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INSTITUTIONALIZATION OF THE EU POLICY COORDINATION SYSTEM – CASE OF POLAND

The article is an analysis of the Polish European policy coordination system and its planned changes regarding both its institutional structure as well as its current legal and institutional development. The analysis is supported by an elaboration on the European Union's (EU's) general matters coordination system as one of the most important aspects of the Europeanization of EU Member States (MS). The central thesis of this article proposes that the Polish coordination system is not based on a single, clear model (although it has been influenced by certain solutions applied in different models), but rather it is inconsistent, stretched between ambitions to include European issues in the daily operations of public administration institutions and the tendency to treat European issues as a political tool. The models of coordination are briefly presented in the article. The level of efficiency of European policy coordination in Poland is briefly characterized in the article mainly considering the Metcalfe scale and the World Bank benchmarks. The article also indicates Poland's coalition potential in voting in the European Council.

The current system of co-ordination in Poland (set up by the reform of 2009) is based on dual center, namely on Committee for European Affairs, located in the Prime Minister's Office (PMO) and reporting to the PM as well as on Minister of Foreign Affairs (MFA). The reform of 2009 was necessary to efficiently prepare the Polish Presidency in the Council of the European Union (2011). In the system decentralization is steadily challenged by the tendency to centralize, sectoral ministries have relatively large autonomy, but are nevertheless steadily challenged by the MFA, PM, the minister responsible for European affairs (yet with weak political power as a deputy minister in MFA), finally (since 2015) by strong political leader of PiS.

The Polish coordination system is planned to be replaced by one main center in the PMO, with the MFA providing a supporting role. The strong influence of the PM in EU coordination models usually leads to centralization and better efficiency of representing policy preferences at the European level. In comparison, systems lead by the MFA are more efficient in implementing EU policies. Law and Justice – the Polish ruling party (PiS) - is planning to shift the center of the coordination system to the PMO for the purpose of centralization and easier control by the Prime Minister (or, as many analysts state, by the leader of PiS), as well as to make it more efficient. This is related not only to the fact that the position of the MFA in Poland is recently rather weak and of the PM quite strong but also to the fact that Poland has been involved in numerous conflicts with the EU institutions over the question of rule of law, which has increased necessity of involvement of politics into Poland-EU relations. However, the planned reform may deprive professional and highly-skilled public administration employees of influence on this process. It can also undermine the Polish participation in the multi-level activities of EU institutions, impeding the Europeanization. Taking into consideration the fact that Polish EU policy is rather reactive, centralizing the system and making it more politicized can bring clearer, better-grounded and stronger voice regarding Polish policy preferences in the EU. However, it can also make this voice more radically nationally-oriented than ever before.

Keywords: coordination of the EU policies, Europeanization, public administration, institutionalization, European policy, EU multi-level governance.

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ІНСТИТУЦІОНАЛІЗАЦІЯ СИСТЕМИ КООРДИНАЦІЇ ЄВРОПЕЙСЬКОЇ ПОЛІТИКИ: ДОСВІД ПОЛЬЩІ

Стаття являє собою аналіз польської системи координації європейської політики та її запланованих змін, що стосуються як її інституційної структури, так і її поточного правового та інституційного розвитку. Аналіз підтримується розробкою системи координації загальних питань ЄС як одного з найважливіших аспектів європеїзації держав-членів ЄС. Основна теза цієї статті передбачає, що польська система координації не базується на єдиній чіткій моделі (хоча на неї впливали певні рішення, застосовувані в різних моделях), а скоріше непослідовної, розтягнутої між амбіціями щодо включення європейських питань до щоденної діяльності установ державного управління та тенденція розглядати європейські питання як політичний інструмент. Нинішній подвійний координаційний центр у Польщі планується замінити одним головним центром в канцелярії прем'єр-міністра за підтримки міністра закордонних справ. Сильний вплив прем'єр-міністра в моделях координації ЄС зазвичай призводить до централізації та кращої ефективності представлення політичних преференцій на європейському рівні. Для порівняння, системи на чолі з міністром закордонних справ є більш ефективними у здійсненні політики ЄС. Правляча партія «Право та справедливість» планує перенести центр системи координації уряд з метою централізації та полегшення контролю з боку прем'єр-міністра, а також для того, щоб зробити його більш ефективним. Це може позбавити професійних та висококваліфікованих працівників державної адміністрації впливу на цей процес. Це також може підірвати участь Польщі у багаторівневій діяльності інституцій ЄС, що перешкоджає європеїзації. Беручи до уваги той факт, що польська політика ЄС є досить реактивною, централізація системи та посилення її політизації може принести чіткіший, більш обґрунтований та сильніший голос щодо переваг польської політики в ЄС. Однак це також може зробити цей голос більш радикально національно орієнтованим, ніж будь-коли раніше.

Ключові слова: координація політики ЄС, європеїзація, державне управління, інституціоналізація, європейська політика, багаторівневе управління ЄС

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ІНСТИТУЦИОНАЛИЗАЦИЯ СИСТЕМЫ КООРДИНАЦИИ ЕВРОПЕЙСКОЙ ПОЛИТИКИ: ОПЫТ ПОЛЬШИ

В статье анализируется польская система координации европейской политики и ее запланированные изменения, касающиеся как ее институциональной структуры, так и ее нынешнего правового и институционального развития. Анализ подтверждается разработкой системы координации общих вопросов ЕС как одного из наиболее важных аспектов европеизации государств-членов ЕС. Центральный тезис этой статьи предполагает, что польская координационная система не основана на единой, четкой модели (хотя на нее повлияли определенные решения, применяемые в разных моделях), а скорее противоречива и растянута между амбициями по включению европейских проблем в повседневную деятельность учреждений государственного управления с сохраняющейся тенденцией рассматривать европейские проблемы как политический инструмент. Нынешний двойной координационный центр в Польше планируется заменить одним центром в канцелярии премьер-министра, при этом министр иностранных дел будет выполнять вспомогательную роль. Сильное влияние премьер-министра в моделях координации ЕС обычно приводит к централизации и повышению эффективности представления политических предпочтений на европейском уровне. Для сравнения, системы, возглавляемые министром иностранных дел, более эффективны в реализации политики ЕС. Правящая партия «Право и справедливость» планирует переместить центр системы координации в правительство с целью централизации и упрощения контроля со стороны премьер-министра, а также для повышения его

эффективности. Это может лишить профессиональных и высококвалифицированных работников государственного управления влияния на этот процесс. Это также может подорвать участие Польши в многоуровневой деятельности институтов ЕС, препятствуя европеизации. Принимая во внимание тот факт, что польская политика ЕС является довольно реактивной, централизация системы и ее политизация могут дать более четкий, обоснованный и более сильный голос в отношении предпочтений польской политики в ЕС. Тем не менее, это также может сделать этот голос более радикально ориентированным на национальность, чем когда-либо прежде.

Ключевые слова: координация политики ЕС, европеизация, государственное управление, институционализация, европейская политика, многоуровневое управление ЕС.

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Introduction and aim of the article

The article focuses on the analysis of the institutional arrangements of the Polish EU policy co-ordination system in the context of the conditions, evolution and challenges imposed by the plans of Law and Justice, the ruling party in Poland, to shift the center of the system from the Ministry of Foreign Affairs to the Prime Minister's Office. The main research questions answered in the article are: 1) What is the coordination of EU matters and what models of coordination exist in EU Member States? How does coordination contribute to the Europeanization of MS? 2) What is the Polish model of coordination, and what is the reasoning behind it? How has it evolved since Poland started its efforts to join the EU? How is it related to the representation of Polish policy preferences in the EU? How efficient is the Polish coordination system? 3) How has the Polish coordination system functioned since 2015? What changes are planned in the system and what are they expected to bring?

The main thesis of this article states that the Polish coordination system is not based on one clear model, but rather, it has had two main centers of coordination: the PMO and the MFA. Moreover, it has merged the inclusion of European issues into the daily operations of public administration institutions, with the treatment of European issues as a part of foreign policy and political tool in general. The current dual center of coordination will be replaced by one main center in the Prime Minister's Office, limiting the Minister of Foreign Affairs to a supportive role, which will most probably lead to more politicization of the coordination process, thus making it a tool of expression of policy preferences rather than a tool for more efficient Europeanization.

Analysis of relevant/current research and publications

Coordination is a word derived from Latin, meaning: "establishing, ordering various elements, activities to ensure their consistent cooperation, mutual adaptation"¹. The concept of coordination is most often used in management theory and the coordination itself is one of the administrative sub-functions of an enterprise (or other entity), due to which it can function

¹ R. Mieńkowska-Norkiene, *Efektywność koordynacji polityki europejskiej w Polsce. Model teoretyczny, ewaluacja i rekomendacje* (Effectiveness of the coordination of European policy in Poland. Theoretical model, evaluation and recommendations), Warsaw 2013, p. 11, also Dunaj B., *Popularny słownik języka polskiego* (Polish Popular Dictionary), Warsaw 2000.

effectively². Coordination embraces combining, unifying and harmonizing all activities, and efforts to make management efficient. Social science researchers have created a definition that best corresponds to the coordination approach used in this text, namely coordination as "a link between actions or tasks that would otherwise remain separate"³. Coordination of European matters in Member States can be defined as the arrangement and then supervision of coherent activities of various institutions and entities contributing to efficient membership of a state in the EU. „European matters” are defined as all issues related to the membership of the state in the European Union⁴. The co-ordination processes relate to the cooperation of entities on domestic and European levels (however, in this analysis the main impact is placed on domestic coordination) in order to efficiently represent MS policy preferences in European institutions (mainly by presenting MS positions in the Council, but also in other institutions). Due to coordination, EU policies can be efficiently made and then implemented in the political systems of MS, affecting EU citizens. Therefore, it can be stated that coordination contributes strongly to the Europeanization process, as the latter is a process of formal and informal change that takes place in candidate countries, and then European Union member states, in connection with the membership requirements set out in EU law⁵. The consequence of the ongoing process of Europeanization is the inclusion of the nation-state in the multi-level system of EU institutions, in which political relations are implemented through arrangements concluded between the institutions of the Member State, the institutions of the European Union and social entities⁶. The nation-state is gaining a new area of political activity: the European level⁷. Europeanization in Eastern-European MS which joined the EU in 2004 and later is deeper and more multidimensional, as reforms to adapt to EU standards have led to the rebuilding of their institutions of executive power to better coordinate EU policies⁸. Therefore, it is important to consider that the coordination system in Poland (and other “new” MS) is a process that still contains a strong factor of “learning-by-doing”.

Despite the strong influence of Europeanization on “new” MS, numerous authors underline that, in general, coordination systems and the way EU matters are addressed within MS is strongly dependent on the political preferences of the MS. Olsen states: "...the ability of

² D. Pugh, D. Hickson, *Great writers on organizations*, Dartmouth 1993, pp.126-131.

³ H. Kassim, B. G. Peters, V. Wright, *The National Co-ordination of EU Policy Volume 2 The Domestic Level*, Oxford 2001, s. 1-21, also: R. Mieñkowska-Norkiene, *Efektowność koordynacji op. cit.*, p. 11.

⁴ K. Maniokas, *Lithuanian European Policy and its Co-ordination*. In: Vilpišauskas R., Maniokas K., Žeruolis D., *Unification of Europe and Lithuania’s EU Accession Negotiation*, Vilnius 2005, p. 441.

⁵ A. Héritier, *Differential Europe: National Administrative Responses to Community Policy*. In: M. Cowles, J. Caporaso, T. Risse (ed.), *Transforming Europe: Europeization and Domestic Change*, New York 2001, pp. 45-59.

⁶ S. Sulowski, *Państwo narodowe w procesie integracji europejskiej*. In: Wojtaszczyk K. A. (ed.), *Wstęp (Introduction), Integracja europejska (European Integration)*, Warsaw 2006, p. 80.

⁷ Miecznikowska J., *Unia Europejska a problem koordynacji polityk wspólnotowych – europeizacja administracji publicznej państw członkowskich (European Union and the problem of coordination of the EU policies – europeanization of public administration of the Member States)*. In: R. Mieñkowska-Norkienė R. (ed.), *Koordinacja polityk unijnych w Polsce (Coordination of the EU policies in Poland)*, Warsaw 2009, p. 31, also: R. Sturm, *Was ist Europäisierung? Zur Entgrenzung und Einbindung des Nationalstaats im Prozess der europäischen Integration*, *Europawissenschaft*, Schuppert G.F./ Pernice I./ Haltern U. (Hrsg.), Baden Baden 2005, p. 103.

⁸ K. Goetz (2001), *Making sense of post-communist central administration: modernization, Europeanization or Latinization?*, *Journal of European Public Policy* 8:6 December, pp. 1036-1042, also: V. Schmidt, *Europeanization of National Democracies : the Differential Impact on Simple and Compound Polities*, *L'Harmattan, Politique européenne* 2004/2 n° 13, pp. 115-142, available at: <https://www.cairn.info/revue-politique-europeenne-2004-2-page-115.htm>, accessed 13.09.2019, also: T. Börzel, T. Risse (2003), *Conceptualizing the Domestic Impact of Europe*, [in:] *The Politics of Europeanization*, K. Featherstone (red.), C.M. Radaelli, Oxford 2003, p. 61.

the European level to penetrate national institutions is not full, universal or permanent (...). Signals from the EU are interpreted and modified by national traditions, institutions, identity and resources. A result of it is limited convergence and uniformity”⁹ (Olsen 2007, p. 481). It seems that in the Polish case, a strong tendency for centralization and the rising resistance of the PiS government towards Europeanization (visible in, i.a., non-implementation and criticism of EU institutions’ decisions, demands for a more intergovernmental approach and in-depth reform of the EU pointed towards less integration, conflicts with the EU regarding the rule of law in Poland and launched procedure under art. 7 TEU) is evidence of certain limitations in the perceived omnipotence of Europeanization. There is no strict legal basis at the European level requiring the creation of certain coordination systems within MS. In article 4 TUE, it is stated that: „The Member States shall take any appropriate measure, general or particular, to ensure fulfilment of the obligations arising out of the Treaties or resulting from the acts of the institutions of the Union. The Member States shall facilitate the achievement of the Union’s tasks and refrain from any measure which could jeopardize the attainment of the Union’s objectives”¹⁰. Therefore, all MS create mechanisms of various complexity for the coordination of EU matters, but they are rooted in national politico-administrative systems. The rationales for establishing certain models of coordination vary. The central determinant for the proper selection of the coordination model is the effectiveness of the solutions adopted, which guarantees that the entire administration will speak in the European forum "with one voice", thus preventing a situation where decisions unfavorable for a given country are adopted, among others¹¹. It is also related to the political system and the strength of its various institutions, the model of public administration, and finally, to political conditions at the moment of choosing the strategic model of coordination (with the latter playing a meaningful role in the change planned in the Polish coordination system). The common feature of MS coordination systems is the presence of specialized structures and transformations within public administration. These mechanisms are designed to monitor the implementation of decisions made by EU institutions in the MS, which involves the need to modify internal administrative structures in order to effectively implement EU law. On the other hand, these structures should effectively coordinate the process of shaping the national position and ensure its effective and consistent presentation in EU institutions¹². There are at least a few different models of coordination in the EU MS. 1) The most well-known model, due to its specificity and efficiency, is based on the existence of a special mechanism devised for the purpose with a specialized institution in the center of the system (sometimes called a British-French-Italian model). In the case of France, it is the Secretariat general du comite interministeriel – SGCI, with the same type of institution in the United Kingdom, and finally the Department of European Policies in Italy¹³. It is worth mentioning that only in the case of France, a junior minister dealing with European matters holds real political influence. The model provides for efficient yet requiring numerous adjustments coordination system. 2) The Belgian-Spanish model is based on the central role of

⁹ J. Olsen, Europeanization. In: Cini M. (ed.), European Union – organization and functioning, Warsaw 2007, p. 481.

¹⁰ Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, 13 December 2007, *OJ C 306, 17.12.2007, p. 1–271*.

¹¹ J. Miecznikowska, Unia Europejska a problem koordynacji..., op. cit., p. 43, also: R. Hykawy, Koordynacja polityki europejskiej w państwach członkowskich UE (Coordination of the European policy in the EU member states), Biuletyn analiz UKIE nr 9/2002, s. 121.

¹² J. Jakubek, Czy istnieje polski model koordynacji polityk unijnych? (Is there a Polish model of the EU policies coordination?). In R. Mieñkowska-Norkienė, R. (ed.), Koordynacja polityk unijnych w Polsce (Coordination of the EU policies in Poland), Warsaw 2009, p. 46.

¹³ H. Kassim, B. G. Peters, V. Wright, The National Co-ordination..., op. cit., pp. 90-92.

the MFA, with a special institution providing support (Directorate for European Integration and Coordination, dealing with reconciliation of positions in Belgium and SSEU - a special secretariat within MFA in Spain)¹⁴. This model requires good will of ministries to efficiently manage European matters as well as strong supporting institution. 3) The Danish model is a centralized system of coordination under the MFA with significant political impact placed on European matters. The model provides for the meaningful role of national parliaments, particularly in the preparation of a MS position in EU institutions (a strong mandate). It is also rather formalized¹⁵ 4) The Finnish-Swedish model is a decentralized model, characterized by the large autonomy of individual ministers and a meaningful role of national parliaments. It is also worth mentioning that in this model, a high level of informality is applied. The ministries cooperate within formal and informal frameworks (with regards to this perspective, the model is less proactive). It is worth mentioning, that due to the high level of decentralization and informality, the model is rather flexible and even major changes within its institutional setup have already been implemented numerous times (particularly in Finland, where the center of coordination has been shifted a few times from the MFA to PMO and back¹⁶ 5) In the German model, three main ministries have a leading role in coordinating European matters (MFA, Ministry of Finance and Ministry of Economy). It is worth mentioning that the model is a hybrid of the tendency for centralization, with the Chancellor holding a strong position, as well as the tendency for avoiding extreme situations where German EU policy is steered by only a single person¹⁷. There are, obviously, hybrid and mixed versions of the above-mentioned models.

Before the 2015 Polish parliamentary elections, the so-called „tape scandal” shook the Polish political scene. Politicians were overheard talking in a Warsaw restaurant and the recordings were made public. In one of the conversations, the Polish Minister of the Interior, Bartłomiej Sienkiewicz, called Poland „a theoretical state,” an assertion based on the weak coordination of activities between different institutions of the Polish political system. Coordination of European matters is crucial for presenting a coherent vision of Poland in Europe, representing Polish political preferences and positions in European institutions, implementing the EU policies, representing Poland in the Court of Justice of the EU, and, finally, in defining the Polish position as a EU member on the international stage.

After deciding to join the EU and receiving the green light from the Communities and their MS, Poland undertook efforts to build an efficient system of coordination of European matters for the pre-accession period, and later membership. It is worth mentioning that the pre-accession period for all candidate countries is usually a time of relatively reactive European policy. Preparation for accession mainly requires adjustment of the state’s politico-administrative system for membership, which actually means it provides for better orientation in European policy-making, while not yet having real influence on decision-making¹⁸. In 1994, Poland started to implement serious changes in the structures of its public administration in order to prepare itself for membership, mainly by dividing competences between the three

¹⁴ Ibidem, 90-92.

¹⁵ B. Jacobsson, P. Læg Reid, O. Pedersen, *Europeanization and Transnational States Comparing Nordic central governments*, New York (Routledge) 2004, pp. 11-113.

¹⁶ R. Mieñkowska-Norkiene, *Koordinacja polityk wspólnotowych na Litwie, Łotwie i w Estonii*, praca doktorska, załącznik z wywiadami, Warszawa 2009.

¹⁷ H.-U. Derlien, Germany. In: Kassim H., Peters G., Wright V., *The National Co-ordination...*, op. cit., pp. 54-77.

¹⁸ R. Mieñkowska-Norkiene, *Efektywność koordynacji polityki europejskiej w Polsce. Model teoretyczny, ewaluacja i rekomendacje* (Effectiveness of the coordination of European policy in Poland. Theoretical model, evaluation and recommendations), Warsaw 2013, p. 36, also: COREPER solutions for candidate countries, Doc. 14303/02, Elarg 373 of 15 November 2002 r.

points of a triangle: the *Office* of the Committee for European Integration (UKIE – existing since 1996), the MFA, and the Government Plenipotentiary for Poland's Accession Negotiations To the European Union. The main body given the coordinating function during this period was the Committee for European Integration (KIE). The development of a relatively permanent internal structure of the Ministry of Foreign Affairs was accompanied by both qualitative and quantitative changes¹⁹. The model chosen by Poland was strongly inspired by French coordination arrangements. However, it evolved to become similar to the Spanish model by the date of accession. Interestingly, the Polish pre-accession model of coordination didn't change for more than 5 years after accession²⁰, as it only included a few new competences and some structural changes in individual ministries and the most important institutions from outside of public administration (e.g. Central Bank). The leading role of the MFA was a logical result of pre-accession institutional efforts when the EU and the MS were still subject to diplomatic relations mainly. However, it did not create proper conditions for the high efficiency of Polish representation in the interests in the EU. According to the so-called Metcalfe's scale, as well as World Bank benchmarks, the Polish coordination system was evaluated in 2009 as far from efficient (2 out of 9 points and 0,5 out of 4 accordingly)²¹. Since the reform of the Polish co-ordination system, its efficiency according to these scales has risen, and it also improved regarding policy preference aspects (however, this is a topic for a separate article). Poland has also performed rather poorly regarding implementation of the EU law (it has always performed poorer than the EU-28 average, according to EC Annual Report 2017). However, it is worth mentioning that during the first term under PiS rule, Poland's coalition capacity in the EU has certainly weakened. This can be proved by the comparison of the results of voting in the European Council. During the second term of office of Prime Minister Tusk, 7.5% of votes ended with the outvoting of Poland by other MS. In the case of Beata Szydło as PM, this ratio increased to nearly 18% and has a growing tendency. The most spectacular manifestation of this difference was the seclusion of Poland when voting on the re-election of Donald Tusk for the position of president of the EU Council²². Polish European policy has always been reactive rather than active, which could be related to the fact that the coordination system has not been established as strong and with enough complexity to provide for efficient negotiation and coalition-building power at all stages of the EU policy- and decision-making processes²³.

The most important legal provisions regarding this issue are primarily art. 9, 90 and 91 of the Polish Constitution, stating that Poland should respect binding international agreements. Important legislative step towards establishment of the coordination system was the adoption of the Act of 11 March 2004 on the cooperation of the Council of Ministers with the Sejm and Senate in matters related to the membership of the Republic of Poland in the European Union, and the Act of 6 May 2005 on the Joint Commission of Government and Territorial Self-

¹⁹ R. Tabaszewski, *Struktury koordynacji polityki europejskiej w Polsce (Structures of coordination of the European policy in Poland)*, *Annales Universitatis Mariae Curie-Skłodowska Lublin – Polonia* VOL. XVIII, 1 SECTIO K 2011, p. 53.

²⁰ J. Jakubek, *Czy istnieje polski model koordynacji...*, op. cit., p. 50.

²¹ EU-8 Public Administration Reform and Capacity in the EU-8 Poland. Background Paper September 2006, Report Number: 36930-GLB, also: Mieñkowska-Norkiene R., *Efficiency of Coordination of European Policies at Domestic Level – Challenging Polish Coordination System*, *Procedia – Social and Behavioral Sciences*, Volume 143, Elsevier 14 August 2014, p. 869.

²² A. Balcer, P. Buras, G. Gromadzki, A. Smolar, *Jaka zmiana? Założenia i perspektywy polityki zagranicznej rządu PiS*, Fundacja im. Stefana Batorego, Warszawa 2017, p. 33, also: <http://www.votewatch.eu/blog/polish-approach-weakens-v4s-leverage-to-influence-the-future-of-europe/>, accessed 21 December 2019.

²³ Z. Czachór, A. Jaskulski, J. Jańczak, R. Mieñkowska-Norkiene, P. Tosiek P., *Polish European Policy 2004-2014 Ideas, Aims and Actors*, Berlin 2019, pp. 41-48.

Government and representatives of the Republic of Poland in the Committee of the Regions of the European Union - KWRiST²⁴. The first Act established cooperation between legislative and executive branches, sometimes causing delays and problems. Therefore, this area (particularly taking into consideration the challenges of subsidiarity rule) requires improvements in the Polish coordination system.

In 2009, the coordination system in Poland was changed (even as the process started earlier). Namely, the KIE was fully replaced by the European Committee of the [Polish] Council of Ministers (KERM), which has functioned since 2010 as the Committee for European Affairs (KERM and KIE functioned in parallel for a few years), located in the PMO and reporting to the PM. This resulted in a shift of numerous competencies in European matters from the MFA to the PMO and the inclusion of UKIE in the MFA (with limited influence on the coordination process). The main legal acts influencing the system since 2009 were: the Act of 27 August 2009 on the Committee for European Affairs and the Act of 3 April 2009, amending the act on government administration departments. It is very important to mention that the reform was necessary to efficiently prepare the Polish Presidency in the Council of the European Union (2011). Presidency is a factor that presents a strong challenge to the coordination system and it seems that Poland has passed the Presidency test with quite a good mark²⁵. Therefore, the following reform of the system has been only recently announced by the Polish PM Mateusz Morawiecki. The core of the reform is the shift of the center of EU matters coordination from the MFA to the PMO (mainly, to three departments), making the minister of European affairs accountable to the PM. The expected result of the reform is the strengthening of the coordination system, its centralization, clarification of Polish policy preferences and political grounding, and better orientation of the PM in matters related to economy, environment, energy and other matters equally important on the European level. It seems that the system will become also much more politicized and less based on the professional capacities of the Polish public administration dealing with European matters. This is related not only to the fact that the position of the MFA in Poland is recently rather weak (in one of his speeches PiS leader called Jacek Czaputowicz “an experiment”) and of the PM quite strong but also to the fact that Poland has been involved in numerous conflicts with the EU institutions over the question of rule of law, which has significantly increased necessity of involvement of politics into Poland-EU relations²⁶. The proposed solution does not seem to bring Poland closer to any specific coordination model, but rather seems to combine even more different institutional solutions than before. Paradoxically, this may deepen the institutional chaos in the EU matters’ coordination.

Conclusions

The Polish coordination system does not fit into any of the most common models of EU policy coordination. Instead, it is a hybrid, chaotic version of a system with a dual center (MFA and PMO), where decentralization is steadily challenged by the tendency to centralize, and where sectoral ministries have relatively large autonomy, but are nevertheless steadily challenged by the MFA, PM, the minister responsible for European affairs (yet with weak political power as a deputy minister in MFA), and (since 2015), by strong political leader of PiS. The Polish system has evolved from a model inspired by the French system, with UKIE being a central technical coordination institution possessing strong capacities in this field, to the Spanish model, and finally, to a disordered mixture of different models. The reform

²⁴ J. Jakubek, Czy istnieje polski model..., op. cit., p. 51.

²⁵ R. Mieñkowska-Norkiene, Efektywność koordynacji..., op. cit., pp. 87-92.

²⁶ Barcz J., Unia Europejska wobec niepraworządnego państwa członkowskiego, Państwo i Prawo 2019, No 1, pp. 3-11.

proposed by PiS is based on the shift of competences related to EU policy from the MFA to the PMO. This solution will centralize the system, strengthen the power of the PM over European matters, and may also make Polish positions more politicized and more prone to the influence of Jarosław Kaczyński or any party leader. Such a reform also carries the threat of interruption of institutional memory of the MFA in the field of European matters, making contact with representatives of other MS while negotiating proposals of legal acts more difficult, and finally causing institutional chaos in the period of the most challenging negotiations at the European level, namely those regarding the MFF for the time period of 2021-2027. However, considering the fact that Polish EU policy is rather reactive, centralizing the system and making it more politicized can bring clearer and better-grounded positions (based not only on technical work of ministries but also on compromises on the entire governmental level), as well as a stronger voice regarding Polish policy preferences in the EU. One can only hope that – in the recent conditions of serious conflicts of Poland with the EU institutions - these preferences do not gradually lead to a Polexit.

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