Organisational structure for EU accession negotiations in Poland

Outline of the negotiation structure

The opening of accession negotiations by Poland in 1998 required the setting up of an efficient structure in the administration for working out the position we took in the accession talks. There were two periods in our accession negotiations with two different structures. The former was more complex, with more actors involved and more extensive inter-ministerial consultations. In the latter period, the structure was streamlined, so as to ensure that the decision-making process in the last phase of the negotiations is as efficient as possible.

At the outset, our mechanism for the negotiations was as follows:

- The political leadership of the negotiations was provided by the Prime Minister, with the support of the Minister of Foreign Affairs, the Secretary of the Committee for European Integration and the Government Plenipotentiary for Poland Accession Negotiations to the European Union. The decision-making mechanism run in the following way: above-mentioned officials, the Prime Minister, in conjunction with the Secretary of the Committee for European Integration, the Minister of Foreign Affairs and the Government Plenipotentiary for Poland’s Accession Negotiations to the European Union adopted the guiding decisions relating to the negotiation process. Then, the Council of Ministers approved the position papers prepared by the Negotiation Team and recommended to the Council of Ministers by the Committee for European Integration.

- The Negotiation Team was responsible for the formulation and implementation of the negotiation strategy, including the elaboration of position papers and other necessary documents. The Negotiation Team consisted of nineteen members (negotiators) These were representatives of key ministries in the ranks of secretaries and under-secretaries of state, and appointed personally by the Prime Minister. The Negotiation Team was headed by the Government Plenipotentiary for Poland’s Accession Negotiations to the European Union.

- The documentation and draft negotiating positions were prepared by the Inter-Ministerial Team for the Preparation of Accession Negotiations with the European Union (the Inter-Ministerial Team). These materials were then presented to the Negotiation Team. There were also task forces composed of representatives of the ministries who presented the given line ministry’s position. The Inter-Ministerial Team consisted of 38 individual Task Forces. A particular role was played by the “Task Force 32” (analysis and evaluation of the influence of the integration in the social and economic sphere) and “Task Force 34” (budget and financing negotiation preparations), which drafted the negotiating positions with respect to their social-economic and budgetary content.

The Head of the Committee on European Integration was the Head of the Inter-Ministerial Team, while the Government Plenipotentiary for Poland’s Accession Negotiations to the EU was the Deputy Head.
The Committee for European Integration (CEI) was a supreme organ of state administration charged with programming and co-ordinating the policy of Poland’s integration with the European Union. The Committee for European Integration was chaired by the Prime Minister. The Committee was composed of the Chairman, Secretary, and the Ministers of Foreign Affairs, Internal Affairs and Administration, the Ministers of the Economy, Finance, Labour and Social Policy, Agriculture and Rural Development, and Justice. The same person was the Secretary of the Committee and the Head of the Office of the Committee.

Additionally, the Chairman could appoint as members of the Committee three experts whose experience may have had an impact on the implementation of tasks relating to the process of European Integration. Owing to the functions it performed, the Committee’s meetings could also be attended by the President of the National Bank of Poland and President of the Government Centre for Strategic Studies.

The major tasks of the CEI included:
- resolution of issues relating to the process of Poland’s integration with EU;
- presenting a programme of adjustment and integration tasks to the Council of Ministers, as well as drafting legal acts underlying those actions;
- approval of proposals concerning the allocation of funds from EU grants;
- presenting to the Council of Ministers reports on the implementation of programmes adapting the Polish economy and its legal system to the standards in force in the EU;
- recommending the adoption of position papers to the Council of Ministers.

The administrative support structure of the Committee was the Office of the Committee for European Integration. The Office had taken over the tasks of the former Office of the Government Plenipotentiary for European Integration and Foreign Assistance, which had been functioning within the structure of the Office of the Council of Ministers.

Chief Negotiator, also called the Government Plenipotentiary for Poland Accession Negotiations to the European Union. The position of the Plenipotentiary was initially filled by a secretary of state in the Chancellery of the Prime Minister and in 2001 it was moved to the Ministry of Foreign Affairs. The tasks of the Plenipotentiary included:
- conceptual preparation and co-ordination of the negotiation process;
- preparation and negotiations of the Accession Treaty;
- right to present opinions on the drafts of legal acts and documents relating to the process of Poland’s membership negotiations with the EU;
- right to present to the Council of Ministers, with the Prime Minister’s consent, legal acts regarding the scope of his work;
- presenting regular reports on his activities.

The tasks of the Negotiating Team included:
- formulating opinions on European Commission reports from the concluded screening sessions;
- preparing and approving draft position papers of the Polish Government;
- preparing draft negotiating instructions;
- elaborating responses to questions coming from the European Commission and the Member States;
• preparing package deals;
• co-ordinating the entire negotiation process.

All decisions were reached by consensus and in cases where this proved impossible, voting was conducted. The Chairman had casting vote. Members were requested to participate personally in Team meetings.

The primary tasks of the Team Chairman included:
• external representation of the Team;
• setting the agenda of Team meetings;
• inviting guests of honour to meetings;
• convening and chairing Team meetings;
• signing resolutions on behalf of the Team;
• supervising the implementation of Team resolutions and decisions.

The Minister of Foreign Affairs was the Head of the Polish Delegation to the Inter-Governmental Conference (IGC) on Accession. The Ministry also assisted in the conduct of foreign activities the state secretaries in the Chancellery of the Prime Minister, particularly the Chief Negotiator. In the period of 2001-2002, it conducted the negotiations after the transfer of the Chief Negotiator from the Chancellery of the Prime Minister. The Division of European Integration within the Ministry was responsible for issues pertaining to the integration process. The Division consisted of the European Union Departement, The European Institutions and Regional Policy Departement and the Economic Analysis Departement. In 2001, a single Department of the European Union and Accession Negotiations was created. Diplomatic missions in the Candidate and EU Member States fulfilled a key role in co-ordinating foreign contacts and organising multilateral and bilateral meetings within the frames of the negotiation process and chief negotiators’ co-operation. They managed lobbying activities and information flow contributing to enhancing the positive image of Poland’s accession negotiations. It is necessary to emphasise the role of the Representation of the Republic of Poland to the European Union in Brussels. It included: substantive, issue-related support for the Chief Negotiator; handling the flow of information and documentation between the Polish Government and EU institutions; interaction with representatives of Member States and EU institutions.

Government institutions involved in the process of accession negotiations:
• The Chancellery of the Prime Minister and the Secretary of the Plenipotentiary;
• The Ministry of Foreign Affairs and diplomatic missions;
• The Office of the Commitee for European Integration, in particular: the Support of Accession Negotiations Department, the Integration Policy Department, the Department of Plenipotentiary and the Law of Harmonisation Department;
• Ministries whose representatives are included in the composition of the Negotiation Team.

Parliament

In passing the necessary laws, parliament played a very important role in the implementation of Polish negotiation obligations.

The Chief Negotiator submitted the position papers to parliament, presenting them to the Speakers of both Houses, Chairman of the Sejm European Integration Commitee and the Sejm Foreign Affairs Commitee as well as to the Chairman of the Senate Foreign Affairs and European Integration Commitee.
The Chief Negotiator and the Members of the Negotiation Team participated in parliamentary debates on European integration. During the debates the representatives of the government presented the status of the accession negotiations and addressed the queries of the MPs.

In 1992, the Parliamentary Committee on the European Agreement was created in Sejm. In 1997, it acquired more power in relation to the intensification of the process of the adoption of *acquis communautaire*. At the same time, its name was changed to the European Integration Committee. A similar Committee was created in the Senate. Another body was the Joint EU-Poland Parliamentary Committee, which enabled Polish MPs to co-operate with MEPs. In 2000 the Speakers of Sejm and Senate and the Prime Minister concluded a trilateral agreement aimed at speeding up the process of the adoption of *acquis communautaire*. It permitted the creation of an extraordinary Committee on European Law in the Sejm and its equivalent in the Senate: Committee on European Legislation.
Committee for European Integration (KIE):
- Chaired by the Prime Minister – Political leadership
- Composed of selected members of Cabinet including:
  - the Minister of Foreign Affairs,
  - the Secretary of the Committee for European Integration,
  - the Government Plenipotentiary for Poland’s Accession to the EU

The Negotiation Team (ZN):
- consisted of 19 members – negotiators
- Head: the Government Plenipotentiary for Poland’s Accession Negotiation to the EU

The Government Plenipotentiary for Poland’s Accession Negotiations to the EU:
- Secretary of state in the Chancellery of the Prime Minister;
- Deputy Head of the Polish Delegation to the IGC on Accession.

Secretariat of the Government Plenipotentiary:
- Placed in the structure of the Chancellery of the Prime Minister
- Support staff of the Government Plenipotentiary
- Interministerial co-ordination of the negotiation process

Office of the Committee for European Integration (UKIE):
- supported the Chief Negotiator; the support was provided particularly by:
  - the Accession Negotiations Department;
  - the Integration Policy Department;
  - the Law Harmonization Department.

Ministry of Foreign Affairs (MSZ):
- MSZ co-ordinated the accession negotiations on the political level;
- Minister was the Head of the Polish Delegation to the Inter-Governmental Conference on Accession;
- MSZ assisted the Minister in his duties as the Head of the Delegation to the IGC, as well as foreign activities of the Government Plenipotentiary;
- the Department of the European Union;
- Polish Diplomatic Missions;
- Representation of Poland to the EU in Brussels.

Council of Ministers:
- adopted the position papers prepared by the Negotiation Team

Scheme of the organizational structure for EU accession negotiations in Poland (1998-2001)
ORGANISATIONAL STRUCTURE FOR EU ACCESSION NEGOTIATIONS IN POLAND – (2001–2002)

Committee for European Integration (KIE)
- Chaired by the Prime Minister

The Negotiation Team (ZN)
- Head: the Government Plenipotentiary for Poland’s Accession Negotiation to the EU

Ministry of Foreign Affairs (MSZ)
- The Government Plenipotentiary for Poland’s Accession Negotiations to the EU
- Department of the European Union and Accession Negotiations
- Support staff of the Government Plenipotentiary
- Interm ministerial co ordination of the

Office of the Committee for European Integration (UKIE)
- Law Harmonisation Department
- Integration Policy Department

Parliament
- European Integration Commitee of the Sejm
- Foreign Affairs Commitee of the Sejm
- Foreign Affairs and European Integration Committee of the Senate
- Parliament Commission for EU Law (started in 2000) established to speed up the implementation of EU legislation

Line Ministries
- European Union Departments