2.1. Specific issue: President of the European Council: competences vis-à-vis the rotating presidency, job description, secretariat and its size etc.

Definition: Policy Taker

Outlook: Potential Policy Driver

The position of the future President of the European Council created some consternation ahead of the Irish referendum. It was so mainly in the context of the Polish Presidency, as the early-stage preparations for the 2011 EU Presidency already began in 2008, many officials simply lacked information on the role, function and resources of this new European figure. This clarification is important mainly for the political visibility planning as there is a possibility (or risk) that the new permanent President will significantly reduce the role of a Prime Minister or president of a country holding the rotating EU presidency. However, following the Irish vote the issue became absent from political deliberations for the moment. Nonetheless, 6 months ago Poland tended to like to see a rather weaker President of the Council, because it would like to see a strengthened Commission and was slightly afraid of the unexpected for its own Presidency. There are no categorical views, however.

3.2.2. Specific issue: EU High representative: competences vis-à-vis the two presidents, relation to other commissioners with external relations portfolio, competences and relations vis-à-vis the rotating presidency

Definition: Policy Taker

Outlook: Potential Policy Driver

As above, no radical views on this or the other.

3.2.3. Specific issue: EU External Action Service: Implementation of the EU External Action Service: what proportion of EU/national diplomats, who should pay for national diplomats (should they have status of EU officials or be seconded to EEAS; internal quotas?), institutional anchoring of EEAS (Commission, Council, separate, under what scrutiny?)

Definition: Policy Taker

Outlook: Potential Policy Driver

There is no agreement or position on this issue; however 1/3:1/3:1/3 might become a final position on the composition of EAS staff, coming in equal proportions from the European Commission staff, Council Secretariat General staff and from national diplomatic corps, and probably seconded similarly to national experts in other fields. There is a concern about loyalty. EAS staff should be paid from the Community budget.

EAS structures in third countries should be developed on the basis of the existing infrastructure of European Commission delegations.

3.3. Specific issue: Future of Lisbon Treaty ratification:

- a). stop the ratification and renegotiate the treaty
- b). stop the ratification, take pause and introduce the most pressing innovations otherwise
- c). continue ratification and press Ireland to repeat the vote
- d). scrap the treaty altogether and continue working according to Nice
- e). any other scenario

Definition: Policy Driver

Outlook: Policy Driver

There is an internal division of views. The President would probably like best scenario e, which would be a modification of plan c). In his view, he objects to pressing Ireland to do anything, but the ratification should continue. Whatever the Irish finally say, Europe should take it as the outcome. The President's own signature under the Polish ratification act will follow only after the Irish positive vote is obtained. Should there be a second negative vote the treaty should be considered rejected.

The Government's position leans towards c).

Despite internal divisions, Poland on this issue is not a Policy Taker, but a Policy Decider; in other words: Poland is one of the key stakeholders in the process of ratification because of the position of the Polish President. Therefore Poland's position, even if not decisive, has to be reckoned with.

About the author

Piotr Maciej Kaczyński has been a Research Fellow at the Centre for European Policy Studies (CEPS) since 2007, where he deals with the institutional reform of the EU and manages the European Policy Institutes Network (EPIN). Previously with the Institute of Public Affairs in Warsaw, he graduated from the College of Europe and Warsaw University. His research interests are (1) political integration of the EU, including treaty reform; and (2) foreign and external policies of the EU and its member countries, including EU-US, EU-Russia relations, and the ENP.

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Supplements

Methodology notes

The research has been carried out by individual researchers in each of the ten new members on the basis of specially designed methodology, developed by EUROPEUM and major input from EuPI/OSI-Sofia. The seven policy areas under research are: I. Internal market/Lisbon Strategy; II. Minority integration and citizenship issues; III. Energy and climate change; IV. Budget review and CAP Health Check; V. EU foreign policy and enlargement; VI. Freedom, Security and Justice; VII. Institutional issues.

The research was carried out primarily in the period September 2008 – December 2009, but there may be references beyond this period. Some positions and circumstances described in the reports may have changed since the information was last made available to the researchers or reached the stage of publication.

The researchers' findings are published in ten country reports on each of the New Member States: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The structure of the country reports includes an overview of the country's performance as an EU member and seven chapters following the seven broad policy areas. Each chapter contains an overview of the position of this country in the area, including the top three national priorities. Then the chapters provide in-depth analyses, information and prognoses on a set of issues (defined as general and specific) within each of the seven policy areas.

The views expressed in the reports are those of the authors and do not necessarily reflect the views of the Open Society Institute – Sofia.

Classifications: Policy Taker, Killer, and Driver explained

In the classification of this study, Policy Takers are those states that usually follow the mainstream in the EU and in general accept whatever is offered from the EU. The reasons may vary — from the lack of stakes and interests in the issue, to the lack of capacity to formulate a meaningful position, or they may have a position but lack the weight and experience to promote it.

The Policy Driver is a country that assertively promotes an issue at EU level. Ideally, a Policy Driver would have a broad political consensus and public support at home, capacity and expertise to advocate successfully, and carry the weight to gather coalitions and promote the policy. This may also imply additional legitimacy, measured also by the added value of this policy to the "European project" or adherence to the "European values" or "common European interest".

A Policy Killer is exactly the same as a Policy Driver, but with an opposite sign. In many cases, a Policy Killer country becomes a Driver if it succeeds in proposing a feasible and viable alternative to the policy it tried to prevent.

While all members are at some point "Policy Drivers" or "Killers", the crown of a "super Policy Driver" and "super Policy Killer" goes undoubtedly to Poland. Poland, the biggest of the new members, with enough self-confidence, has led an effective opposition to the Constitutional Treaty, the Lisbon Treaty, and to the energy and climate package.

Tables of national positions: Explaining the exercise and words of caution

In the course of the current study, the country researchers were asked to classify the position and policy behaviour of the country as Policy Taker, Policy Driver or Policy Killer on the respective issues. The judgments had to be based on the level and character of activity, interest and involvement of the country in the given policy area. The researchers were also asked to provide a forecast for the short and medium-term positions and behaviour of the country, based on diverse factors triggering change — domestic political change, rise of powerful stakeholders able to promote or kill a policy, a window of opportunity to intervene, reversal of policy at EU level that causes negative reaction, etc.

The attempt at classification and forecasting (laid out in detail in the tables in each section) should be used with caution, as the positions and factors at play are nuanced,

multifaceted and complex: simplified tick-boxes of classification, presented in the tables, can never be too accurate. Therefore, they are more for orientation purposes and the provided substantive reports should be consulted for a more detailed analytical description, as the authors themselves often point to several possible explanations and scenarios for future development. Nevertheless, this is a valuable set of information, based on very good expert knowledge and judgment.

Country abbreviations	
EU27 European Union - 27 Member States	
BE	Belgium
CZ	Czech Republic
BG	Bulgaria
DK	Denmark
<i>D-E</i>	<i>East Germany</i>
DE	Germany
<i>D-W</i>	<i>West Germany</i>
EE	Estonia
EL	Greece
ES	Spain
FR	France
IE	Ireland
IT	Italy
CY	Republic of Cyprus *
CY (tcc)	Zone not controlled by the government of the Republic of Cyprus
LT	Lithuania
LV	Latvia
LU	Luxembourg
HU	Hungary
MT	Malta
NL	Netherlands
AT	Austria
PL	Poland
PT	Portugal
RO	Romania
SI	Slovenia
SK	Slovakia
FI	Finland
SE	Sweden
UK	United Kingdom
HR	Croatia
TR	Turkey
MK	Republic of Macedonia

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About EuPI

The European Policy Initiative (EuPI) of the Open Society Institute – Sofia aims at stimulating and assisting the New Member States from CEE to develop capacity for constructive co-authorship of common European policies at both government and civil society level. As a new priority area of the European Policies and Civic Participation Program of Open Society Institute – Sofia, EuPI will contribute to improving the capacity of New Member States to effectively impact common European policies through quality research, policy recommendations, networking and advocacy. The initiative operates in the ten New Member States from CEE through a network of experts and policy institutes.

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About EUROPEUM

EUROPEUM Institute for European Policy is a non-profit, non-partisan and independent institute. It focuses on the issues of European integration and its impact on the transformation of political, economic and legal milieu in the Czech Republic. EUROPEUM strives to contribute to a long-lasting development of democracy, security, stability, freedom and solidarity across Europe. EUROPEUM formulates opinions and offers alternatives to internal reforms in the Czech Republic with a view of ensuring her full-fledged membership and respected position in the European Union.

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