



Country Issue: Poland



The Relaunch of Europe

Mapping Member States' Reform Interests

Europa

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Institut für Europäische Politik (Institute for European Politics, IEP) is one of the leading foreign and European policy research centres in the Federal Republic of Germany dedicated to the study of European integration.

Further information on the project can be found here:

www.relaunch-europe.eu

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THE RELAUNCH OF EUROPE

MAPPING MEMBER STATES' REFORM INTERESTS

The Relaunch of Europe. Mapping Member States' Reform Interests (RelaunchEU) is a project conducted by the Institut für Europäische Politik (IEP) on behalf of the Friedrich-Ebert-Stiftung (FES) that surveys the implementation prospects for twelve concrete reform proposals. It covers the policy areas of Social Union, Economic and Monetary Union and Defence Union as well as asylum and migration policy and the EU's institutional set-up. Furthermore, it analyses the support for flexible integration and the positioning towards the five scenarios presented in the European Commission's »White Paper on the Future of Europe« of spring 2017. It covers the positions of national governments and of relevant progressive political parties, which received a minimum share of 5 % of the votes in the previous European or national elections.¹

The study follows two main objectives: (1) It demonstrates the scope of action for prompt reforms of the EU in the selected policy areas while also taking into account which member states would, under certain conditions, be willing to implement the specific proposals. (2) It empirically determines which member states could belong to an avant-garde group willing to deepen integration.

Researchers from think tanks and research institutions in the member states of the EU-27 compiled information to determine the position of governments and progressive political parties towards the twelve reform proposals. This qualitative analysis reflects the country experts' views and is based on documents such as coalition agreements, government or party programmes, position papers, press releases, interviews, op-ed pieces, and official documents. It presents a snapshot of the discussions within the governments and parties. In order to keep the country issues short, internal debates and deviating opinions cannot be covered in detail. Positions are subject to change, especially following elections and the formation of new governments. The snapshot was taken at the end of September 2017. More recent developments could not be included. Notable exceptions are the country issues of Austria and Germany, which were updated following the latest coalition negotiations.

The study's results are published in English on the website www.relaunch-europe.eu. It presents maps for every actor and reform proposal, 27 country issues and an analytical paper. The paper compares the positions of all actors in all member states of the EU-27 on the twelve concrete reform proposals and presents five flagship-projects, which bear the chance for a relaunch of Europe.

¹ If a party fulfills this criterion, but is not a relevant actor in the national public debate anymore, it was deleted from the sample based on the judgement of the projects' country expert.

POLAND

In 2015, the Civic Platform (*Platforma Obywatelska*, PO) was replaced by the Law and Justice Party (*Prawo i Sprawiedliwość*, PiS) as governing party. The Democratic Left Alliance (*Sojusz Lewicy Demokratycznej*, SLD) and the Labour Union (*Unia Pracy*, UP) formed an alliance, which

failed to enter the new parliament. The SLD is a very pro-European party, proposing some advanced EU reform projects. However, like the UP it is hardly represented in the Polish political debate. Therefore, the party addressed very few of the reform proposals covered by the study.

Support of the Polish Government, the SLD and the UP for Deepening EU Integration



Legend

- support for
- support under conditions
- against
- neutral

- GOV** National Government
- SLD** Democratic Left Alliance
- UP** Labour Union

- 1 – Scenario 1: »Carrying on«
- 2 – Scenario 2: »Nothing but the single market«
- 3 – Scenario 3: »Those who want more do more«
- 4 – Scenario 4: »Doing less more efficiently«
- 5 – Scenario 5: »Doing much more together«

SOCIAL UNION

On **upward convergence of national social security schemes**, the Polish government supports active cooperation on social issues and the rise of social standards, as long as national sovereignty and the principle of subsidiarity are respected. In general, the EU should give its member states more freedom to shape social policy. Nonetheless, as a starting point, the government prefers to deepen the social dimension for all 27 member states taking into account their national contexts rather than flexible integration. It aims at preventing divisions between centre and periphery states in the EU, at preserving the Single Market and the consensual approach to EU decision-making. Poland has objected to any harmonisation of social standards across member states through centralised political decisions, fearing interference in its national social security system. The government urges that the functioning of the Single Market, primarily the free movement of services and workers, has to be maintained and it considers accusations of »social dumping« as excuses for protectionism. The Polish government is opposed to the **European coordination of national minimum wages**, because the EU should not have the power to regulate national wages by legislative measures. It advocates that social convergence should develop gradually alongside economic convergence and that wage differences must reflect differences in economic development, as there is an inextricable link between the social dimension and competitiveness. Therefore, any proposals would have to respect the specific economic circumstances of each member state. According to the Polish government, the EU member states already have relatively high levels of social security, e.g. Poland has implemented different measures concerning the minimum wage at national level to fight poverty. The SLD supports increasing the national minimum wage to 1,000 euro per months. According to the Polish government, convergence of social standards can only be achieved through a deepening of the Single Market and the implementation of an ambitious agenda for economic growth. Therefore, it opposes a **new balance between social rights and internal market freedoms** and insists on the strict compliance with Single Market rules, since it is worried about negative impacts of protectionist tendencies on competitiveness. Thus, the Polish government opposes the revision of the posted workers directive, which it considers to lead to a restriction on the freedom to provide services. In addition, the government assumes that it will impose unnecessary obligations for entrepreneurs and bears the risk of a fragmentation of the Single Market. In the end, it may result in many disadvantages for workers. The SLD supports a rebalancing of social rights and internal market freedoms as it is in favour of ending the Polish opt-out from the Charter of Fundamental Rights of the European Union and aims at fighting negative externalities of international cooperation.

EUROPEAN ECONOMIC AND MONETARY UNION

Poland is highly interested in increased international cooperation on fighting tax fraud and limiting tax evasion. It advocates

a cooperative model between national tax authorities within the EU and supports a variety of measures to eliminate base erosion and profit shifting, which would fight practices of tax evasion that have an impact on the Single Market's functioning. Similarly, it wants to extend the Organisation for Economic Co-operation and Development (OECD) mandatory automatic information exchange. However, Poland has taken a much more cautious position towards directly **fighting tax fraud and tax evasion on a European level**, insisting on maintaining its national powers. Poland is in favour of more transparency on the EU level and has supported the Common Consolidated Corporate Tax Base (CCCTB), but favours EU solutions that have neutral effects on the income distribution between member states and limit additional burdens for companies (SMEs in particular). The SLD supports the project of a European financial transaction tax and the introduction of the euro in Poland. However, the country is unlikely to adopt the common currency soon as the government expresses its desire in maintaining financial autonomy. It will wait until the future functioning, rules and structures of the euro zone are more assessable. So far, the Polish government is rather indecisive concerning a **fiscal capacity for the euro zone**. However, if a euro zone budget would lead to increased stability and crisis resilience in the euro zone while also strengthening the country's growth, it would be perceived as beneficial. Yet, such a new budget should rely on the current legal-institutional framework. It should be part of the EU budget, which is supplied by additional external income dedicated to specified purposes. The SLD is also in favour of using the EU budget for sustainable economic investments. Poland, as the largest net beneficiary of the EU cohesion policy, fears that funds dedicated to the euro zone could lead to a reduction of the country's share of the EU budget. Furthermore, the government is generally reluctant to consider the concept of a multispeed Europe with the euro zone at the core, which it considers a risk for the integrity of the EU as a whole. While Poland is thus generally interested in the stabilisation of the euro zone, it does not engage in the discussion on the **mutualisation of public debt** at all.

EUROPEAN DEFENCE UNION

The Polish government considers NATO as a key actor for collective defence and views the EU as complementary to the Euro-Atlantic security architecture. Against the backdrop of Russian aggression in Ukraine, the Polish government emphasises the need for territorial defence and deems the United States its fundamental ally. Thus, the Polish defence minister is concerned that **extending European military planning capabilities** ultimately leading to a strategic autonomy of the EU might cause rival structures between the EU and NATO. For this reason, the Polish government opposes the idea to create EU headquarters for executive EU military missions. It underlines the need to develop defence capabilities in order to strengthen the close cooperation between both organisations, as recently stipulated in the Warsaw Declaration signed in July 2016. In the area of defence policy, the SLD is in favour of strengthening Poland's cooperation within in the EU and with NATO alike. In addition, the government is sceptical about the use of

Permanent Structured Cooperation (PESCO), arguing that this might cause new divisions between member states and consequently create a downward pressure on the level of security and defence. Nevertheless, the Polish government is rather indecisive towards the idea of establishing an **EU army** under supranational command. On the one hand, the former Polish President already proposed to create an EU army subordinated to NATO and deployable for territorial defence as well as military interventions in crisis areas, in 2006. Accordingly, the currently ruling PiS advocated in 2016 that the EU should become a superpower with its own army alongside NATO. On the other hand, the Polish foreign minister expressed his doubts, referring to the underperformance of member states with regard to their defence spending. The SLD is rather indecisive, too, because it considers realisation of an EU army rather unlikely.

ASYLUM AND MIGRATION

From the very beginning of the migration crisis, security concerns and fears of interferences in national sovereignty dominated the political debate. Thus, the Polish government has consistently criticised the Commission pushing forward an obligatory and automatic allocation mechanism for asylum seekers. Accordingly, it is also rejecting a permanent **pure quota system for the relocation of asylum seekers**. The SLD has strongly supported the emergency relocation decision for helping Greece and Italy, but has not published its opinion on a permanent scheme. However, a solution which might be acceptable to the Polish government is based on the absolute condition, that the decision to trigger a relocation mechanism will be taken in the European Council by consensus and that member states can participate on a voluntary basis. Such flexibility should acknowledge the differences between member states based on objective conditions and different degrees of experience with the application of the asylum regulation. Accordingly, the government is in favour of the creation of a »support basket«, including a wide range of options for contributions to member states. The SLD is in favour of accepting asylum seekers in Poland under the condition that costs for care and accommodation are covered by the EU budget. The government highlights the need for cooperation with third countries and an effective control of the EU's external borders. It is generally supportive of elements of the reform of the Common European Asylum System (CEAS) which aim at limiting secondary migration, the improvement of asylum procedures and changes to »Eurodac« (a system for the comparison of fingerprints). The Polish government has continuously advocated for sealing and securing the EU's external borders, therefore, it is generally supportive of further deepening the control of the Schengen area's external borders. Accordingly, the European Border and Coast Guard Agency (EBCG) has been considered as one of the key instruments in achieving an effective migration management and in securing a high level of internal security within the EU. Nevertheless, the Polish government is reluctant towards **extending competences of the European Border and Coast Guard Agency** by granting it the power to take initiative on the territory of a member state without its consent – in line with its general stance on the preservation of national

powers in this sensitive area. This sceptical attitude also applies to the scope of control and supervision activities. Yet, it must be noted that the Polish government signed an agreement on hosting the headquarters of the EBCG, also known as Frontex, in Warsaw in March 2017, thus providing legal certainty about the permanent status of the agency's headquarters in Poland.

POLITY

On **increased democratic accountability of the economic governance of the euro zone**, the Polish government considers a separate institutional solution for the euro zone to be a risk for EU cohesion and thus has a critical stance towards a separate euro zone parliament. The SLD is very much in favour of transforming the EU in a parliamentary democracy, in which the European Parliament elects the European government. However, it does not exclusively address euro zone governance. The Polish government sees the **European Citizens' Initiative (ECI)** as being capable of increasing the EU's democratic legitimacy and generally supports the reform efforts to make it more user-friendly, both regarding the registration procedure and the requirements for statements of support. Notwithstanding, Poland has objected to the limitation of the scope of personal data required for statements of support as proposed by the Commission. Concerning the ECI »One of us«, representatives of the ruling Law and Justice party have considered the Commission's rejection of the ECI to be due to its conservative values. Therefore, they proposed to limit the Commission's discretion on ECI registrations. The submission of successful ECIs to the European Parliament should be secured.

WHITE PAPER PROCESS

The Polish government has criticised the **»White Paper on the Future of Europe«** for only proposing scenarios with different levels of integration and disregarding current challenges. Such challenges include the EU's »migration problem« and the »continuous infringement on national sovereignty«. It therefore refuses to choose one scenario over another. Despite the government being an advocate for a reform of the European Union, especially in areas such as the internal market and security policy, it opposes further integration in other areas, e.g. asylum and migration policy. Overall, the Polish government stresses the importance of national sovereignty and desires to strengthen the role of national parliaments in the EU's legislative process and expanding parliamentary scrutiny in EU affairs. The government does, however, support the concept of **flexible integration** as it has already been regulated by the current EU treaties with effective guarantees for maintaining the cohesion in the whole Union, thus allowing all member states to join enhanced cooperation at a later stage. The Polish priority is to maintain the integrity of the single market and the Schengen area. Concepts such as an EU core and »smaller unions« within the EU or the multispeed approach are clearly criticised by the government for entailing the long-term risk of EU disintegration. Reforms should be carried out through treaty reform, thus respecting national sovereignty.

Legend

Actors Covered by the Study in each EU Member State

- *National Government*: including its members from one or more political parties, the Head of State or Government, relevant executive ministers and administration.
- *Progressive Parties*: They include all parties that are represented either in the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament (S&D) or that are members of the Party of European Socialists (PES) and have gained a minimum share of 5 % of the votes in the last national or European elections. They also include La République en Marche (REM) in France.

Concrete Reform Options in Different Policy Areas

Social Union

1. *Upward Convergence of National Social Security Schemes* to provide Europe-wide protection against social risks and to ensure a decent standard of living for EU citizens.
2. *European Coordination of National Minimum Wages* to ensure a decent income within the EU to prevent in-work poverty, to promote social convergence and to avoid social dumping across the EU.
3. *New Balance of Social Rights and Internal Market Freedoms* to compensate the current precedence of internal market freedoms over national social rights.

European Economic and Monetary Union

4. *Fighting Tax Fraud and Tax Evasion on a European Level* for a fair allocation of tax burdens among natural and judicial persons.
5. *Fiscal Capacity for the Euro Zone* to provide stabilisation against economic shocks through public expenditure in the euro zone.
6. *Mutualisation of Public Debts* to tackle the problem of a sharp increase in public debts in some member states as a result of the euro zone crisis.

European Defence Union

7. *Extending EU Military Planning Capabilities* also for executive military missions and operations.
8. *EU Army* establishing a permanent multinational military force under European command.

Asylum and Migration

9. *Pure Quota System for the Relocation of Asylum Seekers* which would replace the Dublin system.
10. *More Competences for the European Border and Coast Guard Agency (EBCG)* expanding the current EBCG tasks in terms of »shared responsibility« between the EBCG and national authorities.

Polity

11. *Increase Democratic Accountability of the Economic Governance of the Euro Zone* to make its institutions more responsive to EU citizens.
12. *European Citizens' Initiative (ECI)*: revision of the ECI regulation to make the instrument more citizen-friendly and effective in order to strengthen the participative democracy in the EU.

White Paper Process

13. *The White Paper on the Future of Europe* by the European Commission presents five possible scenarios for the future course of European integration.
14. *Flexible Integration*: limiting the application of certain rules to certain EU member states.
15. *Preferred Reform Instrument*: Treaty reform, reforms inside or outside the Treaties.

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