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Polish Integration Policy in the Context of the European Union's Accession Strategy

The scale of challenge Poland has been facing in relation with the process of system transformation and with its conscious and active participation in the process of European integration requires a long-term strategy of development of the country in political, economic and social areas. Any serious, *i.e.* prospective and complex undertaking, in order to be successful, should be accompanied by a proper strategy which is first clearly defined and then put in practice.

According to the opinion shared by almost all prominent political forces and influential circles in Poland, such goals as diminishing the country's general backwardness and reaching a significant increase in both living standard and quality of life for Polish society can most effectively be attained through gaining, as soon as possible, the status of the European Union Member State. This belief is also reflected in practical implementation of the procedure of the country's preparation for the EU membership, carried on by subsequent governments.

The conclusion from the above is that the process of Poland's integration with the European Union requires, firstly, development, and then, implementation of a proper strategy. Additionally, it is an essential condition for increasing the pace of economic and social development in Poland, that a strategy under implementation must be one leading to the EU membership being reached as efficiently and quickly as practicable. This means that in the present circumstances Poland's membership in the EU is regarded as a goal in itself, but at the same time as means to attain further and more general goals as well. While from the former point of view the EU membership being of advantage for Poland should be regarded as both an objective and a result of implementation of a particular

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strategy, from the latter one the same membership is seen as means within a more comprehensive strategy, seeking to achieve broader general goals.

Poland is one of the few countries among the candidates from the Central and Eastern Europe aspiring for the EU membership, to have the strategy for integration in place, in the form of a document, adopted by the government and made available to the public.¹ To be sure, this is not meant to suggest that only the official and government-approved document proves that a country has a serious and effective strategy for integration. And the other way round, the mere fact of having such a strategy-defining document in place is no evidence at all as to its quality or usefulness. Since the very notion of strategy is derived from military terms, it seems fit to quote a surprisingly apt remark once made by Sun Tsy: "Anyone can notice tactics I use to win, yet nobody can see through the strategy that leads me to those wins".²

In the fourth year of negotiation on accession between Poland and the European Union, a belief can be observed in public opinion that it is negotiation in the first place to determine the quality of Polish membership in the EU, while in fact the complex process of Poland's integration with the European Communities has taken place for more than a dozen years now, both in formal and in practical terms, and this is really a factor decisive for the status and the situation in which Poland may finally become the EU Member State.

Basing on a careful analysis of how relations between Poland and the European Communities have been shaped and developed over the years, one can distinguish three fundamental stages: one preceding the association, that of implementation of the Europe Agreement and the stage of proper accession procedure.

1. The pre-association stage

Establishment of diplomatic relations between Poland and the European Economic Community³ has taken place in conditions of Poland's membership in

¹ *Narodowa Strategia Integracji (National Strategy for Integration)*, Monitor Integracji Europejskiej, Wydanie specjalne, Komitet Integracji Europejskiej (The Monitor of European Integration, Special issue, The Committee for European Integration, Warszawa 1997).

² Sun Tsy, *Sztuka wojny (The Art of War)*, quoted after: P.Sienkiewicz, *Strategia militarna a strategia zmian społecznych i gospodarczych (Military Strategy and the Strategy for Social and Economic Changes)*, in: *W poszukiwaniu strategii zmian (In Search of the Strategy of Change)*, ed. J.Kubin and Z.Żekoński, Centrum Upowszechniania Nauki PAN, Polska Fundacja Upowszechniania Nauki (The Centre for Dissemination of Science of Polish Academy of Science, Polish Foundation for Dissemination of Science), Warszawa 1992, p.125.

³ Poland established diplomatic relations with the EEC in September 1988 r., as a result of the Joint Declaration of 25 June 1988 on the establishment of relationships between the EEC and the CMEA and after Poland filed, on 22 August 1988, a formal application regarding establishment of relationships with the EEC.

the Council of Mutual Economic Aid⁴. A distinct abatement of economic links among the CMEA member States could be observed at that time, as a result of more and more visible weaknesses of both political system and centrally-planned economy in the countries of the so-called Eastern Block, causing a considerable shift in the map of commercial activities towards the European Economic Community existing at that time⁵. As confirmed by the data contained in Table 1, in the years 1985-90 the share of Polish import from the EEC countries in total value of Polish import has grown by 10.6 per cent, while the share of export to the EEC has been raised by 7.1 per cent. One should note, however, that these changes have mostly occurred between 1989 and 1990.

Table 1. Geographic structure of Polish Trade in 1985-90 as percentage (basing at fixed prices in 1984)

Year	Total	CMEA	EEC	Other countries
I m p o r t				
1985	100	55.4	20.1	24.5
1986	100	55.9	19.1	25.0
1987	100	55.4	19.9	24.7
1988	100	51.1	22.3	26.6
1989	100	48.5	25.4	26.1
1990	100	45.1	30.7	24.2
E x p o r t				
1985	100	50.8	22.3	26.9
1986	100	51.7	20.2	28.1
1987	100	51.7	21.6	26.7
1988	100	50.8	23.1	26.1
1989	100	50.4	24.6	25.0
1990	100	45.5	29.4	25.5

Source: The Central Statistics Office [GUS], 1991, quoted after: K.Gawlikowska-Hueckel, op. cit., p.78.

⁴ The Council of Mutual Economic Aid (CMEA or COMECON) – an international organisation of the so-called real socialism countries, dissolved on 28 June 1991 after its member States rejected principles of socialist economy and entered the period of changes leading them to market economy.

⁵ K.Gawlikowska-Hueckel, A.Stępiak, A.Zielińska-Głębocka, *Polska - EWG. Wybrane aspekty dostosowań w świetle Rynku 1992 i Umowy Stowarzyszeniowej (Poland – EEC. Selected Aspects of Adaptation in the Light of Market 1992 and the Association Agreement)*, Ośrodek Badań EWG i Fundacja Rozwoju Uniwersytetu Gdańskiego (The Centre for the EEC Studies and the Foundation for Development of Gdansk University), Gdańsk 1993, p.77.

Soon after diplomatic relations had been actively involved into, the Government of the Republic of Poland started trade negotiations that were crowned by signing, on 16 September 1989, the Agreement on trade and economic co-operation⁶. Thus, the Agreement was concluded already after the political turning point in Poland, which happened in summer that year. As the period marked with non-existence of any agreements in the country's trade relations with the EEC came to an end, a new phase began, that of establishment of new streams of economic exchange, gradually leading to a growing dependence of Polish economy on trade with the Community, in spite of only a minor importance of Poland as a trading partner for the EEC countries.

Bilateral trade contracts, signed by the Community with individual countries of Central and Eastern Europe (CEE) have mainly been of political importance for the EEC⁷, while the CEE countries, Poland included, were first and foremost interested in gaining measurable economic benefits.⁸ That was, therefore, the first evidence of a serious divergence of objectives between Poland and the Community. It should nevertheless be pointed out that bilateral agreements and contracts have constituted an instrument of an increased and comprehensive co-operation, both economic and institutional, thus contributing to laying down of foundations and to gaining experience that proved basic for mutual relationship in the years to come.

The future status of Poland's relations with the Community, according to Western politicians' views, had not involved membership of that country in the Community as its Member State, but would rather be limited to various concepts of co-operation on just a restricted scale, such as foreseen in the idea of concentric circles⁹ or another one, of the affiliated membership.¹⁰ As a result

⁶ The Agreement on trade and commercial and economic co-operation entered into force on 1 December 1989.

⁷ The Community regarded bilateral agreements as an instrument through which it was possible to differentiate individual CEE countries and to limit the extent of control exerted by Soviet Union.

⁸ A. Podraza, *Stosunki polityczne i gospodarcze Wspólnoty Europejskiej z państwami Europy Środkowej i Wschodniej (Political and Economic Relations of the European Community with the Central and Eastern Europe Countries)*, Redakcja Wydawnictw Katolickiego Uniwersytetu Lubelskiego (The Editing House of Publications of the Catholic University in Lublin), Lublin 1996, p.160.

⁹ The concept of concentric circles is associated with the President of the Commission at that time, *i.e.* with Jacques Delors. It assumed existence of a nucleus in European architecture in the form of the Community Member States, a circle of EFTA Member States and the outer circle of the CEE countries as well as, potentially, an additional circle basing on the CSCE. See: A. Podraza, *op. cit.*, p.214.

¹⁰ The concept of the affiliated membership, that requires modification of the Treaty of Rome and associated with the Vice-President of the Commission, Frans Andriessen, assumes acquiring, by the affiliated countries, of rights as well as taking on obligations of members, yet limited to

of all these concepts a formula of only political membership has arisen, one that certainly failed to satisfy Polish expectations.

In July 1989 at the summit in Paris the wealthiest countries of the world entrusted the Commission of the EC a task of co-ordinating the economic aid addressed by twenty-four Western European countries to those of the CEE, the essential component of it being the PHARE Programme, initially earmarked for Poland and Hungary. The PHARE Programme has become a major instrument of support for putting political as well as economic transformation in the CEE countries on a proper course, reflecting quite well the priorities of the period.

While monitoring transformations taking place in the Central and Eastern Europe and undertaking, with respect to the countries of the region, such activities as they deemed appropriate in line with the principle of differentiation, the EC Member States had not foreseen their eventual membership in the Community, yet they shared the opinion that the process of integration within the Community itself would become the central issue in any consideration over the future of Europe.¹¹

Heads of governments and leaders of the Community Member States, gathered together at the Extraordinary Meeting of the European Council held in Dublin on 28 April 1990, while expressing their approval for unification of Germany, at the same time uttered their will to prepare agreements on association with the CEE countries, provided they met appropriate conditions. In these circumstances the Government of the Republic of Poland filed, on 25 May of the same year, an official application for negotiation on the association agreement to start and within half a year, on 22 December 1990, such negotiations actually began, lasting until December of the next year. There was a deal of hope that negotiation may quicken its pace at the time of an attempt at a *coup-d'état* in Moscow in August 1991. In fact, these events have contributed to the negotiation mandate being broadened and the debate involved gained more momentum.¹²

Poland, Hungary and the Czech Republic alike repeatedly expressed their sound and firm desire to become the European Community Member States as soon as practicable, regarding their association with the EC just as an initial stage during the process of full integration. However, the eagerness to contain in the association agreements a clause guaranteeing that full membership in the Community would ensue, despite determination of Polish negotiating team, succeeded only partially, in a unilateral declaration being inserted in the

selected areas, without it being obligatory for them to adopt the *acquis communautaire* as a whole. See: A.Podraza, *op. cit.*, p.215.

¹¹ See: A.Podraza, *op. cit.*, pp.234-235.

¹² D.S.Bachorz, *Droga Polski do Unii Europejskiej (Poland's Way to the European Union)*, Fundacja Aletheia (Aletheia Foundation), Warszawa 1998, p.65.

preamble to the Europe Agreement, stating that “*the final objective of Poland is to become a member of the Community and that this association, in the view of the Parties, will help to achieve this objective*”.¹³ The Europe Agreements go beyond “classic” agreements on association, among other things in that they establish a continuing political dialogue.

Basing upon an analysis of negotiation regarding the association, one may agree with an opinion that an interest, on the part of Western Europe, in reforms taking place in the CEE countries, confirmed in the very concept of association, featured a peculiar “mixture of altruism with the need to protect its own interests”.¹⁴ Indeed, the eventual effects of execution of the Agreement can be seen as an indication as to a substantial divergence in the ways it was approached by different parties thereto, which could have influenced the process of negotiation to a considerable degree.¹⁵

2. The stage of implementation of the Europe Agreement

Since the Communities assumed that the Agreement was generally an advantageous one, yet that its ratification would take quite a time, another Interim Agreement was made together with the Europe Agreement, this time focusing on trade issues. The latter one, following a “summary” ratification procedure, entered into force on 1 March 1992. Therefore, the basic component of the Europe Agreement became valid without it being necessary to wait until a broad parliamentary debate is completed, and this was possible basing upon an administrative procedure consisting in changes in customs rates and those of other instruments of trade policies. The fact, however, failed to be reflected in Poland in any publicity campaign, either of purely informational or training nature. Admittedly, the fundamental stage of integration with the Communities started in a kind of “social silence”. Worse still, no official strategy was prepared for that key moment, and no adaptation programme was implemented, for

¹³ *Układ Europejski ustanawiający stowarzyszenie między Rzeczpospolitą Polską, z jednej strony, a Wspólnotami Europejskimi i ich państwami członkowskimi, z drugiej strony* (*The Europe Agreement Establishing Association Between the Republic of Poland on the One Side and the European Communities on the Other Side*), Urząd Rady Ministrów (The Office of the Council of Ministers), The Journal of the Statutory Law of the Republic of Poland, Annex to No. 11, item 38 of 27 January 1994, p.6.

¹⁴ A.Podraza, *op. cit.*, p.282.

¹⁵ “*The Commission was bound with the mandate and quite often it was interests of groups of producers rather than political declarations that proved decisive in certain issues.*” See: J.Mulewicz, *Doświadczenia Polski w negocjacjach w sprawie Układu o stowarzyszeniu ze Wspólnotami Europejskimi* (Experience of Poland in Negotiation Regarding the Association with the European Communities), *Studia i Materiały, Polski Instytut Spraw Międzynarodowych* (Polish Institute of International Affairs), Warszawa, May 1992, pp.6-7.

example aiming at relieving the shock caused by rapidly growing competition experienced from foreign companies. The only strategy that was followed in practice took the form of “modernisation under pressure”.

It was foreseen that the Europe Agreement would enter into force, following its successful ratification in all twelve Member States, which was an essential condition, on 1 January 1993.¹⁶ In reality, the debate over its ratification in the Member States came to completion as late as in November 1993, resulting in the Agreement entering into force on 1 February 1994. That way, implementation of another part of the Agreement, other than trade-centred, began. Also, bodies of the association started their activity consisting in supervision over its execution.¹⁷

The debate over the Agreement ratification in the lower chamber of Polish Parliament yielded the Resolution of 4 July 1992 in which it was resolved, among other things, to:

- oblige the Government to present, until 30 November 1992, a programme of activities aiming at adaptation of Polish economy to new requirements following from provisions of the Europe Agreement,
- oblige the Government to undertake, in an urgent manner, activities protecting Polish economy from excessive and unfair competition and to present a programme of activities to the lower chamber of the Parliament on or before 30 September 1992,
- oblige the Government to present, by 31 January 1993, a programme of activities adapting Polish legal system to requirements resulting from provisions of the Europe Agreement.¹⁸

It is upon that base that the Government adopted, in November 1992, the “*Programme of activities adapting Polish economy to the requirements of the Europe Agreement*”, and subsequently, in January next year, the “*Programme of activities adapting Polish legal system to the requirements of the Europe Agreement*”. Both programmes formed a fundament for rendering any efforts made in the area of adaptation within structures of the State more systematic. Both were also being monitored through annual reports on their implementation, for as long as until 1997. The pace and priorities order of the efforts in the field of adaptation were the effect of initiatives of the Polish party and closely followed the calendar of events resulting from the Europe Agreement as well as

¹⁶ *ibid.*, p.7.

¹⁷ The Europe Agreement established the Council of the Association, the Committee of the Association and the Parliamentary Committee of the Association. See: J. Borkowski, *Prospects for Poland's membership in the European Union. Polish Institutions Responsible for the Process of Integration with the EU*, *Studia Europejskie*, No. 1 (21) 2002, Warsaw University Centre for Europe, Warszawa 2001, pp.203-209.

¹⁸ “*Monitor Polski*”, 1992 r., No. 23, item 165.

from provisions that had obliged Poland to undertake the task of approximation of both existing and future Polish legislation to that adopted in the Community.¹⁹ Yet the first instrument that occurred helpful in selecting a part of the *acquis communautaire* that was regarded the EU bodies as priority, was the *White Paper on preparation of the associated countries of Central and Eastern Europe for integration into the Single Market of the European Union* (referred to below in this study), announced by the European Commission as a *road map* for harmonisation of law, despite the fact it neither provided a hierarchy of objectives, nor a time-schedule for their implementation. Nevertheless, on such a basis, the *Programme* of adaptation in the area of law, prepared by the government, has been supplemented by appropriate schedules of completion of tasks resulting from the *White Paper*.²⁰

Implementation of the Europe Agreement deserves careful evaluation since there clearly are important conclusions – both negative and positive – to be drawn and used in practice in order to make a proper use of the negotiated terms and conditions, however, due to a shortage of an appropriate reference model, it proves difficult to evaluate it in a fully objective manner.²¹

The State organisational structures, responsible for initiating, co-ordination and supervision over the process of integration with the European Communities in Poland had been created during the period of ratification of the Europe Agreement and had been gradually developing until they underwent a fundamental reform in 1997.²² Accordingly, one can say that procedures and institutions appointed to address the needs of implementation of the association agreement shaped conditions in which the early stages of the accession procedure were attained.

¹⁹ Article 68 of the Europe Agreement.

²⁰ Resolution No. 133/95 of the Council of Ministers of 14 November 1995. See: *Przygotowania Polski do członkostwa w Unii Europejskiej (Preparation of Poland for Membership in the European Union)*, Dokumentacja akcesyjna (Documents of Accession), Volume 5, Warsaw University Centre for Europe, Warszawa 1999, p.99.

²¹ See: *Ocena stopnia realizacji Układu Europejskiego ustanawiającego stowarzyszenie między Polską a Wspólnotami Europejskimi i ich państwami członkowskimi (Evaluation of the Level of Implementation of the Europe Agreement Establishing Association Between Poland and the European Communities and their Member States)*, ed. E.Kawecka-Wyrzykowska, Instytut Koniunktur i Cen Handlu Zagranicznego oraz Urząd Komitetu Integracji Europejskiej (The Institute of Market Situation and Prices in Foreign Trade and the Office of the Committee for European Integration), Warszawa 1998.

²² The function of the fundamental governmental institution was performed by the Plenipotentiary of the Government for European Integration and Foreign Assistance, supported by the Office subordinated to him. Additionally, in the lower chamber of Polish Parliament there was established the Europe Agreement Committee, which in 1996 was transformed into the European Integration Committee. See: J. Borkowski, *Prospects ...*, *op. cit.*

3. The procedure of accession and the European Union's strategy

According to Article 49 of the Treaty on the European Union (after changes in numbering introduced by the Treaty of Amsterdam) “*Any European State which respects the principles set out in Article 6 (1) may apply to become a Member of the Union*”. In line with Article 6 “*The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States*”. These principles have found affirmation in membership criteria, addressed to the Central and Eastern Europe countries, that had been prepared by the European Council in Copenhagen.²³ Both political and economical criteria were formulated in a very general manner. This, on the one hand, makes their unambiguous construction difficult, which can be regarded as their weakness, yet, on the other hand, they contain no requirements to meet any precise conditions or indicators, hardly attainable for the candidate countries, which can be seen on their positive side.²⁴

Moreover, the Treaty on the European Union specified basic elements of the accession procedure, the implementation of which is presented in the Table 2 below, as of June 2002.

²³ The European Council, in Copenhagen (21-22 June 1993) defined the membership conditions in the following way:

“*Those associated CEE countries that declare their will to access to the EU, will become the Member States. Those countries will access to the Union as soon as they will be able to perform their duties resulting from membership, through meeting appropriate political and economic conditions. The EU membership requires that:*

- *a candidate country achieve proper stability with respect to institutions ensuring democracy, lawfulness, observance of human rights as well as respecting and protection of rights of minorities;*

- *existence of efficient market economy as well as potential to withstand pressure of such competition and market forces as exist in the EU;*

- *capabilities to carry out obligations resulting from membership, in particular in the field of implementation of aims of political, economic and monetary Union.*

A potential of adoption, by the European Union, of new Member States while retaining, at the same time, the present rate of European integration is also regarded as an important factor, in the interest of both the Union and the countries aspiring for the EU membership”.

²⁴ E. Kawecka-Wyrzykowska, *Polska w drodze do Unii Europejskiej (Poland On Its Way to the European Union)*, Polskie Wydawnictwo Ekonomiczne (Polish Economics Publishing), Warszawa 1999, p.119.

Table 2. Implementation of procedure for Poland's accession to the European Union

RP	Stages of the procedure	EU
Athens 8.04.1994	1. The candidate country files an application for the EU membership to the Council	Corfu 24-25.06.1994
reply to the <i>avis</i> questionnaire July 1996	2. The Council requests the Commission to prepare the opinion (<i>avis</i>) regarding the application	<i>avis</i> questionnaire April 1996
	3. The Commission delivers its opinion regarding the application of the candidate country to the Council	July 1997
	4. The Council (unanimously) makes decision on starting negotiation	Luxembourg December 1997
participation in opening of negotiation Brussels 31.03.1998 ----- adoption of negotiation positions	5. The Commission prepares a proposal of a mandate for negotiation and the Council unanimously adopts the mandate	successively since 1998 ----- <i>screening</i> since 27.04.1998 ----- negotiation since 10.11.1998
	6. The Council led by the Presidency involves in negotiation with the candidate country	
	7. Negotiation completed in the form of a draft Treaty on Accession	
	8. The European Parliament renders its positive opinion on adoption of the Treaty on Accession (acting by the absolute majority)	
	9. The Council (unanimously) approves the draft Treaty on Accession	
	10. The EU Member States and the candidate country officially sign the Treaty on Accession	
potential referendum + both the lower chamber of the Parliament and the Senate	11. The EU Member States and the candidate country ratify Treaty on Accession	national Parliaments + the EP
	12. The Treaty on Accession enters into force at a specified time	

Source: J.Borkowski, *Prospects for Poland's membership in the European Union. The EU's procedure for accession and its strategy regarding Poland*, Studia Europejskie, No. 4 (20) 2001, Warsaw University Centre for Europe, Warsaw 2001, p.204.

The Application for the EU membership, made by the Government of the Republic of Poland, adopted by the Council of Ministers on 5 April 1994 and handed to the President of the Council on 8 April of the same year in Athens, formed an official base for the accession procedure to begin²⁵.

Poland's application for the EU membership (together with a similar application filed by Hungary and delivered on 1 April 1994), adopted by the Council of the EU, enjoyed the support from the European Council during the meeting at Corfu (24-25.06.1994): the European Council "*requested the Commission to present, as soon as possible, particular proposals regarding further progress in implementation of provisions of the Europe Agreements as well as those of the Council decisions made thereby during the summit in Copenhagen. The European Council further requests that both the present Presidency and the Commission prepare, for the next session of the European Council, a special report concerning progress attained in implementation, by the associated countries, of resolutions made during the European Council summit in Copenhagen as well as of strategy of conduct during the process of preparation for the EU enlargement*".

In July 1994 the European Commission suggested a "structural dialogue", the essence of which was to consist in regular meetings of representatives of governments (ministers) of the associated countries with appropriate members of both the European Council and the Council of the EU, as well as those of representations from the parliaments with members of the European Parliament regarding key issues of shared interest.

The Commission's proposals have been accurately reaffirmed in the strategy adopted by the European Council in Essen (8-10 December 1994), based upon the Report of the Council for General Matters, entitled "**The European Union's Pre-accession Strategy for the Associated Countries of Central and Eastern Europe**". It was the aim of the strategy to present to the associated countries a guiding plan of activities for the whole period of their preparation for membership. It was a basic assumption behind the strategy to ensure gradual preparation of the associated countries for integration with the EU Single Market – through the process of adoption of the *acquis communautaire*. The following means for implementation of the strategy were provided:

- the structural dialogue,
- preparations for the Single Market enlargement, basing on the *White Paper* to be prepared by the Commission,

²⁵ Polish application for the EU membership, in line with provisions of the Treaty of Maastricht, has the following wording: "The Government of the Republic of Poland has the honour to present hereby the application of the Republic of Poland for membership of the European Union under the provisions of Article O of the Treaty on European Union and to inform that Poland is prepared to enter at an appropriate time into negotiations on admission."

- preparation, by the Commission, of an analysis of alternative strategies to be adopted in agriculture,
- promotion of foreign investments inflow,
- co-operation in the field of the IInd pillar,
- co-operation in the field of the IIIrd pillar,
- co-operation in the field of environmental protection,
- enlargement of the Trans European Networks (TENs),
- culture, education, and training,
- financial co-operation – a change of principles behind PHARE,
- co-operation within regions and promotion of “good neighbourhood”.

Just before the summit in Essen the European Parliament passed a resolution regarding the Strategy, declaring, among other things, that “*it approves the principle of the EU enlargement by accession of the CEE countries thereto, while admitting, nevertheless, that it was going to consider each individual candidacy as a separate one*”.

While the Essen Strategy stirred critical opinions both in the candidate countries and in the Union itself²⁶, it nevertheless defined several instruments which have become a point of reference and a base to rely on for the candidate countries that, at that time, had no strategies of their own concerning their progress towards membership.

The European Council, during its meeting in Cannes (26-27 June 1995) brought about an appraisal of implementation of strategies for preparation of the CEE countries to the EU membership and, furthermore, it adopted the *White Paper on preparation of the associated countries for integration with the EU Single Market*, prepared by the European Commission in line with recommendations delivered by the European Council after Essen. The *White Paper* proved to be an important guide and assistance in the efforts related to adoption of the *acquis communautaire* by Poland.

In Madrid (15-16 December 1995) the European Council reaffirmed its will to enlarge the EU and declared that “*for Europe, the EU enlargement is both political necessity and historical opportunity*”. Moreover, it was pronounced that “*following the completion of the Inter-Governmental Conference (that was due to start in the spring of 1996), in the light of its outcomes, and also taking all (...) reports and Commission’s opinions into account, the European Council will make any such decisions as are necessary to start negotiations on membership.*” In the European Council’s conclusions there was also a mention about “*adaptation of administrative structures*”, which, however, was not intended as a membership criterion in any particular sense. Since, from Poland’s point of view, the calendar of accession was of utmost importance, the decision made by

²⁶ See: E. Kawecka-Wyrzykowska, *op. cit.*, pp.120-121.

the European Council should be seen as one providing a clear prospect for negotiation on accession to begin. Unfortunately, contrary to Polish expectations and also to what was really needed, the European Council failed to adopt in Madrid a report to form a basis for preparation of the sector of agriculture for the Common Agricultural Policy, which resulted in shifting difficult debate regarding that sector to the period of negotiation.

The completion of the Inter-Governmental Conference was, quite understandingly, welcomed with a great deal of contentedness by the countries-candidates to the EU membership. The result of the Conference work, in the form of a treaty, was adopted by the European Council in Amsterdam on 17 June 1997. In spite of containing no such provisions, regarding reforms of the EU institutional system, as were necessary and expected, the treaty nevertheless opened the way for negotiation.

In July 1997 the European Commission published a set of documents under the common title "Agenda 2000", including proposals for changes to be brought to principles of functioning of the Union with the aim to render it ready for adoption of the CEE countries. Part II of the document, entitled "**Reinforcing the Pre-Accession Strategy**", contained proposals for strengthening the Essen strategy in order for it to better suit the process of preparation of the CEE countries for the EU membership. The reinforced pre-accession strategy was based upon the "Accession Partnership" as well as upon increased pre-accession aid.

The "Agenda 2000" set contained, as its integral part, **opinions (avis)**, given by the European Commission, regarding applications for membership in the European Union, filed by ten countries of the Central-and-Eastern Europe, as well as by Cyprus. The structure of the opinions reflected the Copenhagen criteria. Particular evaluations differed according to a level of meeting, by individual countries aspiring for integration, of the membership criteria, thus forming a ranking in which Poland was ranked in the first group recommended to start accession negotiation with. Opinions adopted by the European Council in Luxembourg (12-13 December 1997) became the basis for making decision on starting, on 30 March 1998, the accession process with the countries that were, accordingly, referred to as the "Luxembourg Group".

The "**Accession Partnership**", addressed to Poland in October 1997, following necessary consulting, was adopted by the European Commission with the aim of "*preparation of a coherent work programme, defining the priority areas that require further adaptation, as identified in the "Avis" delivered by the European Commission with respect to Polish application for the EU membership. It is the aim of such a programme to supervise utilisation of financial resources that were made available in order to enable (...) implementation of these priorities as well as to define conditions outlining this kind of support. The*

“Accession Partnership” has been the fundament on the basis of which a number of further instruments would be adopted, to be used in order to support the process of preparation (...) for the membership in the EU.”

The priorities set out in the field of adaptation have been recommended by the Commission on the basis of the Opinions regarding the applications for membership.

On a short-term scale (1998) the priorities covered: economic reforms, restructuring of industry, reinforcement of institutional as well as administrative potential, internal market, administration of justice, jurisdiction and home affairs, agriculture, environmental protection.

On a medium-term scale the priorities included as follows: political criteria, economic policy, reinforcement of institutional as well as administrative potential, Internal Market, administration of justice, jurisdiction and home affairs, agriculture, fishery, transport, employment and social affairs, environmental protection, regional policy and the policy of cohesion.

Beside the priorities, the European Commission also specified the main instruments of the Community technical support. Such activities as programming and defining the Community financial aid were related to the priorities included in the so-called “National Programme for the Adoption of the Acquis” (NPAA) and granting of subsequent tranches of financial aid has been subjected to the condition of meeting, by the Government of the Republic of Poland, the obligations taken on under the NPAA.

The Commission has put forth the following instruments:

- **“National Programme for the Adoption of the Acquis” (NPAA),**
- **“Joint Assessment of Economic Policy Priorities”,**
- **Pact against organised crime,**
- **Internal market road maps.**

It is on the basis of the Accession Partnership that the Polish party was obliged (such as each one of the candidate countries from the Central and Eastern Europe) to prepare, by the end of March 1998, the National Programme for the Adoption of the Acquis, the aim of which was to define the time-schedule for implementation of projects, intermediate objectives, as well as, potentially, specifying which personnel needs should be addressed and which sources of financing should be relied upon. NPAA has been divided into two main parts: a general one and one composed of detailed annexes, which has since then undergone annual updating.

As a follow-up to the Opinion, the European Commission has prepared and published annual **Regular Report on Poland’s Progress in the Process of Preparation for Membership in the European Union**. (Similar reports have been published with respect to all the candidate countries). Four such reports were published by now: those covering the years of 1998, 1999, 2000 and 2001.

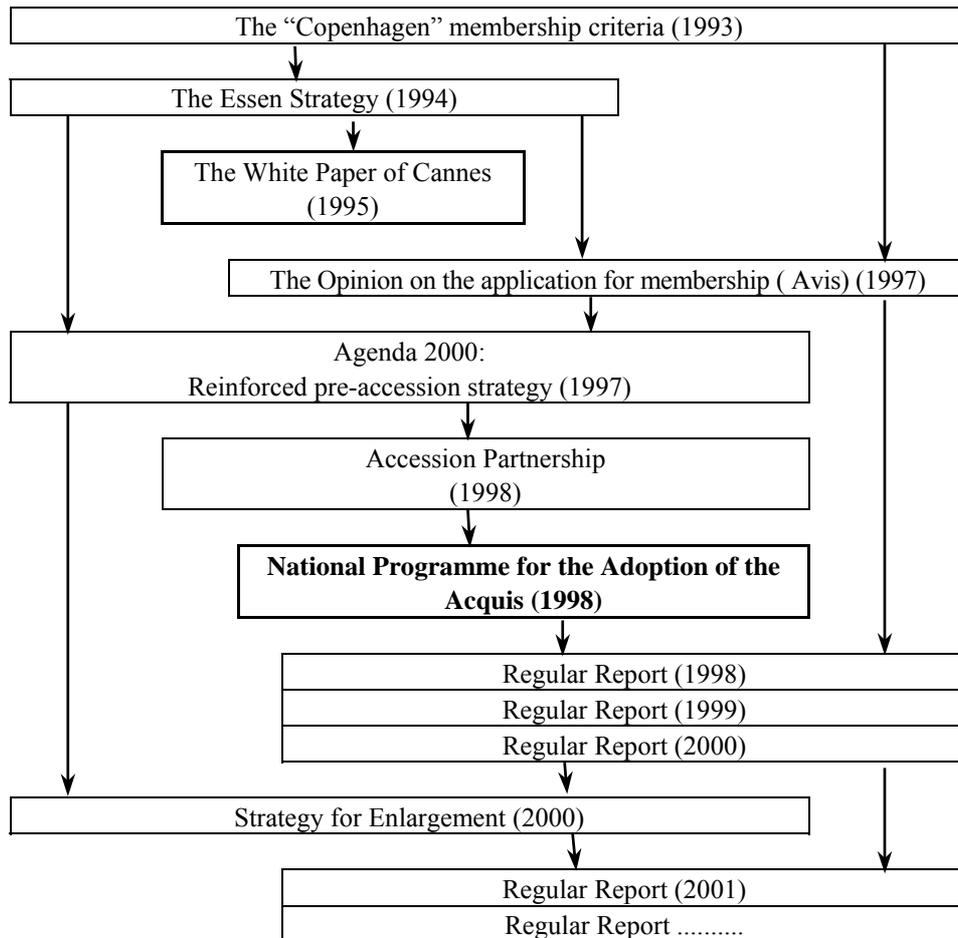
Such periodic reports have been accompanied, in their respective years, by a synthetic **European Commission's Report on Progress Made by the Candidate Countries in the Process of Preparation for Their Membership in the European Union – the Strategy for Enlargement**.

The following elements of the strategy for negotiation, recommended by the European Commission in the year 2000, should be mentioned as most important ones:

- invitation of both the EU Member States and the candidate countries to address, during negotiation, “pivotal issues” resulting from applications, filed by the latter ones, for having transitional periods awarded to them;
- an analysis of applications for such transitional periods and an announcement that the Commission was going to include them into three groups, regarded as “acceptable”, “negotiable” and “unacceptable”, respectively;
- setting out a “road map”, *i.e.* a time-schedule for negotiation, specifying a clear sequence of activities to be carried out in order to address the above-mentioned issues during the years 2001 - 2002;
- streamlining the process of negotiation through “postponement” of negotiation in those areas in which only a few problems have remained to be solved;
- indicating how much time is needed to bring the process of negotiation to an end.

As shown in the Figure 1 below, efforts of the European Union, which, taken together, have constituted its strategy for enlargement, have shown both continuity and clear inter-relations between individual documents. It should be observed, however, that among Polish documents the National Programme for the Adoption of the Acquis is the only one to have featured a status which ranks it as high as is appropriate in the European Union's strategy, while other documents or activities that can be summed up as consisting the Polish strategy and the policy for accession, either fail to feature such a direct relation to the EU strategy or their status is just too low.

Figure 1. Development of the EU's pre-accession strategy with respect to Poland



Source: J. Borkowski, *Prospects...*, p.209.

The above-outlined strategy for enlargement, adopted by the European Union, have been characterised by:

- a classic accession strategy that had been implemented before, during the previous rounds of the EU enlargement,
- continuous strategy-building as well as gradual manner of defining the ever-more precise criteria and detailed conditions to be met on the way to membership,

- the desire to shape the candidate countries into “perfect Member States” – as can be concluded from requirements concerning the adoption of the *acquis communautaire*,
- asymmetry in adaptation of the Union to enlargement and adaptation of the candidate countries to accession, often regarded as really just one-sided adaptation on the part of the candidates,
- a comprehensive system of monitoring of candidates’ progress in their preparation for membership,
- a “drifting” calendar of enlargement, gradually updated and rendered more and more precise, yet treated as conditional and dependent upon the EU’s internal situation,
- conditional status of financial aid for the candidate countries,
- invitation for 12 candidate countries to involve in negotiation and starting competition among them to win membership during the first round of the EU’s enlargement towards the East,
- carrying on activities aiming at deepening of integration inside the EU, for example in the form of the Economic and Monetary Union or the Lisboa Strategy, from which criteria for the candidate countries have been implied.

4. The official fundamentals of Polish strategy and policy for accession

Poland’s integration with the European Union forms a part of a strategy of dynamic changes, both social and economic, typical to a comprehensive systemic transformation. It remains dependent upon the process of transformation, yet, on the other hand, it sets this process on a proper course, defining its objectives and patterns. Despite existence of a number of different political programmes, documents as well as programmes implemented by subsequent governments, it will only be possible to evaluate the strategy for Poland’s systemic transformation *post factum*.

In order for Poland to win the European Union membership it is necessary to develop and to follow a policy that ensures carrying out, in a proper and timely manner, all the essential tasks in several fields of adaptation, such as to **meet the membership criteria** and, at the same time, to **secure for Poland an advantageous position in the European Union**. Furthermore, it is an important task of such policy to convince the EU Member States and the institutions representing them, to accept the treaty on accession as well as to convince Polish society to approve the same (and, accordingly, to agree to the EU membership).

A policy seeking to achieve such important objectives should be based upon an appropriate strategy, understood as “an art, basing on a proper knowledge, of setting and attaining far-reaching social goals”.

Considering the nature of the European Union's strategy for enlargement, a candidate country should have such a (national) policy in place, which, first of all, fits smoothly in the EU's accession procedure. This is the basic condition for efficiency of national strategy. The strategy followed by a candidate country may be focused upon relations with the European Union, its Member States as well as on other processes taking place in international environment. However, most importantly, a candidate country may and should subject its inner procedures of adaptation, such as increasing economy competitiveness or ensuring social support for decision on becoming the UE Member State, to the key strategy assumptions.

The very fact of filing an application for the EU membership has reconfirmed Poland's earlier strategy towards the processes of European integration, which was corroborated in the Memorandum of the Government of the Republic of Poland of 11 April 1994, presented on the occasion of filing, by Poland, an application for the EU membership²⁷.

The fundamental components of the strategy of Poland's integration with the European Union were presented by Polish minister of foreign affairs at the session of the Council of the Association held on 17 July 1995²⁸. It was confirmed then that "*the foundations of the strategy were worked out as early as in 1990, at the same time as filing an application for negotiation regarding the Europe Agreement to begin*". The above-mentioned information specified, among other things, goals, mechanisms and means for strategy implementation. To mechanisms of integration the following were included: market mechanism; a consistent governmental policy establishing proper frames for free circulation of goods, services, capital and persons; harmonisation of law as well as keeping the society informed on both threats and opportunities occurring as a result of the process of European integration.

The need to develop a comprehensive vision of Poland's way to acquiring the EU membership in a form of national strategy was acknowledged in the Resolution of the Parliament of the Republic of Poland of 14 March 1996 on preparation of Poland to the European Union membership²⁹.

In January 1997 Polish government adopted the document called „**National Strategy for Integration**”³⁰. The strategy (NSI) covers the tasks resulting from

²⁷ *Przygotowania Polski do członkostwa w Unii Europejskiej (Preparation of Poland for Membership in the European Union)*, Dokumentacja akcesyjna (Documentation on Accession), Vol. 5, Warsaw University Centre for Europe, Warszawa 1999.

²⁸ *Monitor Integracji Europejskiej (The Monitor of European Integration)*, The Office of the Council of Ministers, the Office of the Representative of the Government responsible for the Matters of European Integration and Foreign Aid, No. 3/1995, pp.59-64.

²⁹ "Monitor Polski", No. 21/1996, item 239.

³⁰ *Narodowa Strategia Integracji (National Strategy for Integration)*, Monitor ..., *op.cit.*

*the process of adaptation during the period preceding negotiation, during the negotiation and also during the first period of membership*³¹, aiming at: proper preparation of central administration, carrying out necessary reforms in the areas of law, economy and institutional environment as well as preparation of Polish society to the European Union membership³².

The National Strategy for Integration was positively welcomed both in Poland and in the European Union where it was regarded as an indication that Poland acknowledges the principle of transparency of activities in the fields of adaptation and integration. The NSI succeeded in increasing the pace of work of governmental institutions and setting more precise directions for them, in contributing to growth of a level of consciousness of potential consequences of membership among Polish society and, as a result, it generally set up a new dimension in the process of preparation for negotiation on the accession³³. It should be observed, however, that tasks in fields of adaptation and integration were described in the NSI in a way different that adopted as standard for such strategies, due to an excessive focus on objectives and goals (with almost as many of them taken into account as possible) and shortage of means of their achievement and implementation.

While the National Strategy was a result of Polish initiative and has an independent character, the same cannot be said about the National Programme for the Adoption of the Acquis, which has been subordinated to priorities defined by the European Commission.

The position of the Government of the Republic of Poland, presented by the minister of foreign affairs at the opening of the accession negotiation in March 1998³⁴, such as most governmental documents addressed to the European Union during the years 1990-1999, pointed out those characteristics of the EU which have motivated Polish people to actively participate in the process of European integration, including, in particular:

- values basing upon the shared foundation of Christian heritage and tradition,
- enhancing development opportunities for particular Member States, regions and social groups,
- principles of parity, solidarity and subsidiarity, underlying the process of European integration.

³¹ *ibid.*, p.6 .

³² D.Huebner, *O "Narodowej Strategii Integracji" (On the "National Strategy for Integration")*, *Studia Europejskie*, No. 1/1997, pp.157.

³³ E.Kawecka-Wyrzykowska, *Polska w drodze ...*, *op.cit.*, p.151.

³⁴ An address presented on the occasion of opening of negotiation with Poland on its membership in the European Union. Brussels, 31 March 1998. in: *Studia Europejskie*, Warsaw University Centre for Europe, No. 2(6) 1998.

Considering Poland's efforts on its way to become the EU Member State as a whole, the following features of Polish policy for accession can be distinguished:

- passive adaptation in the areas of law and economy to membership requirements,
- no-alternative to integration with the European Union,
- consolidating the Central-and-Eastern Europe and an aspiration to retain the leading position among the countries-candidates to the EU membership,
- focusing on official negotiation on accession,
- consistent insisting upon receiving, from the EU, binding calendar of its enlargement, resulting in the date for Poland's membership being fixed.

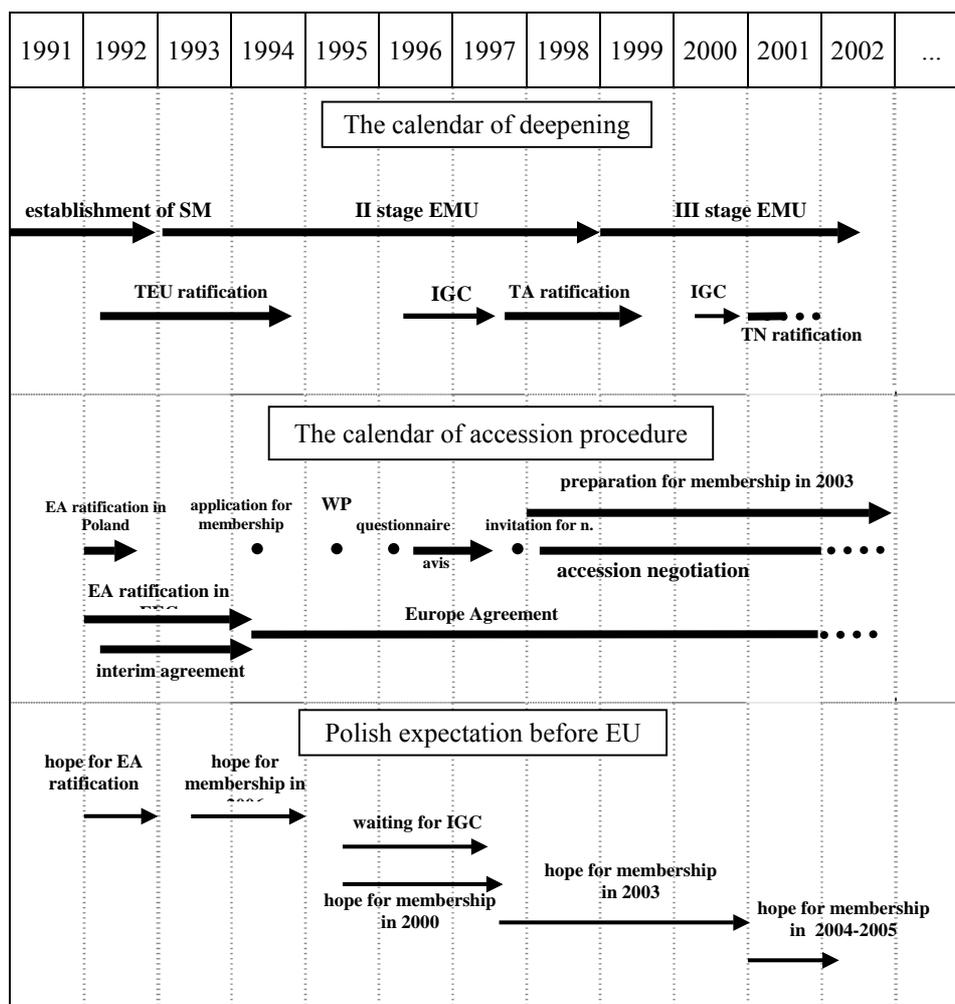
“The Strategy of Calendar” has been a good example illustrating how the process of Poland's integration with the European Union is situated at the broader background of processes of deepening integration inside the European Union itself, which is reflected in the Table 3 below.

Both negotiation and ratification of the agreement on association have taken place overshadowed by broader processes of development of the Single Market and of the European Economic Area as well as of ratification of the Treaty of Maastricht, fitting into the so-called three circles concept³⁵. Implementation of the Europe Agreement resulting, in its economy-concentrated component, in establishment of an area of free trade in industrial goods and in preparation (supported by the *White Paper*) for the future participation in the EU Single Market, has taken place at the same time and in parallel to implementation of the 2nd stage of the Economic Union. Poland's endeavours to involve in negotiation on accession could only be successful following conclusion of the Inter-Governmental Conference. Shortages of the Treaty of Amsterdam with respect to the EU's institutional readiness to proceed with the enlargement, supplemented by the Treaty of Nice which was adopted during the third year of negotiation with Poland and other countries of the “Luxembourg group”, presented, in fact, a new threat for the forthcoming enlargement³⁶.

³⁵ S.Stebelski, *Realizacja Układu Europejskiego w polskiej polityce zagranicznej (Implementation of the Europe Agreement in Polish foreign policy)*, in: *Ocena stopnia realizacji Układu Europejskiego (Evaluation of the Level of Implementation of the Europe Agreement) ...*, *op. cit.*, p.8.

³⁶ Difficulties experience regarding ratification of the Treaty of Nice can be seen as a threat that after the enlargement institutions of the European Union will prove unable to operate in the efficient way.

Table 3. Development of calendar of Poland's integration with the European Union



Source: J.Borkowski, *Prospects for Poland's membership in the European Union. Development of Polish calendar of accession*, Studia Europejskie, No. 1 (17) 2001, Warsaw University Centre for Europe, Warsaw 2001, p.183.

Final remarks

Acquiring the status of the EU Member State should not be seen as amounting to conclusion of either adaptation procedures or processes of adaptation taking place both in the area of law and in that of social and economic

practice. Definition of an advantageous and long-lasting position of Poland among the EU Member States, in institutions of the European Union, is going to be the result of full knowledge gained on the EU mechanisms, of an adequate experience learnt, of contribution of Poland's own ideas and concepts, finally, of its political authority won among partners. The process of defining the position of Poland in European economy and gaining, by the whole Polish society, a social status equivalent to that enjoyed by Western European societies, which is closely related to the former issue, is going to be a lengthy process which, according to the analyses carried out by the Governmental Centre for Strategic Studies, may take as long as 30 years, even if the rate of economic growth on a level twice as high as in other countries of the European Union is assumed³⁷.

That period is inseparably related to the period precedent to accession, it is dependent upon the pre-accession strategy and it requires efforts carried on in line with a long-term strategy. The strategy for complete and profitable membership of Poland in the European Union should be developed together with the pre-accession strategy and in close correlation to it. Indeed, the strategy for membership has to include the pre-accession strategy, since the future position of Poland in the European Union has clearly been shaped as early as during the pre-accession period.

³⁷ The Governmental Centre of Strategic Studies, *Analiza i ocena wpływu integracji Polski z Unią Europejską w sferze społeczno-ekonomicznej, Synteza, Raport Podzespołu Zadaniowego nr 29 powołanego przez Komitet Integracji Europejskiej (An Analysis and Evaluation of Influence of Poland's Integration with the European Union in Social and Economic Fields, Synthesis, Report of the Task Sub-Group No. 29 appointed by the Committee for European Integration)*, Warszawa 1998, p.45.