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## Polish Role in Shaping the EU Foreign and Security Policy during its Council Presidency in 2011

**Abstract:** *Poland, being the biggest country among the new Member States, has a well-defined foreign policy interest, particularly towards the Eastern neighbourhood. This article examines the involvement of Polish Presidency of the Council in the development of the foreign and security policy of the European Union. Considering the serious limitations placed on the role of the rotating Presidency in the post-Lisbon institutional framework, the analysis investigates the patterns of action Poland followed, which involved the providing of the operational backup for the High Representative as well as bringing its own contributions to the agenda of the Foreign Affairs Council. As the article demonstrates, the rotating Presidency can still redound to the further development of the foreign and security policy.*

**Keywords:** CFSP, Council Presidency, High Representative, Eastern enlargement, European Neighbourhood policy

### Introduction

The tenth anniversary of the ‘Eastern enlargement’ of the European Union offers a good opportunity to analyse the influence of Poland, a new Member State with strong foreign policy ambitions, on the development of the European Union’s external relations. Since the beginning of the European integration project this policy has relied on the principles of intergovernmentalism, with the Member States

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playing the leading role<sup>1</sup>. The Eastern enlargement of the EU in 2004 and 2007 not only significantly extended its external borders and raised the question of the 'European neighbourhood', but also showed the indispensability of a new treaty which would provide the EU with mechanisms appropriate to its greater role in the international arena. After the collapse of the Constitution of Europe project, the Treaty of Lisbon, which entered into force in December 2009, was supposed to improve the EU capability to act in the world. It gave the European Union a uniform legal entity and introduced two new posts: the President of the European Council and the High Representative for Foreign Affairs and Security Policy (HR). At the same time, this new model of multiple Presidencies particularly constrained the competences of the rotating Presidency of the Council (Presidency) with respect to EU foreign and security policy issues. This shift of responsibilities from the Presidency to the new leadership involves mostly issues related to external representation, the Common Foreign and Security Policy (CFSP), and the coordination of national foreign policies. It has had deep impact on the Presidency and deprived it of many previously existing channels available for shaping the foreign policy of the Union.<sup>2</sup> Yet, as foreign and security issues are part of 'high politics' and therefore especially sensitive and crucial for many Member States, the rotating Presidency can still be seen as an important way for them to promote their foreign policy interests and ideas, despite the limitations placed on its leadership role. Because of the complex portfolio of the HR, the country chairing the Council still seems to be able to leave its mark on the foreign policy agenda of the Union.<sup>3</sup>

Against this backdrop, this article reflects on the Polish role within the EU foreign and security policy by investigating the performance of the Polish Presidency, which was held between July and December 2011. It takes a closer look at the relations between the Presidency and the

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<sup>1</sup> See generally: D. Milczarek, *Foreign and Security Policy – A challenge for the European Union* in: *Introduction to European Studies: A New Approach*, D. Milczarek, A. Adamczyk and K. Zajączkowski (eds.), Warsaw 2013, pp. 473–490.

<sup>2</sup> A. Cianciara, *Rotating Presidency within Post-Lisbon Institutional Dynamic*, "Yearbook of Polish European Studies", No. 15/2012, pp. 27–42; M. Emerson et al., *Upgrading the EU's Role as Global Actor: Institutions, Law and the Restructuring of European Diplomacy*, Centre for European Policy Studies, Brussels 2011, pp. 37–52.

<sup>3</sup> See also: R. Mieñkowska-Norkiene, *The Limited Role of the Council Presidency After Lisbon – Much Ado About Nothing*, "Yearbook of Polish European Studies", No. 15/2012, pp. 45–47; R. Riedel, *Rotacyjna prezydencja Rady Unii Europejskiej po wejściu w życie Traktatu z Lizbony. Analiza ról prezydencji w okresie przejściowym (The Rotating Presidency of the European Council after the Lisbon Treaty. Analysis of the role of the Presidency in the transition period)*, Opole 2014, pp. 141–180.

High Representative as the main actor on the EU level responsible for managing the EU foreign policy, and at the conceptual contributions that the Polish Presidency expected to deliver. As a country with clearly defined foreign policy interests, especially in the Eastern neighbourhood, Poland even before joining the EU tried to convince its European counterparts to establish deeper relations with Eastern European countries such as Ukraine, Georgia or Moldova.<sup>4</sup> Polish efforts eventually succeeded and in May 2009 the European Council supported the Polish-Swedish project of the Eastern Partnership (EaP). Thus Poland viewed its first Presidency of the Council as a chance to further promote and intensify the Eastern Partnership, particularly against the backdrop of the Arab Spring, which focused the attention of a majority of European countries on the Southern neighbourhood and its seeming transformation towards democracies. Additionally, the Polish government intended to improve cooperation within the security and defence policy and to actively support the further enlargement of the European Union.<sup>5</sup> At the same time however, the first Polish Presidency had to face the limitations of the post-Lisbon institutional framework and find a way to promote its foreign policy objectives within the new framework. What's more, when Poland took over the rotating chair it was hard to identify what the role of the Presidency was supposed to look like, because the previous Spanish, Belgian and Hungarian Presidencies had all been transitional, in the sense that they had to come to terms with various obstacles in the implementation of the Treaty of Lisbon.<sup>6</sup> Therefore, Poland provides an interesting vantage point to explore the early practice of the involvement of the Council Presidency in EU foreign policy after Lisbon. The aim of this article is thus to investigate the Polish performance during its Presidency term and to identify the patterns of the actions it took aimed at influencing the foreign and security policy of the European Union. In doing so, the article contributes to an

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<sup>4</sup> A. Adamczyk, *The Role of Poland in the Creation Process of the Eastern Partnership*, "Yearbook of Polish European Studies", No. 13/2010, pp. 195–199.

<sup>5</sup> Ministry of Foreign Affairs of the Republic of Poland, Programme of the 6-month Polish Presidency of the EU Council in the second half of 2011, [http://pl2011.eu/sites/default/files/users/shared/o\\_prezydencja/programme\\_of\\_the\\_polish\\_presidency\\_of\\_the\\_council\\_of\\_the\\_eu.pdf](http://pl2011.eu/sites/default/files/users/shared/o_prezydencja/programme_of_the_polish_presidency_of_the_council_of_the_eu.pdf) (last visited 15.05.2014).

<sup>6</sup> E. Drieskens, *Ceci n'est pas une présidence: The 2010 Belgian Presidency of the EU*, "Journal of Common Market Studies", Vol. 49/2011, Annual Review, pp. 93–94; P.M. Heywood, *Spain's EU Presidency: Ambitions beyond Capacity*, "Journal of Common Market Studies" Vol. 49/2011, Annual Review, pp. 77–87; A. Agh, *The Hungarian Rhapsodies: The Conflict of Adventurism and Professionalism in the European Union Presidency*, "Journal of Common Market Studies", Vol. 50/2012, pp. 68–75.

understanding of the role of the Presidency within the EU external affairs in the new post-Lisbon environment, a topic which so far has received relatively little attention in the Polish European studies. At the same time, the analysis takes into account the two main notions of what constitutes a legitimate Presidency: the *honest broker* – meaning that the Presidency is supposed to subordinate its individual objectives to the European common good; and the *self-centred Presidency* – assuming that the country at the helm will use its formal position to advance its own objectives, including in the area of foreign policy. Keeping in mind that these two notions need not be in competition and the rotating Presidency can act as both, the article explores in which areas the Polish government acted rather as an *honest broker* of the EU line, and in which it acted as a *self-centred Presidency* by pushing its own agenda when proposing foreign policy ideas.

The article is divided into two parts. The first part presents main aspects of the Polish political background which could be important for any assessment of the Presidency within the area of external relations. In the second part, the paper examines the activities of the Polish Presidency with respect to foreign and security policies and identifies the patterns of actions undertaken by Poland in order to play a role in the foreign and security policy of the European Union. It concludes with more general observations on the experiences of the Polish Presidency term, as well as how the course of the Polish Presidency might impact the future role of Poland within the EU *vis-à-vis* foreign and security policy.

## 1. The background to the Polish Presidency

There are three background aspects which should be mentioned when assessing the performance of the Polish Presidency with respect to EU foreign policy. They are discussed separately below.

### 1.1. Ambitious player

The most essential aspect is the strong interest the Polish government had in influencing EU foreign policy during its Presidency. Poland wanted to play a visible role in the international arena and use the Presidency to present itself as an influential and determined country with its own ideas for European policy.<sup>7</sup> However, accomplishment of Poland's ambition

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<sup>7</sup> T. Vogel, *Looking in the wrong direction*, "European Voice", 29.06.2011, <http://www.europeanvoice.com/article/imported/looking-in-the-wrong-direction-/71422.aspx> (last visited 31.08.2014); H. Mahony, *Polish EU presidency to test treaty rules*, "EU Observer",

to be an active player and not simply a follower could not be taken for granted under the post-Lisbon architecture. According to the opinion of a group of experts, issued on the eve of the Polish Presidency, clearly defined priorities and careful preparations were indispensable in order to achieve success.<sup>8</sup>

Taking into account that from the very beginning one of the top priorities for the Polish Presidency with respect to external relations was to focus on the Eastern dimension of the European Neighbourhood Policy, one could expect Poland to act rather like a *self-centred Presidency* because of its strong national interest. In the official programme of the Presidency, Poland expressed strong support for the EU foreign and security policy aimed at enhancing the EU international position and declared it would attach a high level of importance to close cooperation with HR Catherin Ashton and with the European External Action Service (EEAS).<sup>9</sup> One of its three priorities was declared to be 'Europe benefiting from openness', and Poland defined its main interest relating to the foreign affairs by focusing particular attention on the enlargement process, democratisation, enhancement of the European Neighbourhood Policy towards the East and the South, relations with Russia, and a number of horizontal issues such as the EU development policy and its effectiveness, security policy (in particular the reinforcement of the EU crisis response capabilities), the external dimension of energy policy, consular matters, including visa facilitation agreements, and the common trade policy.<sup>10</sup>

## 1.2. Poland's concept of preparations

The second aspect which played a major background role for the agenda of the Polish Presidency was the timely preparation of the Polish government and administration to conduct the task.<sup>11</sup> Already in 2009 a special

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06.06.2011, <http://euobserver.com/pl2011/32258> (last visited 15.08.2014).

<sup>8</sup> S. Vanhoonacker, K. Pomorska and H. Maurer, *The Council Presidency and European Foreign Policy. Challenges for Poland in 2011*, Center for International Relations 2011, p. 27.

<sup>9</sup> Ministry of Foreign Affairs of the Republic of Poland, Programme of the 6-month Polish Presidency of the EU Council in the second half of 2011, op.cit., p. 10.

<sup>10</sup> Ibidem, pp. 10–11, 14–15.

<sup>11</sup> Ministry of Foreign Affairs of the Republic of Poland, Final Report.Preparations, Achievements, Conclusions. Polish Presidency of the Council of the European Union 1 July–31 December 2011, Warsaw 2012, pp. 11–116, [http://www.mf.gov.pl/en/documents/764034/1137013/Report\\_Polish\\_presidency.pdf](http://www.mf.gov.pl/en/documents/764034/1137013/Report_Polish_presidency.pdf) (last visited 10.02.2015); P.M. Kaczyński, *Polish Council Presidency 2011: Ambitions and Limitations*, Swedish Institute for European Policy Studies 2011, pp. 33–38; A. Łada, *The Polish Presidency – pushing the agenda and shaping the Lisbon system*, Policy Brief, European Policy Centre,

Advisory Group to the Polish Presidency was established in order to assist in the preparation of policy priorities. Its members were first-league advisors from various European countries with different areas of expertise.<sup>12</sup> Apart from the general preparations of the Polish administration at various levels, which commenced in 2008, and inter-institutional settlements between Polish and European institutions,<sup>13</sup> there were numerous initiatives dedicated to EU foreign and security policy. In June 2010, one year before the Presidency was to commence, Polish Prime Minister Donald Tusk and several ministers of his cabinet visited Brussels and met with officials of the European Commission in order to consult the planned priorities for the Polish term. Furthermore, Polish Foreign Minister Radosław Sikorski and Ashton met twice in order to discuss the agenda with respect to external relations during the Polish Presidency. As a result of these meetings, Polish officials agreed with the HR on a number of initiatives that the Presidency would put forward within the context of the EEAS's formal leadership. These areas included the Eastern Neighbourhood Policy, Afghanistan, Pakistan and Central Asia. Moreover, there was also close cooperation during the preparations between Polish officials and the colleagues of the permanent President of the Council, Herman Van Rompuy. Van Rompuy visited Warsaw in January 2011 in order to discuss the further development of the EaP and the priority issues within the Common Security and Defence Policy (CSDP). This cooperation with the office of Van Rompuy was fundamental for the Polish government since his office was in charge of the preparations for multilateral and bilateral summits. Poland expected to host the Eastern Partnership Summit during its term and wanted to cooperate closely with the officials of Van Rompuy on the agenda of this summit. Regarding another crucial issue for the Polish government – the defence capabilities of the EU – an important foundation

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Brussels 2011, p. 2.

<sup>12</sup> J. Pawlicki, *Big Brains from Europe coming*, "Gazeta Wyborcza", 15.05.2009, [http://wyborcza.pl/1,98817,6610184,Big\\_Brains\\_from\\_Europe\\_Coming.html](http://wyborcza.pl/1,98817,6610184,Big_Brains_from_Europe_Coming.html) (last visited 10.02.2015).

<sup>13</sup> M. Hummel-Maciewiczak, *Polskie przygotowania do przewodnictwa w Radzie Unii Europejskiej na tle doświadczeń Słowenii i Czech (Polish preparations to chair the European Council against the background of Slovenian and Czech experiences)* in: *Analiza sprawności prezydencji w fazie jej przygotowań i sprawozdania*, A. Nowak-Far (ed.), Warszawa 2011, pp. 75–101; Supreme Audit Office, *Informacja o wynikach kontroli realizacji zadań w ramach przygotowań organów administracji rządowej do sprawowania przez Rzeczpospolitą Polską przewodnictwa w Radzie Unii Europejskiej (Information on the audit of the Republic of Poland's fulfillment of its tasks during its chairing of the European Council)*, Warszawa 2011, <http://www.nik.gov.pl/plik/id,2396,vp,3040.pdf> (last visited 12.02.2015), pp. 20–61.

was established by the joint letter of 6 December 2010 of the ministers of foreign affairs and defence of the Weimar Triangle states (Poland, Germany and France) to the High Representative. The three countries, later supported by Italy and Spain, declared their strong will to reinforce the military capacity of the European Union. Their proposals for enhancing the CSDP were adopted by the Foreign Affairs Council in January 2011 and laid the groundwork for further Polish attempts to deepen the defence policy of the EU.<sup>14</sup> A further case in point is offered by Poland's well-timed proposal for the establishment of the European Endowment for Democracy (EED). The proposal to create such an instrument was made by Sikorski during the Foreign Affairs Council Meeting in January 2011 against the backdrop of the democratic movements of the Arab Spring. His idea was subsequently supported by Ashton and integrated into the official joint communication of the HR and the European Commission entitled 'A response to a changing Neighbourhood'.<sup>15</sup> The creation of the EED became one of the priorities of the Polish Presidency.

### **1.3. Division of competences at the national level**

The third important aspect when assessing the performance of the Polish Presidency is the institutional setting in the country itself, which reflects the political importance of the task. The level of activities of a Presidency with respect to external issues depends on the capacities of the country holding the Presidency to be involved in the political and operational agenda of the Council. Usually, the Minister for Foreign Affairs chairs the General Affairs Council (GAC) and this complex task limits his capacity to act actively within other more specific areas. The Hungarian Presidency followed this model. János Martonyi, Minister for Foreign Affairs of Hungary, chaired meetings of the General Affairs Council and conducted all the representative duties himself, which significantly constrained his presence in political debates. However, after splitting the General Affairs Council from Foreign Affairs Council (FAC), the GAC is now primarily responsible for the general coordination of policies and

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<sup>14</sup> Council conclusions on Common Security and Defence Policy, 3130<sup>th</sup> Foreign Affairs Council meeting, Brussels, 01.12.2011, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/126504.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126504.pdf) (last visited 05.06.2014).

<sup>15</sup> Joint Communication by the High Representative of the Union For Foreign Affairs And Security Policy and the European Commission, 'A New Response to a Changing Neighbourhood. A review of European Neighbourhood Policy', Brussels, 25.05.2011, [http://ec.europa.eu/world/enp/pdf/com\\_11\\_303\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf) (last visited 01.06.2014).

the horizontal aspects that influence several of the EU's policies. Therefore the leadership over GAC could be located within the milieu of the Prime Minister rather than the Foreign Ministry. Poland proceeded that way and handed over the task of chairing the GAC to Mikołaj Dowgielewicz, the Secretary of State for European Affairs, thereby making room for Sikorski's political initiatives and his representation of the Presidency on the highest political level at Ashton's side. With reference to the relations between Sikorski and Ashton, it is worth noting that before Poland took over the EU helm they were an undecided issue. The Polish Foreign Minister declared in July 2011 that he would be a *'loyal deputy'*<sup>16</sup> of the High Representative. However, taking into account the bad press with respect to the HR, who had been the recipient of much criticism for her activities and/or the lack of them, and the strong position of Sikorski as Foreign Minister of Poland since 2007, there was a risk of some possible turf wars between the two of them.<sup>17</sup>

## **2. Between political will and institutional limitations – finding a new role for the rotating Presidency**

As a result of the changes introduced by the Treaty of Lisbon it became necessary to find a new model of collaboration between the rotating Presidency and the non-rotating Presidencies, particularly with the High Representative being the one designed to play the major role in the coordination of the EU foreign and security policy. In the initial phase of drafting a trio programme some problems arose concerning cooperation with Ashton. While the Council's rule of procedure postulates that the HR should cooperate with the Presidency Trio on the FAC agenda, it was noted that *'contributions regarding the External Relations activities of the Foreign Affairs Council have not been communicated by the President of this Council formation'*.<sup>18</sup> Nevertheless, the cooperation between the High Representative and the Presidency played out in two main ways, discussed below.

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<sup>16</sup> A. Rettman, *Polish minister pledges loyalty to EU's Ashton*, "EU Observer", 02.07.2011, <http://euobserver.com/pl2011/32580> (last visited 5.06.2014).

<sup>17</sup> Cf. P.M. Kaczyński, *op.cit.*

<sup>18</sup> Council of the European Union, 18 month programme of the Council (1 July 2011–31 December 2012), Brussels 17.06.2011, <http://register.consilium.europa.eu/pdf/en/11/st11/st11447.en11.pdf> (last visited 05.06.2012).



## 2.1. Presidency as an operational back up

The Polish Presidency offered the HR critical operational and backup support. Indeed, one of the essential expressions of their cooperation was acting on behalf of Ashton on numerous occasions. The Spanish and the Belgium Presidencies had been asked by the High Representative to conduct some envoy-related tasks, but that cooperation was rather spontaneous and based on the trial-and-error method. The Polish Presidency was the first one that discussed the question of representing Ashton before taking over the chair of the Council. According to the agreements between Ashton and Sikorski, the Polish Foreign Minister and other Polish high-ranking officials represented the HR and spoke on her behalf fourteen times.<sup>19</sup> Particularly strong was the interaction and cooperation between Ashton and Sikorski on issues related to Afghanistan and Pakistan. Just after taking over the rotating Presidency, at the beginning of August 2011, the Polish Foreign Minister visited these countries and, accompanied by the EEAS Coordinating Director for Asia Viorel Isticioaia Budura, held a number of high-level meetings at the request of and on behalf of the HR. At the beginning of November Sikorski appeared on behalf of Ashton at the Istanbul conference on Afghanistan, which brought together Foreign Ministers of Central Asian countries to debate regional cooperation for Afghanistan.

Polish representatives also acted as deputies of the High Representative during numerous political dialogue meetings, such as the meetings of Cooperation Councils, which supervise the implementation of the Partnership and Cooperation Agreements. The first meeting where the rotating Presidency represented Ashton took place at the end of June 2011, even before Poland officially took over the helm of the Council from Hungary. Sikorski chaired, on behalf of Ashton, the EU-Kazakhstan Cooperation Council, which inaugurated the negotiations of the new EU-Kazakhstan base agreement, replacing the Partnership and Cooperation Agreement that had been in force until then. Furthermore, Minister Sikorski, accompanied by the Secretary General of the EEAS Pierre Vimont, chaired the meeting of the EU-Uzbekistan Cooperation Council on 14 November 2011 and represented Ashton at the EU-Georgia Cooperation Council on 1 December 2011. And Dowgielewicz chaired, on behalf of Ashton, the EU-Armenia and EU-Azerbaijan Cooperation Council sessions on 25 November.

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<sup>19</sup> Kancelaria Sejmu (Chancellery of the Sejm), Information for the Sejm and Senate, Polish participation in the work of the European Union in the period July–December 2011, 14.06.2012, <http://sejmometr.pl/posiedzenia/16> (last visited 25.06.2014).

The High Representative also relied on the Presidency with respect to the briefings during the plenary sessions of the European Parliament and during the meetings of the AFET Committee on the discussions in the Foreign Affairs Council. For example, in September 2011 Catherine Ashton, who was travelling in the Middle East in order to prepare for the UN General Assembly, asked Dowgielewicz to address the plenary session of the European Parliament during three debates: on the situation in Libya; on the situation in Syria; and on the state of play of the Middle East peace process. During the plenary mini-session in the European Parliament in October 2011, the Polish Undersecretary of State in the Ministry of Foreign Affairs, Jerzy Pomianowski, spoke on behalf of the High Representative about the situation in Yemen and Bahrain, and Dowgielewicz delivered a speech on preparations for the European Council meeting on 17–18 October 2011. In turn, during a meeting with the AFEC on 23 November, Sikorski discussed, on behalf of the HR, the EU enlargement strategy 2011 and issues debated at the last Foreign Affairs Council.

This back up for the High Representative was also delivered through organising and chairing, or co-chairing, three informal meetings of EU ministers. The first meeting of ministers in charge of development took place in Sopot, Poland in July 2011. Krzysztof Stanowski, Under-Secretary of State for Development Cooperation at the Ministry of Foreign Affairs, chaired the meeting on behalf of the HR. The ministers discussed the shape of financial instruments of the EU external policy after 2013, development policy towards Central Asia and the Pacific, and joint programming and preparations for the Fourth High Level Forum on Effective Assistance, which was to take place in Pusan at the end of November 2011. The informal meeting of EU Foreign Ministers according to the Gymnich formula was held in Sopot in September 2011 and chaired by Ashton and Sikorski together. Poland used the meeting to prepare for the upcoming Eastern Partnership Summit, but the ministers also raised other issues, like the Middle East peace process and the further strengthening of the Union's external ties with strategic partners. During the informal meeting of EU Defence Ministers, which took place in Wrocław in September 2011, Poland's aim was to present the basic priorities of the Polish Presidency in terms of CSDP and to discuss possible initiatives in this field.<sup>20</sup>

Another example of operational support for the HR and the EEAS was the assistance of national embassies on the ground. Poland agreed

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<sup>20</sup> Ministry of National Defence, *Meeting of EU defence ministers ends in Wrocław*, 23.09.2011, <http://www.archiwalny.mon.gov.pl/en/artykul/11856> (last visited 01.07.2014).

to represent the European Union in twelve countries in which there is no EU delegation but there are Polish embassies, among others in Cuba, Iran, North Korea, Arab Emirates, Kuwait, Tajikistan and Uzbekistan. In turn, strategic support can be seen in the provision of expertise in areas where national diplomats might be better informed and trained than EEAS officials, or by mediation, as was the case with Polish involvement in the process of negotiations of the EU external representation in international organisations and conventions.

The above-mentioned examples of providing operational back up for Ashton facilitated Polish aspirations to be visible at the international level and to stay in the game.

## **2.2. Presidency as an initiator**

Beyond delivering operational support, the Presidency also proposed several conceptual contributions and played the role of initiator in terms of shaping the agenda of the Council. An important issue to which the Polish Presidency successfully contributed – and mediated between the EU countries, the European Commission and the European External Action Service – was the EU external representation in multilateral organisations. The Treaty of Lisbon lacks clarity on this issue, particularly in the area of mixed competences, so the institutions, primarily the European Commission and Member States, interpret the regulations differently. During the Belgium Presidency in 2010 the disagreement on who was to represent the European Union in the negotiations within the United Nations – each Member State separately, the European Commission, the Presidency, or the EU delegation at the UN – weakened the position of the European Union. After taking over the Presidency, Poland began intensive negotiations with all partners and managed to reach an agreement on the general rules for preparing EU positions and declarations in international organisations. This agreement was endorsed by the General Affairs Council on 22 October 2011 and provides that Member States will agree on a case-by-case basis whether and how to coordinate and be represented externally, and that they may request the EU actors or the rotating Presidency to act on their behalf.<sup>21</sup> The solution is very pragmatic, but nonetheless the agreement reflects the commitment of the EU countries and EU institutions to coordinate their actions in international organisations

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<sup>21</sup> Council of the European Union, Note from General Secretariat of the Council, 'EU Statements in multilateral organizations – General Arrangements', 24.10.2011, <http://register.consilium.europa.eu/pdf/en/11/st15/st15901.en11.pdf> (last visited 20.06.2014).

to the fullest extent possible, which can be a first step towards a more effective mode of external representation.<sup>22</sup>

Another area whereby the Polish Presidency contributed to EU external action was the promotion of democracy in the countries of North Africa. Here Poland could rely on its own experience with transition towards democracy. In January 2011 the Minister Sikorski began to promote the idea of creating the European Endowment for Democracy in the Foreign Affairs Council, and it subsequently became the brainchild of the Polish Presidency. One month later, in an interview at Harvard University, Sikorski expressed his strong and firm commitment to the idea of the EED and said that the fund should support the groups that create civil society in undemocratic countries, since Europe doesn't want to be helpless anymore and have only the choice between the tyrant and the fanatic.<sup>23</sup> This new body was supposed to be an additional instrument for the promotion of democracy mainly in the European neighbourhood, and it was also an attempt to refocus attention and attract funds for the Eastern Neighbours, as the Arab Spring risked diverting the funds of the EU to support the democratic changes in the MENA region, rather than in Ukraine and Belarus. A common scheme for the democratic support in both the EU Eastern and Southern neighbourhoods was to prevent marginalisation of the Eastern dimension. Sikorski managed to obtain endorsement for his idea from Ashton and Stefan Füle, the Commissioner for Enlargement and Neighbourhood, who referred to the European Endowment for Democracy in their Joint Communication, published in May 2011, regarding the new approach to the European Neighbourhood Policy.<sup>24</sup> In this document Ashton and Füle recommended the establishment of the fund and they underlined that the new instrument 'will seek to bring greater influence and consistency to the efforts of the EU, its Member States and several of the large European political foundations that are already active in this field'.<sup>25</sup> Having the support of both the HR and the Commissioner, Poland made the establishment of the European Endowment for Democracy one of its Presidency's priorities and, by promoting it intensively, tried to put

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<sup>22</sup> See also: S. Bartkowski and K. Wiatr, *External Representation of the European Union and Shared Competences – an Unsolved Puzzle*, "Yearbook of Polish European Studies", Vol. 15/2012, pp. 155–175.

<sup>23</sup> C. Clüver, *Polish Foreign Minister: Create European Endowment for Democracy to support transformations in Middle East*, "Media Feature", 28.02.2011, [http://belfercenter.ksg.harvard.edu/publication/20958/polish\\_foreign\\_minister.html?breadcrumb=%2Fexperts%2F2310%2Fcathryn\\_cluver](http://belfercenter.ksg.harvard.edu/publication/20958/polish_foreign_minister.html?breadcrumb=%2Fexperts%2F2310%2Fcathryn_cluver) (last visited 01.06.2014).

<sup>24</sup> Joint Communication..., op.cit.

<sup>25</sup> Ibidem, p. 4.

it on the European agenda. The Polish Foreign Ministry hoped to complete the negotiation process of the structure and further aspects of the fund by the end of December 2011. But the establishment of the EED faced several problems from both the Member States and EU institutions and civil society actors. One of the main issues of dispute was the question of its autonomy from the EU institutions and the Member States – several national governments were interested in having influence on decision-making within the fund. Since for numerous non-state actors the new body would be a bothersome competitor for EU money, the question of the financial basis of the EED also became a sticking point, along with the added value issue. There was a fear that the new institution would replicate the tasks of already-existing instruments, such as the European Instrument for Democracy and Human Rights.<sup>26</sup> Apparently Poland did not foresee that Sikorski's idea would face so much criticism from so many different sources.<sup>27</sup> The cooperation between the Polish Foreign Minister and the High Representative on this issue seemed to be close, but it was a real challenge. Pushed by Sikorski, Ashton finally agreed to put the case of the EED on the agenda of the Gymnich meeting of Foreign Ministers in September 2011. Also, on Sikorski's initiative, in November 2011 they together wrote a letter addressed to the foreign ministers of the Member States and encouraged them to endorse the establishment of the EED at the Foreign Affairs Council on 1 December 2011. At the same time however, some experts perceived that Catherine Ashton was not really promoting Sikorski's idea, and that she was hesitant because of the low level of control over the new body by her or the EEAS.<sup>28</sup> According to the Council conclusions of 1 December 2011<sup>29</sup> and to the note from the Presidency on the establishment of the European Endowment for Democracy,<sup>30</sup> the Member States agreed that the EED should operate in the form of an autonomous international trust fund and have legal personality under the law of one of the Member States. Since there were

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<sup>26</sup> K. Brudzinska and R. Youngs, *The European Endowment for Democracy. Will it fly?*, "Policy Brief", FRIDGE European Think Tank for Global Action, No. 128/2012.

<sup>27</sup> M.E. Rotter, *Unausgereifte Pläne*, "E+Z Tribüne", No. 2/2012, pp. 82–83.

<sup>28</sup> T. Vogel, *Democracy plans in disarray*, "European Voice", 01.12.2011, <http://www.europeanvoice.com/article/imported/democracy-plans-in-disarray/72798.aspx> (last visited 10.08.2014).

<sup>29</sup> European Council, Council conclusions on the European Endowment for Democracy, 01.12.2011, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/126505.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126505.pdf) (last visited 05.06.2014).

<sup>30</sup> Council of the European Union, Presidency declaration on the Establishing of the European Endowment for Democracy, 20.12.2011, <http://register.consilium.europa.eu/pdf/en/11/st18/st18764.en11.pdf> (last visited 05.06.2014).

still issues – the Member States could not agree for example on the location of the headquarters and the funding modus – the Council directed COREPER to steer the process towards the creation of the fund.<sup>31</sup> They also decided to establish a European Endowment for Democracy Working Group, which, under the auspices of the European External Action Service, should work on a binding statute for the fund and other relevant documents. Finally, in June 2012 Poland, as the proponent of this idea, could celebrate its success as the disagreements were resolved and the statute of the EED was adopted. The EED commenced operation in June 2013 and its headquarters is located in Brussels.

Another central priority of the Polish Presidency was the further development of the Common Defence and Security Policy. During its term Poland organised or participated in twelve CSDP-related events or meetings. Polish activities were aimed at better use of existing structures and improvement of planning capacities. The proposals to revitalise the CSDP were first formulated in the Weimar letter signed by France, Germany and Poland at the end of 2010, and then developed into the Weimar Initiative, complemented by Italy and Spain in September 2011.<sup>32</sup> This action aimed at the foundation of a EU Operations Centre in Brussels to support the interaction between military and civilian actors in CSDP missions, such as EUNAVFOR Atlanta and EUTM Somalia in the Horn of Africa. In December 2011 the foreign ministers of the Member States agreed to accelerate the establishment of the EU Operations Centre, but Polish endeavours to assign more competences to the new body failed due to the UK's fierce opposition.<sup>33</sup> The Centre, activated based on the Council decision of 23 March 2012, is the first EU Operations Centre and is intended to improve the coordination and interaction between military and civilian actors in the region.<sup>34</sup>

The Polish Presidency also tried to improve EU–NATO cooperation and to expand the defence cooperation with the EaP countries, but these ideas found little support among other Member States. As an expert at

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<sup>31</sup> Interview with officials from the Ministry of Foreign Affairs of the Republic of Poland, 06.04.2012.

<sup>32</sup> J. Iwaniuk, *Italy and Spain join 'Weimar initiative'*, "Eurotopics", 05.09.2011, <http://www.europolitics.info/sectoral-policies/italy-and-spain-join-weimar-initiative-art312001-13.html> (last visited 05.12.2014).

<sup>33</sup> C.M. O'Donnell, *Poland's U-turn on European Defence: A Missed Opportunity?*, "U.S. – Europe Analysis Series", No. 53/2012, Centre on the United States and Europe at Brookings.

<sup>34</sup> Council of the European Union, Council conclusions on Common Security and Defence Policy, 3130<sup>th</sup> Foreign Affairs Council, Brussels, 01.12.2011, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/126504.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126504.pdf) (last visited 05.06.2014).

the Centre on the United States and Europe at Brookings puts it, '[I]n the aftermath of Poland's EU presidency, many Polish officials are expressing disappointment at the lukewarm response of many European countries to Warsaw's efforts to strengthen CSDP'.<sup>35</sup> This clearly demonstrates the constrained possibilities of the Presidency in terms of influencing the agenda, and therefore Poland managed to bring only a few issues into the discussion. However, the activation of the first dormant EU Operations Centre should be viewed as evidence of the effective cooperation between Ashton and the Polish Presidency, because the British government had previously blocked all similar proposals by the HR. By making the reinforcement of the Common Foreign and Defence Policy one of the Presidency's priorities and getting the support of Germany and other countries committed to the idea of common defence, Poland and the HR joined forces and managed to make some progress. Ashton claimed that the contribution of the Polish Presidency within the Weimar Initiative was an '*added impetus*'<sup>36</sup> to her work.

By making its own contribution to foreign and security issues, the Polish Presidency tried to leave its mark without undermining the imperative of neutrality, which was key to its self-conception of the Presidency. The European Neighbourhood Policy offers an interesting case in point, one in which the effort succeeded. One of the exogenous factors that influenced not only the Hungarian but also the Polish Presidency was the spread of democratic movements in the countries of North Africa. The Arab Spring presented the opportunity to pay more attention to the neighbourhood of the European Union. While the Eastern neighbours remained the main focus of Poland, the revolutions in Africa clearly showed that both the Eastern and Southern dimensions of the neighbourhood policy should be fostered by the EU. One of the most crucial Polish priorities was to conclude the negotiations on the Deep and Comprehensive Free Trade Agreement (DCFTA) with Ukraine and to launch trade negotiations with Moldova and Georgia. Due to the close cooperation with EU Trade Commissioner Karel de Gucht and with the EEAS, both issues were successfully concluded. But the Polish government was aware of the necessity to balance these steps with a similar offer for the Southern dimension of the neighbourhood policy. For that reason Warsaw helped to strike a compromise within the Council, consisting of the adoption

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<sup>35</sup> C.M. O'Donnell, *op.cit.*

<sup>36</sup> European Union Press Release, *Speech by High Representative Catherine Ashton on the Common Security and Defence Policy in the European Parliament in Strasbourg*, 13.12.2011, [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/foraff/126896.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/126896.pdf) (last visited 01.06.2014).

of negotiating directives for DCFTAs with Egypt, Jordan, Morocco and Tunisia in December 2011, laying the groundwork for the European Commission to acquire the negotiation mandate.<sup>37</sup> However, there were also a couple instances, especially with respect to the energy and climate policy, where Poland less consistently followed the imperative of neutrality. Just before taking over the Presidency, the Polish government vetoed the Environment Council conclusions accepting the emissions reduction path proposed by the Commission in March 2011, in its low carbon economy Roadmap 2050. This resulted in a wave of criticism and produced a dent on the credibility of the Polish presidency to act as *neutral broker*. Yet Poland decided to insist on its position on climate policy as a strategic issue during its Presidency, and resisted the pressure by other Member States who wanted to move forward with this case.<sup>38</sup>

## Conclusions

In summarizing the above analyses, one can refer to words of Giovanni Grevi, an analyst, who described the cooperation between the High Representative and the Spanish Presidency as '*experimental*', between the HR and the Belgium Presidency as '*empowering*' and between the HR and the Hungarian Presidency as '*supporting*'.<sup>39</sup> Following this pattern, the Polish Presidency can be labelled as an *attentive supporter* of the High Representative and the European External Action Service within the foreign and security policy. Poland substituted for Ashton and cooperated with her in the organisation of informal meetings and other tasks. Taking into account the complex portfolio of the HR, there is still enough to be done to keep the Foreign Minister of the rotating Presidency very occupied. However, the cooperation between the High Representative and the Presidency is based on trust and mutual respect, and that is not an automatic given between a Foreign Minister of the country at the helm and the HR. Although there were some internal misunderstandings between Ashton and Sikorski, he managed to adopt a complementary back-up role and they acted together on the European and international stage and backed

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<sup>37</sup> Interview with officials from the Ministry of Foreign Affairs of the Republic of Poland, who chaired one of the preparatory bodies during the Polish term, 08.08.2012.

<sup>38</sup> See also: E. Wyciszkiewicz, *Between honest broker and self-centred president. Energy and Climate Policy during the Polish EU Council Presidency* in: *Poland's EU-Council Presidency under Evaluation. Navigating Europe through Stormy Waters*, I. Karolewski, T. Mehlhausen and M. Sus (eds.), Baden-Baden 2014, pp. 85–98.

<sup>39</sup> G. Grevi, *The Trio Presidency and EU Foreign Policy: muddling through*, "Policy Brief", FRIDGE European Think Tank for Global Action, No. 84/2011, pp. 1–4.



each other up on many issues.<sup>40</sup> Poland was the first Presidency to have agreed on these principles in advance. It obviously made the cooperation between Ashton and Sikorski more effective and it seems to have been implemented by the HR as the *modus operandi* for arrangements with upcoming Presidencies.<sup>41</sup> Furthermore, this operational support is particularly important when the European Union and High Representative face significant endogenous and/or exogenous factors, as for example was the case during the Belgium Presidency, when the EEAS was not fully operational, and the Hungarian Presidency, when Arab Spring burst forth. At the same time, the Polish team managed to leave its mark on the European foreign policy by coming up with new foreign policy proposals, such as the establishment of the European Endowment for Democracy, or by promoting existing ideas such as the Common Security and Defence Policy. As the Polish case shows, in the post-Lisbon framework, it is still possible for a Presidency to influence the agenda to some extent via proposing its own ideas, but only if the Presidency's ideas go hand in hand with the High Representative's. Since the HR, together with the EEAS, chairs the Foreign Affairs Council and most of the Council preparatory bodies within the CFSP, there is no direct possibility for the rotating Presidency to shape the agenda and omit the High Representative. The term of the Polish Presidency has proved that the relations between the new Lisbon structures and the chairing member state are the cornerstones of the EU foreign policy.<sup>42</sup>

At the same time, the Polish Council Presidency also showed the significance of external factors on a Member State's ability to promote their foreign policy interests during the Presidency. Despite the Polish ambitions with respect to promotion of the Eastern Partnership, only a little was achieved. The political situation in Ukraine, with the imprisonment of the former Prime Minister Julia Tymoshenko being widely criticised as politically motivated, raised serious doubts about the democratic credentials of the regime of the President Wiktor Yanukovych. Poland hosted the second EaP Summit in September 2011, which assembled major EU decision makers, delegations from all European Member States and as well as political leaders from the Eastern countries (with the exception of Belarus, which boycotted the event), but the summit meeting did not bring any far-reaching progress to the Eastern Partnership project.

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<sup>40</sup> C. Ochmann, *The New EU. The Consequences of the Polish EU Presidency*, "Spotlight Europe", No. 01/2012, January 2012, Bertelsmann Stiftung, p. 2.

<sup>41</sup> Interview with an EEAS officials who works at the desk 'Eastern Partnership bilateral', 02.05.2012.

<sup>42</sup> Ibidem, p. 1.

In the face of the difficult situation in Kyiv, Poland actively lobbied for winding up the Association Agreement negotiations with Ukraine, and the negotiations were finally completed in November 2011. However, the Agreement did not come into force, as it was blocked as a result of the Tymoshenko imprisonment. Despite the determined effort of the Polish team, the external conditions in the Eastern neighbourhood prevented a more satisfying implementation of Poland's initial priorities of its Presidency. Unpredictable external shocks have thus proven to create more significant limitations to the performance of rotating Presidencies than the limitations introduced by the Treaty of Lisbon.

Generally, it seems that the Polish role within the foreign and security policy of the EU has taken on a new light during the current decade.<sup>43</sup> The Polish Presidency in the Council played a twofold role. First of all, the activities of both the Polish Prime Minister and the Polish Foreign Minister, such as acting on behalf of Ashton at various high-level meetings or delivering a prominent speech (such as the strong pro-European speech of Prime Minister Tusk in the European Parliament in June 2011 or the speech on the future of Europe given by Minister Sikorski in November 2011 in Berlin), has contributed to the image of Poland as pro-European and as a Member State keenly interested in foreign policy. The fact that Sikorski was considered as a candidate for succeeding Ashton<sup>44</sup> and subsequently the unanimous nomination of Donald Tusk as the European Council's President appear to confirm this opinion. As a German expert has put it: *'The new Poland is strong in economic terms, politically stable and pro-European'*.<sup>45</sup> Furthermore, the inputs into particular policy areas which the Polish Presidency offered confirmed its expertise within the Eastern Partnership and with respect to support for democratisation in transitional countries. The Polish Presidency term has shown that the country is able to positively influence the further development of European integration and that it has the required resources to become one of the driving forces of the EU.<sup>46</sup>

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<sup>43</sup> See also: J. Kamińska, *Poland and the EU Enlargement. Foreign Policy in Transition*, New York, London 2014.

<sup>44</sup> M. Weiss, *Can Radek Sikorski Save Europe?*, "Foreign Policy", 30.04.2014, [http://www.foreignpolicy.com/articles/2014/04/30/can\\_radek\\_sikorski\\_save\\_europe\\_poland\\_russia\\_ukraine](http://www.foreignpolicy.com/articles/2014/04/30/can_radek_sikorski_save_europe_poland_russia_ukraine) (last visited 01.09.2014); S. Richter and D.W. Wise, *Radek Sikorski – Europe's Next Top Diplomat*, "The Globalist", 11.05.2014, <http://www.theglobalist.com/radek-sikorski-europes-next-top-diplomat/> (last visited 01.09.2014).

<sup>45</sup> C. Ochmann, *op.cit.*, p. 1.

<sup>46</sup> R. Bajczuk, *Poland – a rising engine of the European integration. Polish foreign policy and the EU membership*, "SWP-Working Paper", No. 4/2011, p. 18.