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TWENTY YEARS OF POLAND'S EURO-ATLANTIC FOREIGN POLICY

ABSTRACT: During the years 1989-1991, after a deep transformation of the internal system and the international order in Europe, Poland pursued a sovereign foreign policy. The new policy had the following general goals: 1) to develop a new international security system which would guarantee Poland's national security; 2) to gain diplomatic support for the reforms conducted in Poland, including primarily the transformation of the economy and its adaption to free market mechanisms, which were designed to result in economic growth; and 3) to maintain and increase the international prestige of Poland and the Poles, who had been the first to commence the struggle to create a democratic civil society in the Eastern bloc. Implementing this new concept of foreign policy, Poland entered the Council of Europe in November 1991. The following year, Warsaw started to strive for membership of NATO, which was achieved in March 1999. A few years later, Polish leaders pursued policies in which Poland played the role of a "Trojan horse" for the USA. This was manifested most clearly during the Iraqi crisis of 2003, and in the following years, particularly in 2005-2007. From spring 1990 Poland aspired to integration with the European Community; in December of the following year it signed an associa-tion agreement, which fully entered into force in February 1994. In the period 1998-2002 Poland negotiated successfully with the European Union and finally entered this Union in May 2004. In subsequent years Poland adopted an Eurosceptic and sometimes anti-EU position. The new Polish government, established after the parliamentary election of autumn 2007, moved away from an Eurosceptic policy and pursued a policy of engage-ment with European integration.

KEY WORDS: Poland's foreign policy, Euro-Atlantic direction, Council of Europe, Euroscepticism, International security, transformation, "Trojan horse"

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New concept of foreign policy

After the deep transformation of the international order in Europe after the Cold War, Poland initiated a sovereign foreign policy. In the years 1989–1991 the geopolitical and geo-strategic position of Poland changed. Poland was no longer a part of the Eastern Bloc, which had collapsed, and found itself in a new international environment, bordering a powerful Germany and a plethora of post-USSR states, including, since 1993, the two states that resulted from the division of Czechoslovakia. Though Russia remained one of Poland's neighbours, it no longer held a strategic umbrella over it, and Poland began to pursue a policy of constructive cooperation with the USA and other Western states.

Poland found itself in a new political situation. In the post-Cold War era and in the increasingly democratic Europe, Polish foreign policy had the following general goals:

to encourage the development of a new international security system which would guarantee Poland's national security;

to gain diplomatic support for the reforms conducted in Poland, including the transformation of the economy and its adaptation to free market mechanisms designed to bring about economic growth; and

to maintain and increase the international prestige of Poland and the Poles, who had been the first to commence the struggle to create a democratic civil society in the Soviet bloc.[1]

As a result of the ambitious and difficult nature of these three main goals in the international arena, the tasks which Polish foreign policy faced were much more extensive in comparison with the previous period. Thus the need for new ideas, views, and concepts concerning this sphere of the state's activity became more acute. It became necessary for Poland to join the initiatives of other states as well as to undertake independent diplomatic actions of an explanatory or polemical nature, to join international negotiations already underway and execute already concluded agreements, both bilateral and multilateral.

In the times of real socialism, beginning with the breakthrough of October 1956, the doctrine of foreign policy of the Polish People's Republic was guided by three principles: 1) the principle of socialist internationalism, which meant unity, friendship, mutual aid, and close cooperation among socialist states, mainly including the states of the Warsaw Pact and Comecon; 2) the principle of solidarity with nations fighting for national and social liberation, i.e. countries of the Third World trying to break free from colonial

[1] R. Zięba, *Główne kierunki polityki zagranicznej Polski po zimnej wojnie*, Wydawnictwa Akademickie i Profesjonalne, Warszawa 2010, p. 17.

and neo-colonial dependence; and 3) the principle of peaceful coexistence with states of a different social and political order (i.e. mainly capitalist states). Since the 1970s the practical order of importance of these principles changed, the principle of peaceful coexistence rising to second rank, after the principle of close cooperation with socialist states. When, in turn, tensions arose in the relations with the Western states (e.g. in the early 1980s), the authorities of the Polish People's Republic placed increased importance on relations with the developing countries2.

Since 1989, Polish foreign policy has undergone wide-ranging and significant changes. In seeking new security guarantees and new opportunities for economic development, Polish foreign policy opened up and established contacts and cooperation with the Western democratic states. Already by the beginning of the following decade, this resulted in the adoption of a clear Euro-Atlantic orientation, which was made the number one priority in determining the trajectories of Poland's international activities. The second direction of Polish policy is cooperation with the states of Central Europe undergoing transformation. This cooperation is also extended to the neighbouring Western states, both in terms of its function and subject-matter, thanks to which several sub-regional groupings involving Poland's participation came into being in the area of the former boundaries between the West and East. The third direction in Polish foreign policy is its Eastern policy, which was focused, in the early period, on eliminating ties of imperial dependency on the USSR, then on the settling of historical disputes and building the foundations for bilateral relations and treaties with our Eastern neighbours. At least one of the directions of the former foreign policy was eliminated at the beginning of the transformation, i.e., Poland's involvement in cooperation with the post-colonial states of Asia, Africa and Latin America. While Poland has maintained some of the contacts with these states, in fact it has been seeking only partners connected with the West, which are developing rapidly and thus hold out the prospect of mutually beneficial economic cooperation. Poland's movement in this direction was influenced by its establishment of diplomatic relations with Israel, the Republic of South Africa (before the overthrow of the Apartheid regime) and Chile, but the new diplomatic ties with these three countries undoubtedly adversely affected Poland's standing in the Arab states and the other neighbours of those three states.

The new Polish government, formed by Tadeusz Mazowiecki in September 1989, declared the extension of political, economic, cultural and civilisation ties with the states of Western Europe and the USA to be one of

[2] For more see: J. Zając, R. Zięba, *Polska w stosunkach międzynarodowych 1945–1989*, Wydawnictwo Adam Marszałek, Toruń 2004, p. 175–179.

the priorities of Polish foreign policy. This aspiration was expressed by the slogan "return to Europe", which consisted of joining three organizations: the Council of Europe, NATO and the European Union.

Entering the Council of Europe

The first step in this direction was manifested by Poland's attempts to join the Council of Europe. Tadeusz Mazowiecki's cabinet took this initiative in January 1990. Soon the representatives of Poland began to participate in the works of all bodies of this organisation and in October of that year Poland obtained "observer guest" status. Following the free democratic elections to the *Sejm* (the lower chamber of the Polish Parliament), Poland was officially admitted to the Council of Europe on 26 November 1991.

In this way it joined the group of democratic states and obtained institutional and political support for its transformations, which were aimed at including Poles in the circle of Western civilisation. Poland's membership in the Council of Europe extended its social and cultural ties with the states of Western Europe and strengthened the opinion that Poland's accession to other, more important European and Euro-Atlantic institutions, would follow.

Cooperation and membership of NATO

The main concern of the governments of democratic Poland was to ensure national security. At the beginning of the transformation period, Polish leaders had attempted to support international initiatives for building a new system of European collective security based on the Conference on Cooperation and Security in Europe (CSCE), simultaneously initiating contacts and dialogue with Western security structures, i.e. NATO and the Western European Union (WEU), which intensified after the dissolution in July 1991 of the Warsaw Pact. In practice they implemented the Western idea of interlocking institutions, announced by the Rome NATO Summit in November 1991.

Gradually Poland took a position which aimed at joining NATO. This was motivated by two types of arguments: firstly, that Poland should obtain security guarantees from the West inasmuch as, in the new geopolitical situation, it found itself in a „grey area" of uncertainty, facing new challenges and probable threats; and secondly, that certain threats were associated with the instability in the area of the former USSR, the unpredictability of the behaviour and role of the Russian army (which until the autumn of

1993 still had troops stationed in Poland), and Poland's military weakness in the face of a potential threat from the East.

This traditional (military-oriented) perspective on security was reflected in such documents as "The Tenets of Polish Security Policy", signed by President Lech Wałęsa, and the "Security Policy and Defence Strategy of the Republic of Poland" attached to it, adopted by The National Defence Committee on 2 November 1992. These two documents formulated the goal of gaining membership of NATO.

This decision showed that Poland perceived NATO as an entity which would provide the so-called 'hard security' guarantees, ensured by the US military presence in Europe. Warsaw was sceptical about the possibility of obtaining security from a Western European security structure devoid of the political and military presence of the USA. The experiences of the interwar period (1918–1939) indicated that the alliance with France and Great Britain would not provide effective security guarantees for Poland. Poland manifested its disbelief in the possibility that Western Europe was able to build an autonomous security system without the participation of the United States. For this reason, Poland did not see the Western European Union as an alternative option in its security policy, and in the early years of the transformation showed no interest in cooperating with the organisation.[3] Another factor which discouraged the authorities of Poland from even presenting opinions on the issue was the existence of continuing disputes concerning the implementation of the concept of a European Security and Defence Identity (ESDI) and over the role of the WEU in the Western security system.[4] However, on April 29th 1993 Krzysztof Skubiszewski, Polish Minister of Foreign Affairs, in his Parliamentary exposé, expressed his satisfaction with the fact that the rivalry between the Western European Union and NATO was coming to an end, and supported the trans-Atlantic, pro-American orientation among Western European politicians.[5] This position reflected the general concept (represented by Poland) of integrating the West as a homogenous system, in which the alleged absence of inter-Atlantic rivalry and the dominant position of the USA were to prevent re-nationalisation of the superpowers' security policies and induce the creation

[3] When WEU Secretary General, Willem van Eekelen, came to Warsaw at the beginning of March 1990, he had difficulty finding appropriate partners in the Polish government.

[4] For more information, see R. Zięba, *"European Security and Defence Identity: The Polish Viewpoint"*, The Polish Foreign Affairs Digest, 2001, No. 1, p. 183–212.

[5] See "Statement by Mr. Krzysztof Skubiszewski, Minister for Foreign Affairs of the Republic of Poland, made on Poland's foreign policy in 1993, to the Polish Sejm, Warsaw, 29th April 1993", Materials and Documents, No. 5/1993, Vol. 2, p. 131–141.

of a cooperative, i.e. internationalised, security system in Europe, the "hard core" of which was to be NATO.

Poland commenced its political contacts and cooperation with NATO relatively early – indeed already by August the 9th 1990 official relations between Warsaw and the NATO Headquarters in Brussels were established. Poland's Eastern policy, however, was undergoing transformation following the rapidly changing situation in post-Cold War Europe. The declaration on the "Partnership with the Countries of Central and Eastern Europe", adopted in early (6–7) June 1991 during the Copenhagen session of the North Atlantic Council, was a clear signal of encouragement for the pro-Atlantic orientation of Poland and other Central European states.[6]

In September 1991, Prime Minister of the Republic of Poland, Jan Krzysztof Bielecki, was told in Washington that neither Poland's accession to NATO nor the opening of a security umbrella by the Alliance over Eastern Europe were on the cards, and he was also told in the US Department of State that Poland's road to NATO was envisioned via the attainment of EEC membership. This was a most discouraging response, as it was obvious that the process of adaptation which Poland had to undergo in order to accede to the European Community would be one of long duration. Efforts to join NATO were also made by other countries of Central Europe, especially the states of the Visegrad Group in cooperation with Poland, as well as Latvia, Lithuania, and Estonia (in the Baltic Group formula) and Romania.

In November 1991, the leaders of the sixteen Member States decided at their Rome summit that the Alliance would continue to exist even though its main adversary (the Warsaw Pact and the USSR) had disappeared, and that it would take up dialogue and cooperation with the formerly hostile states and other European countries. Pursuant to the decisions of this summit, on 20th December 1991, a consultative structure named the North Atlantic Cooperation Council (NACC), to which Poland was invited, was established. Within this structure information was exchanged, staffs were trained, and military forces were prepared for peacekeeping operations which the Alliance proposed to the CSCE and the United Nations in 1992.

Poland continued its efforts aimed at NATO accession, employing a "step by step" approach. In January 1994, the NATO summit in Brussels established the Partnership for Peace programme. Although President Lech Wałęsa strongly criticized the programme as insufficient due to its failure to clearly delineate the prospects for the enlargement of the Alliance, Poland signed the framework Partnership for Peace programme on 2nd February 1994 (as the third country to do so after Lithuania and Romania), and on 5th

[6] See: J. Dean, *Ending Europe's Wars: The Continuing Search for Peace and Security*, A Twentieth Century Fund Press, New York 1994, p. 252.

July Poland was the first country to sign an individual programme within the Partnership. Thereafter it actively participated in the Partnership for Peace programme, and in September the first military manoeuvres involving NATO forces in Poland took place in Biedrusk near Poznań.

In late September 1995 NATO presented a document entitled The Study on NATO Enlargement to the candidate states. From that time on, Poland made persistent efforts to comply with the political and military criteria set forth as preparations for Alliance membership, and actively participated in the Partnership for Peace. At the same time, polemics were engaged in with Russia, which from September 1993 unequivocally and unambiguously criticised the NATO enlargement plans.

In the spring of 1997 the Member States of the Alliance took the decision on enlargement. The preliminary step was the conclusion of an understanding concerning the strategic partnership between NATO and the Russian Federation. The Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation, and the transformation (at the request of Russia) of the NACC into the Euro-Atlantic Partnership Council (EAPC) were preliminary framework conditions. Thanks to them, it was possible for the NATO leaders gathered in Madrid to announce on 8th July 1997 their decision to invite three Central European states, i.e. Poland, the Czech Republic and Hungary, to accession talks. The talks ended with the signing of accession agreements on 16th December 1997 in Brussels. The process of ratification of the agreements was smooth, and the approval of the US Senate on 30 April 1998 constituted a breakthrough. Poland became a NATO member after submitting the ratification documents to the US government on 12th March 1999.

Upon joining the powerful North Atlantic Alliance, Poland immediately took on the role of an active ally, clearly emphasising the importance it attached to the military presence of the USA in Europe. Twelve days after its NATO accession, Poland (politically) joined the NATO war effort in Yugoslavia (the so-called Kosovo war), which was controversial from the perspective of international law. In the subsequent months and years, Warsaw has consistently demonstrated its willingness to transform NATO into a "global alliance" in accordance with the expectations of Washington; for instance, it advocated NATO participation in the US-Iraqi war, begun on 20th March 2003, and took actions designed to have the Alliance administer Iraq.

As a NATO member, Poland has openly chosen the strategy of bandwagoning to US foreign policy,[7] and relatively quickly began to play its role as a close US ally. At the end of 2002 it decided to purchase the American

[7] J. Zając, *„Bandwagoning w polskiej polityce zagranicznej"*, Przegląd Zachodni, 2009, no. 3, p. 168–178.

multi-task F-16 aircraft, gave its in blanco support to the invasion of Iraq in March 2003, agreed to administer one of the occupational zones in the country,[8] willingly contributed to the deepening transatlantic disputes (in the so-called 'letter of eight' of 30th January 2003), and opposed closer cooperation among the EU states within the European Security and Defence Policy (ESDP). This policy reduced Poland's role to that of a US client state and failed to gain it respect, as reflected in the fact that Warsaw's postulates concerning the obtainment of contracts for reconstruction in Iraq and its demands for liberalisation of the visa requirements for Polish citizens entering the US have both been largely ignored. Although it is a certain oversimplification, one may perceive an analogy between being the so-called "No. 2" in the Warsaw Pact and the efforts of the cabinets of Jerzy Buzek (1997–2001), Leszek Miller (2001–2004) and Jarosław Kaczyński (2006–2007) to obtain similar status in NATO. The similarity in the self-vassalage of the leaders of the Polish People's Republic and the present democratic Poland is striking.[9] However, a major difference lies in the fact that in the previous authoritarian system the leaders did not have to pay attention to the opinions of society, while in the present system they should. It is worth noting that the majority of Polish society opposed Poland's joining the war with Iraq and the participation in the post-war occupation of the country.

Association and membership of the European Union

By implementing the ambitious programme of political transformation, and in particular the economic 'shock therapy' based on the monetarist theory of Leszek Balcerowicz, Poland established broad cooperation with Western European states and their main institution – the European Community. Poland sought to conclude an association agreement with this dynamic and rapidly strengthening entity as soon as possible, and then to join the European Union which was then being created. Poland's commitment to this goal resulted from its conviction that affiliation with the EU was absolutely necessary due to the civilisation choices which the Poles had made in the late 1980s. The formal application to commence negotiations concerning the

[8] M. Stolarczyk, *„Kontrowersje wokół militarnego zaangażowania Polski w Iraku"*, Przegląd Zachodni, 2005, no. 1, p. 63–92.

[9] It is worth noting, however, that the policy of "friendship and cooperation" with the USA has been recently pursued by politicians with considerable experience in the field of strengthening socialist internationalism and "friendship and brotherhood" with the USSR, who in the 1970s and 1980s were prominent activists of the Polish United Workers' Party and the youth organisations connected with the party.

association agreement was placed on the table by the Polish government in Brussels in May 1990, and negotiations began in December of that year in an atmosphere of optimism on both sides. During the negotiations, however, major conflicts of interest appeared. The European Commission, contrary to previous declarations, sought to limit the access of many Polish goods (coal, metallurgical products, textiles, and agricultural products) to the Western European market and to obtain preferential treatment in Poland for its own goods.

On 16th December 1991, following rather short negotiations conducted by Poland in concert and collaboration with Czechoslovakia and Hungary, The Europe Agreement Establishing the Association of Poland with the European Communities and their Member States was signed. This Agreement was to come into force on 1st February 1994, and even earlier, on 1st March 1992, its Part III regarding trade came into force as a transitional agreement. Apart from the extensive provisions on economic cooperation, the Europe Agreement was a political dialogue between Poland and the European Communities (Article 1). The preamble to the Agreement contained a provision stating that "the final objective of Poland is to become a member of the Community and this association, in the view of the Parties, will help to achieve this objective".

The Agreement brought Poland closer to the European Community, but difficulties occurred in bilateral cooperation, arising from the protective policy of the Community Member States juxtaposed with the fact that Poland had opened its market wide for goods from the EU, which resulted in Poland's considerable negative balance of trade with the EU. The adaptation process was long due to the structural and legal discrepancies between Poland and the standards of the European Community. In addition, the then twelve Member States did not practically assist Poland in accelerating the process. Their leaders formulated the criteria of accession only in June 1993, during the session of the European Council in Copenhagen. Subsequently, for the next few years they delayed the issuance of a timetable setting forth the Eastern European candidate countries' path to full membership in the European Community.

Poland filed a formal application for EU membership on 8th April 1994, but the European Union showed no urgency to make the formal decision to invite the candidates for membership. It was not until 13th December 1997 that the European Council invited them to participate in the accession negotiations. Talks with six candidates (Poland, the Czech Republic, Hungary, Slovenia, Estonia and Cyprus) were inaugurated on 31st March 1998, and on 10th November of that year the process began. The programmes of all the subsequent governments in Warsaw invariably articulated the goal of Poland's accession to the EU. In the meantime, problems remained in the

relations between Poland and the EU concerning EU barriers placed on the export of Polish metallurgical and agricultural products, which increased the number of opponents of accession in Poland. Only Germany consequently tried to facilitate Poland's road to the EU, and served as an advocate of Poland in that process.[10]

The entirety of issues to be negotiated was divided into 31 chapters. Some of them, e.g. issues concerning research and development, education, training and youth raised no controversies and were (initially) closed on the day when the working talks began. The most difficult issues, such as agriculture, finance, budget, and competition policy were delayed by the Polish government until the end of the negotiations. As a consequence, the European Council session which took place with the participation of the heads of state of candidate countries in Copenhagen on 12–13th December 2002 was most dramatic. Poland, which had posed the greatest demands regarding the protection of its national agriculture (transition periods regarding the purchase of land by foreigners, direct payments for farmers) and subsidies to the budget from EU resources, was very successful in the end; it negotiated highly favourable accession terms, which were beneficial for the other acceding states as well . Admittedly, it made a bad impression on the EU partners, but the entrance gate to the path to accession was opened.[11]

The signing of the Accession Treaty on 16th April 2003 in Athens by the heads of the 25 EU states, including 15 Member States and 10 acceding states (with Poland among them), was a great historic event. On that day Prime Minister Leszek Miller, Minister of Foreign Affairs Włodzimierz Cimoszewicz and Minister for European Affairs Danuta Hübner, in the presence of President Aleksander Kwaśniewski and the first Prime Minister of democratic Poland, Tadeusz Mazowiecki, signed the extensive document defining the terms of Poland's membership of the European Union. The Accession Treaty is almost 5,500 pages long and it contains provisions relating to all 10 acceding states, as well as separate chapters devoted to each of the states. The regulations regarding Poland are the longest – as many as 1,000 pages.

The Accession Treaty was accepted by Polish society in a referendum on 7–8th June 2003. Though there were considerable fears regarding the outcome, it proved to be positive. The voter turnout for the referendum was 58.85% of eligible voters, of which 77.45% gave their consent to Poland's accession to the European Union. The Accession Treaty was ratified by the

[10] See also: A. Zięba, *„Droga Polski do Europy przez Niemcy"*, Studia Politologiczne, (Institute of Political Science, University of Warsaw), vol. 10, Warszawa 2006, p. 153–170.

[11] For more on the negotiations, see: A. Domagała, *Integracja Polski z Unią Europejską*, Wydawnictwa Akademickie i Profesjonalne, Warszawa 2008.

President of the Republic of Poland on 23rd July 2003, and Poland's road to the European Union was officially opened on the Polish side. As a result, on 1st May 2004, Poland, along with nine other states (Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Slovakia and Slovenia) became a new member of the EU. This marks the historic date on which Poland joined what will probably constitute, for many years, the most powerful integration organisation in the world, and which is also a strong centre of European culture and civilisation. In joining the EU, Poland has knotted close and apparently permanent ties with the democratic states of Western Europe. Thus the slogan announced at the beginning of Poland's transformation – "the return to Europe" – has been fulfilled.

Poland's roles within the EU

After the euphoria, loudly expressed by the Euro-enthusiasts, had died down, Poland soon began to re-evaluate its positive attitude towards the European Union. This was the result of at least two factors. First, there were signals coming from Brussels indicating that the European Commission interpreted certain provisions of the Accession Treaty differently than the government in Warsaw (inter alia those on direct payments for farmers and production limits), accompanied by critical judgments from Brussels claiming that Poland was the worst-prepared state with regard to the implementation of EU standards.[12] This gave rise to increasingly voiced criticisms from the Euro-sceptics, who also became more and more numerous. Secondly, Poland's involvement in the war and subsequent occupation of Iraq, strongly criticised by Polish society, fixed the perception of its role as that of "the closest ally of the US among the new states of new Europe". This role gave Polish leaders a false impression of their country's allegedly growing prestige in the international arena, which was used as a premise for the assumption that Poland's position in the European Union would be strengthened thanks to its support of Washington. The effects of this way of thinking were demonstrated in the debate on the institutional reform of the Union.

The government of the Republic of Poland formulated, on 9th September 2003, a critical judgment concerning the Treaty Establishing the Constitution for Europe, previously presented (on 10th July) by the European Convention. Poland made four major postulates: the first and most impor-

[12] This judgement was officially presented in the Comprehensive Monitoring Report on Poland's Preparation for Membership, submitted by the European Commission on 5 November 2003.

tant was that the system of weighted voting in the EU Council established under the Nice Treaty[13] be maintained, which meant rejecting the system of the so-called 'double majority' proposed by the Convention (absolute majority of states plus a stipulated demographic majority, proposed at the level of 60% of the total EU population); the second regarded improving the efficiency of the institutional system of the EU – Poland objected to the idea of establishing a single EU president and advocated a group presidency, as well as abandonment of the concept of establishing a Council for General and Legislative Affairs and maintaining the "one state – one vote" principle in the choice of members of the European Commission; the third involved ensuring the participation of all EU members in decisions defining the cooperation mechanisms in the area of Common Foreign and Security Policy (and in issues concerning the European Security and Defence Policy), as well as including a stipulation regarding the role of NATO in the Euro-Atlantic security system (which in practice meant an objection to the establishment of defence structures in the EU which could be competitive towards NATO); and fourth – the inclusion of a reference to Europe's Christian tradition in the preamble to the Constitutional Treaty.[14]

Poland presented its position concerning all the above four postulates during the Intergovernmental Conference which began on 4th October 2003 in Rome. In subsequent weeks Polish diplomats made intense efforts to gain support for Poland's position, which in fact delayed the work on the European Constitution. This is when the peculiar Warsaw–Madrid axis was established, along with the divisions in the EU caused by the Iraqi crisis. In spite of its intense efforts, Poland did not manage to gain any support for its position from any EU Member State (apart from that of Spain) or candidate country. Consequently, the unyielding position of Poland and Spain during the 13th December 2003 session led to the breakdown of the summit and the work of the Intergovernmental Conference was prolonged.

[13] Warsaw demanded the preservation of the Nice provisions according to which Poland (and Spain) were granted 27 weighted votes, i.e. only two votes less than the "great four", i.e. Germany, France, Italy, and Great Britain. In practice, this procedure meant "a triple majority", as a decision requires at least 255 weighted votes (out of 345) of the states with at least 62% of the EU population, which in turn meant favouring small states. The Polish argumentation referred to the pacta sunt servanda principle. The new voting system proposed by the European Convention, after its entry into force, would mean taking decisions in compliance with the "double majority" principle, i.e. a majority of the states representing at least 60% of the EU population. According to the opinion of the German Minister of Foreign Affairs, Joschka Fischer, this system would reflect the dual character of the EU as a union of states and citizens. In fact, the system gives a considerable advantage to large EU states over the remaining members.

[14] See the Communiqué after the Council of Ministers, 09.09.2003.

Following his return from Brussels, Polish Prime Minister Leszek Miller was greeted as a hero. He was praised in the first instance by a political opposition which was pro-European, which had taken a distinct liking to the slogan presented in the *Sejm* (by MP Jan Rokita of the Civic Platform) – "Nice or death". Even more strikingly, his political adversaries who were opponents of Poland's accession to the EU (the parties League of Polish Families and Self-Defence) could not conceal their satisfaction, arguing that even the head of the Cabinet understood that Poland's accession to the EU was economically disadvantageous and posed a threat to the state sovereignty, as Poland could be dominated by strong states such as Germany or France. The President and his chancellery, as well some liberal circles (the Democratic Left Alliance and independent experts) appealed for granting the Polish government greater flexibility in the further work on the European constitution, coordinated in the first half of 2004 by Ireland, which was holding the presidency of the EU Council. Apparently, the increasing disenchantment expressed in Poland with the choice of its pro-American course in foreign policy, which improved the perception and negotiating position of the main proponents of a strengthened EU, i.e. France and Germany, was a factor strengthening the pro-European attitudes of the Polish political elites. In mid-March of 2004 Poland was left all alone after the Spanish Prime Minister-elect, José Luis Rodriguez Zapatero, announced a change in Madrid's position and its acceptance of the EU Constitution. As a result, during the meeting of the European Council on 25–26th March in Brussels, Poland ultimately resigned from its defence of the Nice voting system in the EU Council, expressing its consent to a compromise based on a draft containing a double majority system in the decision-making process of the European Council of Ministers.

Agreement was reached at the next session of the European Council on 17–18th of June 2004. Poland accepted a modified formula of so-called double majority voting by EU Council and European Council. It was agreed as a principle of decision-making by qualified majority of 55% of votes of Council members comprising 15 states, with the demographic clause of 65% of the whole EU population; the blocking minority was defined as four Council members. Poland also gave up the inclusion into the preamble of the treaty of the reference to Europe's Christian heritage.

The final result of the Intergovernmental Conference 2003/2004 was the Treaty Establishing a Constitution of Europe, signed on 29th October 2004. It was expected to replace the Treaty Establishing the EC, the Treaty on the EU and other related acts. Acceptance by the government of this document was strongly criticised by the political opposition in Poland. It demanded a refusal of the treaty as it, they argued, reduced Poland's importance and sovereignty.

Finally, Poland joined all EU organs. In June 2004, after the election to the European Parliament, Polish deputies entered this body. In that group there were also adversaries of European integration, recruited from rightist and populist parties. Two Polish deputies assumed the posts of vice-chairmen of the EP, and in November 2004 Danuta Hübner entered the new European Commission, as a commissionaire for regional policy.

In Autumn 2005, after parliamentary and presidential elections, a deep change took place in Poland's politics. In October a new government was formed by nationalistic rightist party Law and Justice (PiS), and in December Lech Kaczyński from PiS was elected President. Poland turned to an openly anti-EU policy. The new government and president revoked the ratification of the Constitutional Treaty and did not participate in any debate within the EU. Their propaganda criticised the EU, presenting it as an enemy of Poland. Simultaneously, relations between Poland and Germany and France deteriorated and were of full of disputes.

On the issue of a new treaty on the EU, Poland demanded the return to the Nice formula of decision-making, and the strengthening of a procedure of decision blocking (using the Joanina mechanism). After numerous endeavours of France and Germany in June 2007, Poland decided to accept a compromise solution. The essence of Poland's position was to accept a treaty reduced to the reforms of EU institutions (Reform Treaty), without the Charter of Fundamental Rights. The Polish president L. Kaczyński finally approved the text of the new treaty, based on the principal clauses of the Constitutional Treaty.

Poland achieved prolongation of the Nice formula of decision-making until 31st October 2014, and in exceptional cases to March the 31st 2017.[15] The EU gave up the plans to establish a Minister of Foreign Affairs, choosing another name for this post – High Representative of the Union for Foreign Affairs and Security Policy. In this way, the deadlock in the operation of the new treaty was prevented. On 13th December president Lech Kaczyński signed the Treaty of Lisbon.

After the next parliamentary election PiS lost power in Poland. The new coalition formed by the Civic Platform (PO) and the Polish Peasants' Party (PSL) moved away from the Eurosceptic policy and undertook actions to reform and strengthen the EU. Its initiatives were disturbed by President Kaczyński, who continued PiS policy and entered into constitutional

[15] From 1st November 2014 a new formula based on so-called double majority will be introduced. For a decision to be made, two criteria will have to be met: first, a majority of 55% (plus one state) of member states; secondly, states which opted for the decision must represent at least 65% of the total population of the EU.

disputes with the government on competences in the domain of foreign policy.

The expression of such a political situation in Poland was the approval by Parliament (Sejm and Senate) of the Treaty of Lisbon (1–2nd of April 2008), and the refusal by the president to sign it. President L. Kaczyński finally signed the treaty, but not before 10th October 2009, following the second Irish referendum approving the Treaty of Lisbon (2nd October 2009). The Polish government accepted the position of PiS and the president to stick to the British Protocol, leaving the possibility of limiting the implementation of the Charter of Fundamental Rights.

Poland is engaged not only in reforming the institutional system of the EU, but also in establishing a new programme of EU external activity – the Eastern Partnership. That proposal has been promoted since 2002, when the EU was preparing its European Neighbourhood Policy. Poland has taken steps to develop cooperation with Eastern neighbours, and to minimize its position as a "front country". It was difficult to convince partners to support this initiative. Only after Sweden backed the Polish proposition, did the EU Council decide (19th March 2009) to establish the Eastern Partnership. It aims to promote stability, democracy, good governance and development within Eastern neighbours participating in the European Neighbourhood Policy. Officially the Eastern Partnership was inaugurated on 7th May 2009 during the Prague meeting of the European Council, with the participation of six post-Soviet republics: Belarus, Moldova, Ukraine, Georgia, Armenia and Azerbaijan.

The Eastern Partnership is a flexible programme of cooperation in all spheres of mutual relations. For the first four years a rather modest sum of 600 million Euros was provided. Poland is interested in a relaxation of the visa regime for citizens of post-Soviet states and the targetable abolition of visas. Poland has proposed pilot programmes to protect cultural heritage and fight corruption. A very important feature of Poland's position has been to include Belarus in the Eastern Partnership, even though the country does not fulfil EU democratic standards. The Eastern Partnership does not promise Eastern neighbours membership of the EU, but, in the opinion of Polish politicians, it does not exclude such an option either, at least for some of them (first of all Ukraine).

Since the establishment of the Eastern Partnership no agreement with Russia has been reached. Moscow does not want to join this programme, arguing that it is directed against its interests. Nevertheless, leaders of the EU present an open position, hoping to include Russia in the programme.