

## **BÖLL TEA BRIEFING**

### **TOUGH TIMES FOR THE POLISH EU PRESIDENCY<sup>1</sup>**

*After the listless Hungarian presidency, much is expected from Poland at the helm of the Council of the European Union. After all it is the last “heavyweight” country before the “fate of the Union” is laid into the hands of moderately-sized Member States like Denmark, Cyprus and Lithuania with presidencies by crisis-ridden Ireland and Greece looming in the not so far future. But what can the Poles actually do? They come well prepared and with an ambitious agenda, but they will have to be careful not to get stuck between a rock and a hard place. After all, they will have to show leadership in the fight against the crisis in the eurozone - without being a member - against a backdrop of popular revolts against the drastic austerity measures in the countries hit hardest by the crisis and the impact of populist anti-EU parties in others; they will have to find a way to respond to the developments in the southern neighbourhood of the EU where they would have preferred to focus on the Polish neighbours and on top of everything they are facing elections in their own country in the middle of the presidency. And last but not least: the Lisbon Treaty limits the powers of the rotating presidency, especially in the field of foreign policy, but in many respects there is still scope for the Polish presidency to define its room for manoeuvre. Will the Polish presidency be able to provide the leadership the EU so badly needs in tough times like these?*

The expectations towards the Polish Presidency are high in Brussels because the preparations have gone very well and because Poland is a relatively big country. It will be interesting to watch how the Presidency will act, as there are still some gaps in the post-Lisbon system. It has to be figured out how the Presidency should cooperate with the Parliament and with the newly established External Action Service. However, Poland is still a so-called new Member State and when it comes to the Presidency we can see that the older Member States observe the newcomer very strictly. That is another big challenge: when you are closely watched, a mistake is easily noticed.

### **Elections**

And, indeed, elections will be held in the middle of the Presidency, in October, at a moment when the Presidency should be heavily involved in negotiations and fight for tangible results. Political parties in Poland have already started to campaign and we can assume that the campaign will be quite a brutal one, a fight between the two biggest parties. Of course, this will influence the Presidency but in Poland, not so much in Brussels. The latter will only happen

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when anti-European voices will be heard from Warsaw, which is unlikely. Polish society is the most pro-European in the EU with 85% of Poles being happy and enthusiastic to be in the European Union. That will probably mean that no party will be able to play on anti-European feelings, however, they will quarrel about so-called Polish national interests. The Polish government is well aware of the Presidency and not fighting about national interests. It is actually the other way round: they are fighting for Europe. They try to be an honest broker and a moderator, meaning that in the Polish priorities, in the Polish way of thinking about the presidency, national positions do not figure. However, the opposition still expects that national goals will be achieved which can result in a brutal fight between the opposition and the government and the elections will not help in that debate. This is more a Polish internal problem.

The election debate will concentrate on local issues and the Presidency will be used as an argument in the election campaign. The other aspect is that the ministers, the politicians, will be engaged in their constituencies and not come to Brussels for meetings and negotiations. The Polish officials will make sure that everything will run very smoothly, they will be very well prepared and committed, but in the end, there are always politicians who can, as we know from the Czech experience, sometimes go very wrong. It is expected that not all politicians will do their best, but all of them would like to have good results for the elections, which means that a good result on European level is important.

### **Democracy support**

Interesting among the priorities are the democracy support issue and the engagement in North Africa and, obviously, the Eastern Partnership. Poland shows a real interest in the Northern African issue and they are doing really well engaging themselves. The Polish foreign minister is flying to Northern African countries, he is present at the meetings about North Africa and the Polish are keen on sharing their experiences as a transformation country with the Arabic countries. They are working hard on that, they sent already a few well-known experts to Tunisia and Egypt. They are aware that they cannot only concentrate on Poland and Europe; they must also act in North Africa. It is actually an advantage that Poland has no interest in North Africa, so it can moderate as an honest broker.

We have to keep in mind, however that the success of the Polish Presidency does not really depend on the Polish efforts, because the situation is complicated. There are the developments in North Africa, the financial situation and even the European partnership will depend on the Eastern partners; it is not only the Polish Presidency that is responsible for achieving results. The situation is so complicated that Poland is bound to make mistakes and will not be able to achieve its own goals. The external situation will have a lot more influence as was the case with many former presidencies.

The Polish Presidency proposed the establishment of a European Endowment Funds for Democracy, which is now also part of the Commission communication on the ENP. That is a symbol for the presidency's role to

coordinate between the HR, Presidency and Commission. It is a big challenge, preparations are very advanced, the development does not only depend on the Polish efforts but in case of a potential failure, they will still be held accountable. This needs to be communicated better to the public.

### **Restoring the pre-Lisbon situation**

The Polish Presidency has been discussing many issues with the Hungarian presidency. One of the challenges is to support and be very good connected with other representatives and to insure the continuity of EU policy. It is a very important momentum that two consecutive presidencies are held by two new (Central European) Member States. What is even more important for the Polish Presidency is the Lisbon Treaty because we are in a stage that some, especially new institutions are assuming that their responsibilities are already in place, that there is no room for manoeuvre and that there is no place for the rotating Presidency, in other words that the pre-Lisbon period is already finished. Poland will try to restore the pre-Lisbon situation and this will be a challenge as well because it is not easy to deal with many situations when you do not have full control over it.

Of course, the Polish Presidency fully supports the institutional framework set by the Lisbon Treaty as it has a huge advantage and huge potential for Europe in the coming years, but it is a very difficult situation when you have a President of the European Council who has many ambitions related to the external action. He had some problems in work settings with the President of the Commission; the conflict was settled between them and between the High Representative and the Member States. We are on the verge of starting an internal debate how to ensure interaction between the External Action Services and the Presidency and the foreign ministries of the Member States as well as how to ensure a better communication and information between the diplomatic missions, the EU diplomatic missions and the Member States' diplomatic missions.

For the dealing with institutional problems, a timeframe needs to be set. The post-Lisbon EU is still demanding and asks for an adaptation. This adaptation will not come tomorrow and will not come in one week. Maybe it will take years to build a system in which the information process will not be disrupted in any way and where both, Member States and institutions, will have the privilege of playing roles in different parts of the world. There is a huge potential for Member States to cut their spending for diplomacy and be represented by one mission, especially if they have only a secondary interest in that part of the world. On the other side, some countries that have had previous relations with that part of the world and have a special knowledge of this region can bring a considerable input to the work of the EEAS. WE have to have a better exchange of information, but this will still have to wait for some time.

Not all the European delegations are already put in place in the various countries, so it is the role of the Presidency to act as delegates in the other countries. There are twelve countries where the Polish embassy will act as a European delegation because there are no delegations or they are just being

established or there is no ambassador. These are twelve really complicated countries, countries where the European Union must know how to act. The challenge for the Polish embassy is to figure out what to do, whom to listen to, what should come from Warsaw, what should come from Brussels, what should come from EEAS. All this has still to be established.

### **Economic situation**

Another very important momentum for the Presidency is the economic situation. The economic figures are bad but the latest Commission report about the health of the Polish economy and the recommendations suggest that the condition of the Polish economy is not bad and that can bring much optimism to Europe. Especially, if we take into account the fact that Poland was one of the first Member States to present its commitment to the Pact for the Euro. Of course, some people will wonder how the Polish Presidency will deal with these issues, as Poland does not belong to the eurozone. Nevertheless, many decisions will be discussed in the new environment of the Pact for the Euro, a new framework of economic governance that is changing the shape of the European Union and will in some years be considered as one of the major impacts of the European integration. In this process, the Polish Presidency is very active.

There is some sort of dynamism in the relations between Warsaw and Berlin, which was noticeable during the discussions of the financial crisis in Europe. There is also an agenda of good relations between Poland and Russia, the recent meeting in Kaliningrad between the Polish prime minister, the German chancellor and the Russian prime minister has to be mentioned in this respect, and the Visegrád Group is still very important for dealing with various aspects and for coordinating the positions of the central European states. Finally, there is the Eastern Partnership, which is gathering momentum, and perhaps new commitments can be made for the countries participating in it.

### **Europe as a source of growth**

The Polish Presidency has three priorities. The first is Europe as a source of growth. It is important to continue this discussion, which started during the Hungarian Presidency: how to make the economic integration better, how to set the agenda for a better movement of big businesses, how to help the business environment, how to become more efficient in economic terms in different ways. One of these issues would be the idea of boosting the intellectual capital as the flagship of this framework, how to link education with business and especially to adapt the education to the needs of the market.

### **Security**

The second priority is security in a broader sense. First, of course, there is the financial security. It has to be assessed how Member States are progressing in reducing their deficits during the first year of the European Semester, how the national recommendations from the European Commission are dealt with, how can be ensured that they are implemented properly on a national level.

The main area of action in the financial issues will of course be related to the Multi-Annual Financial Framework. The Polish Presidency will especially focus on all the potential problems that may appear in the negotiations on the future of the Financial Framework. It wants to 'map out' the different problems of the FF, which will then be negotiated by the Danish Presidency. The presidency will follow the legislative work, which will be brought in by the Commission and is still waiting for some of the communications that should come up. The focus will lie on the short savings, on the difficulties in and related to the banking sector like and the Single Euro Payments Area (SEPA).

Then there is the internal security with challenges like migration. One of the core issues that are currently debated is Frontex and how to insert border management in the European Union. It will be crucial to see what will come out of the European Council in June.

External security and defence planning figure high on the Polish Presidency's agenda. In December 2010, the Foreign Affairs and Defence Ministers of the Weimar triangle, Germany, France and Poland, sent a letter to Catherine Ashton, expressing a strong commitment to reinforcing and invigorating the European defence establishment. The Presidency wants to look at the opportunities related to the straightening of the defence planning in the European Union, how to make the EU-Nato structures better interconnected, and finally how to deal with the issue of having common headquarters. This idea was put to test with the Libyan crisis in February when it became obvious that the lack of a common set of structures was a serious problem for the European Union's involvement in Libya.

Finally, there is energy and food security. The former has everything to do with enabling the EU to operate more effectively in the international energy environment. Concerning the EU energy security, one of the main tasks for the Presidency will be to build stronger foundations for the European security strategy regarding the external aspects. This is an issue and an area to be looked at closely. The potential here is great, we have to look at all the potential sources and potential tracks like providing coal energy in a way safer for the environment. In Poland, almost 90% of the energy comes from coal, so there is a huge potential for the energy security of Europe to use those resources in a proper and secure way. Another option is the potential of new resources like shale gas.

Food security is just as fundamental. During the Polish Presidency, the discussion about the Common Agricultural Policy (CAP) will enter its decisive stage.

### **Europe benefiting from openness**

The third priority of the Polish Presidency, Europe benefiting from openness, consists of a full range of aspects and will be the most difficult priority to deal with, since the Polish Presidency is not the only actor on the scene. Africa, as was mentioned before, is not a place where the Polish have national interests, but they have always been there. Poland has always had a diplomatic

mission, even before 1989, Poland was represented economically. The democratic agenda is an important asset to present in this context.

The Polish Presidency is aware of the fact that the High Representative has a lot of different tasks to deal with and she is very keen to find a way how to seize this opportunity of working with 27 ministers and the rotating Presidency and allowing them to contribute in the process of forming the external actions of the EU. The Presidency could support the High Representative in initiating projects in the neighbourhood to bring about a democratic setting, focussing on how to deal with the elites, how to deal with different election problems in the countries and finally how to establish democratic structures.

One of the very important parts of this open Europe will be enlargement. During the Presidency, there will most probably be a window of opportunity to sign the Accession Treaty with Croatia, which would be a very important signal for Europe and for all those people who are feeling some sort of enlargement fatigue.

Then there is the relation with Europe's most important strategic partners. With the United States, the EU has a huge range of issues to deal with in the framework of the Transatlantic Economic Council. There is the climate change issue, Libya, military resources, regional security, trade aspects and, of course, energy. Finalising the new agreement with Russia will be an important task for the Polish Presidency.

### **Polish ambitions**

Poland over the past seven years has developed from being part of the problem to being part of the solution, which is why there are all those expectations out there. People involved in the Czech presidency are warning to be careful, because there will be plenty of hostile press. This will probably not happen in Poland's case, though, because Poland is no longer considered a 'new Member State'; it is not a new Member State Presidency, it is more of a big Member State Presidency.

This also means that the expectations are higher, that Poland can do more than the previous or future presidencies. However, already a first small disappointment has appeared considering defence. Here, the expectations were much higher and already Poland is scaling down a bit in that area and rightly so. The issue of feasibility is absolutely important. Even if the ambition and leadership are there, the question is: is it possible to realise the Polish agenda in three and a half months even if you employ 1200 people running the presidency?

First, the Presidency may have to deal with a potential strike in the Commission. There was a problem last year, as the Council did not like how much people earned in the Commission. The Council lost and the Commission came up with a new proposal. Some Unions are saying now that there may be a strike in the Commission in September.

The European Parliament could cause another problem. It is said that the parliamentarians do not only want change the Treaty in July on some aspects, but they also want to put on hold all the legislative processes because they are not pleased with the way the Member States act when it comes to implementation. Implementation of directives is problematic, more and more cases are brought to court. Member States should comply better.

Thirdly, the Court could cause problems, as there is a clash between the president of the Court and the Council about procedural questions.

There is a whole list of problems on the agenda: single market package, the energy package, internal market energy packages, the Schengen enlargement with Romania and Bulgaria, the Croatia Accession Treaty, the beginning of Multi-Annual Financial Framework negotiations, the Maternity Leave Directives, the E-coli outbreak follow-up, eurozone problems, neighbourhood and democratic promotion.

Then there is the Frontex reform and the Eastern Partnership Summit. All this in three and a half months, with 1200 people and three European Council summits. That is the level of ambition, answer for yourself whether it is possible.

The question whether on January 1st 2012 the Polish Presidency will be regarded successful or not. What constitutes a success outside Council business? Of course, with the European Council in December there will be declarations on press conferences saying that it was a great success. This has been going on for decades, no matter what happened during the Presidencies. But what will constitute a real success in the Polish case? They should be judged on their own priorities.

They will have to focus on which priorities they really want to realise and what they want to leave as unfinished business. Priorities always are a combination of feasibility and your own ambition. So, judging from that, it is not easy to say at this stage, whether the Polish presidency will be a success. Because we have heard a lot of promises, but take e.g. the Schengen enlargement. It has been dragging on for years, the Maternity Leave Directive is in the second reading already and there is a big controversy. There is talk about enhanced cooperation and the Court has ruled that it does not like some of the elements in the proposal. There are plenty of problems, not everything is solvable in time. It is up to the rotating Presidency, to decide ahead of time what it wants to have as priorities, and those priorities can be only a few which are usually not shaped by the rotating Presidency nor set up by the rotating Presidency.

For the Hungarians two elements were the most important. First, a significant progress if not completion of the six-pack and the Croatian accession. There were other elements, but on these two most vital elements, they performed fine. If you are working in the Council and you have been working on those dossiers you probably have seen that their involvement was very positive and very successful, despite the enormous problems they have back home, on

media law, on constitutional reform, on rise of the extreme right and populism in the government.

That applies to the Poles as well, what are the two most important elements on their plate? Probably they have to finish the six-pack and this is priority number one, and priority number two is something they put on themselves, it is the Eastern Partnership Summit. On 30 September, we will see whether the presidency is a success or not.

The six-pack Economic Governance Package will be very important in the sense that it could establish a new way of inter-institutional dealing because for the time being we are still in a situation where the Parliament is trying to see how much influence it can gain from the Lisbon Treaty and the potential of the Lisbon Treaty for internal institutional battles was and is still very high. There is another issue, which is still in discussion, the financial instruments, and there will be the first conciliation procedure in COREPER II. It is realistic to believe that the six-pack will be concluded.

The Eastern Partnership Summit is tricky, because the Poles the hosts, with the Hungarians as co-hosts, but the person who presides the meeting will be the President of the European Council. That creates a new sort of dynamism, because if there is a proper and close cooperation between the Rotating Presidency and the Permanent Presidency of the European Council, there is a potential possibility for the rotating Presidency to influence the agenda and the goal setting, but in the end everything is in the hand of the President of the Council and in a certain way in the hands of the High Representative. That is why perhaps the final evaluation will be not so hard on Poland because one has to take into consideration that the rotating Presidency cannot do much more than organise such a huge event and stimulate different processes.

If those negotiations are completed, then the Presidency was a great success, but if those negotiations are as stuck as they are right now despite all the efforts of the Presidency, there is no success. Seven years in the EU is a coming of age, seven years is an age when you send kids to school. It is also as some people say, a test of maturity. It is also a test of maturity for a country in the EU; so on 1 January 2012, will Poles be disappointed that from the ambitious agenda, little has been achievable or will they be satisfied? Realistically spoken, 1 January 2012 is going to be simply a handover.

On the other hand, the Polish Presidency has already made some impression. The High Representative was so far not very successful, Europe is desperately looking for a model on foreign policy that will be sustainable, and this Presidency is the test. It looks like the rotating presidency is back on the highest level. If rumours are true, the Polish foreign affairs minister Sikorski asked the HR for a role and got it. There is an agreement between the actors; this has yet to be established on the lower levels, in practice. If this is sustainable, we will see more solutions in the future. This could be a way out of the HR dilemma. There is a good chance that the HR will finally be able to exert more power without prejudice from the Member States, though much may depend on personalities.

Poland has the chance to provide leadership not just manage things, it is important to show it. Visibility of the summits is important and the emphasis should not only lie on Eastern Partnership issues but also on the southern dimension of ENP, macroeconomics and democracy promotion in North Africa. The Poles can define the new role of the rotating presidency and show to the Polish people and other Europeans how to go forward and make up for lost enthusiasm.



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