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An Enlarged Europe Policy.  
Evaluation of the Dutch Policy concerning  
the Accession of Central European Countries  
to the EU 1997-2003

# Country Case Study Poland

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Anneke Slob, Merel Wielinga and Gerard van der Zwan*



**Buitenlandse  
Zaken**



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## PREFACE

European integration is one of the most important policy areas of the Netherlands Ministry of Foreign Affairs. In recent years, the *Explanatory Policy Document* has referred to the enlargement of the European Union with ten new Member States from Central Europe as one of the three main objectives in this area, besides the deepening of European integration and the strengthening of the Union's external policy. Ten new Member States, of which eight Central European countries, have joined the EU on 1 May 2004. Negotiations on the accession of two other Central European countries, Bulgaria and Romania, were concluded at the end of 2004.

The Policy and Operations Evaluation Department (IOB) of the Netherlands Ministry of Foreign Affairs decided to evaluate the Dutch policy on the accession of Central European countries to the EU. Four out of the ten Central European candidate Member States were selected for country case studies. This document contains the results of the evaluation in Poland. The other three country case studies on Hungary, Lithuania and Romania respectively are also published as IOB working documents. The overall evaluation results are presented in the Dutch publication *An Enlarged Europe Policy*. The English version of the main findings of the overall evaluation is presented in the first annex of this report.

IOB publishes these working documents in order to make the products of IOB evaluations accessible to stakeholders, specialists and a wider public interested in foreign policy evaluations. Whereas evaluations of development aid are common, evaluations of foreign policy are still quite new. Through the publication of these country-specific studies IOB hopes to contribute to the further development of foreign policy evaluations.

The country study presented here was carried out by a team of independent Polish and Dutch evaluators. The Polish Institute of Public Affairs, which provided part of the Polish evaluators, played an important role in the organisation of the evaluation in Poland. On behalf of IOB the team was supervised by Anneke Slob, who as an evaluator of IOB is responsible for the overall evaluation of the Dutch policy on the accession of Central European countries to the EU.

More people than can be mentioned here by name have provided indispensable contributions to the execution of this study through their insights, experiences and comments. IOB is grateful to each and every one of them. The final responsibility for the evaluation, however, lies with IOB.

*Henri E.J. Jorritsma*  
*Acting Director, Policy and Operations Evaluation Department*





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## ABBREVIATIONS

AAP	Agricultural Academy Poznan
ADEPT	Accession-oriented Dutch European Proficiency Training Programme
AFISO	aerodrome flight information service officers
AI	artificial insemination
AQS	Agro Quality Support
ARMA	Agency for Restructuring and Modernisation of Agriculture (Poland)
ARR	Agricultural Market Agency (Poland)
CABO	national cattle breeding organisation (Poland)
CAP	Common Agricultural Policy
CEE	Central and Eastern Europe
CFSP	Common Foreign and Security Policy
CILC	Centre for International Legal Co-operation (the Netherlands)
CIS	Commonwealth of Independent States
CMO	Common Market Organisation
COBORU	Research Centre for Varieties of Cultivated Plants (Poland)
COIB	Coördinerend Overleg Internationale Betrekkingen
COIB/OE	Coördinerend Overleg Internationale Betrekkingen Oost-Europa
DG	Directorate-General
DGRB	Directorate-General for Regional and Country Policy, Netherlands Ministry of Foreign Affairs
DEU	Europe Division, Netherlands Ministry of Foreign Affairs
DGES	Directorate-General for European Co-operation, Netherlands Ministry of Foreign Affairs
DGES/AP	Contact Point for European Co-operation, Netherlands Ministry of Foreign Affairs
DIE	European Integration Department, Netherlands Ministry of Foreign Affairs
DIP	Departmental Initiatives Programme
DWM	Western and Central Europe Department, Netherlands Ministry of Foreign Affairs
DZO/UM	Southeast and Eastern Europe and Matra programme Department, Netherlands Ministry of Foreign Affairs
EA	Europe Agreements
EBRD	European Bank for Reconstruction and Development
EC	European Community
EFTA	European Free Trade Association
EI	European integration
EIC	Committee for European Integration (Poland)
EICO	Office of the Committee for European Integration (Poland)
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
EMS	Consortium for independent interim evaluation and monitoring of Phare
ETC Crystal	Public health consultancy group (the Netherlands)
EU	European Union
EURODAC	System for the comparison of fingerprints of asylum applicants and illegal immigrants
FADN	Farm Accountancy Data Network
FVO	Food and Veterinary Office (European Commission)
GDP	Gross Domestic Product
GG & GD	Area Health Authority

GNP	Gross National Product
GST	Matra Municipal International Co-operation
I&R	Identification and registration
IACS	Integrated Administration Control System
IMF	International Monetary Fund
IMPACT	Internships Matra for Pre-accession Training Programme
INI	Polish Seed Inspection Service
IOB	Policy and Operations Evaluation Department, Netherlands Ministry of Foreign Affairs
ISPA	Instrument for Structural Policies for Pre-Accession
JHA	Justice and Home Affairs
KIE	Committee for European Integration (Poland)
LEI	Agricultural Economics Research Institute (the Netherlands)
LNV	Ministry of Agriculture, Nature Management and Food Safety (the Netherlands)
LVNL	Netherlands Air Traffic Control
LUMC	Leiden University Medical Centre
MAFE	Ministry of Agriculture and Food Economy (Poland)
MANMF	Ministry of Agriculture, Nature Management and Food Safety (the Netherlands)
MARD	Ministry of Agriculture and Rural Development (Poland)
Matra	Societal Transformation Programme
MCVP	Multi Country Veterinary Programme
MFA	Ministry of Foreign Affairs
MoU	Memorandum of Understanding
MPAP	Matra Pre-accession Project Programme
NABC	National Animal Breeding Centre (Poland)
NAK	Netherlands General Inspection Service
NATO	North Atlantic Treaty Organization
NCIPS	Nederlands Centrum voor Internationale Politiesamenwerking
NGO	Non-governmental organisation
NIS	Newly Independent States
NIVAA	Nederlands Instituut voor Afzetbevordering van Akkerbouwproducten
NMCP	Netherlands Management Co-operation Programme
NPAA	National Programme for the Adoption of the Acquis
NRI	National Research Institute of Animal Production (Poland)
NUFFIC	Netherlands organisation for international co-operation in higher education
OIE	World Organisation for Animal Health
PA	Pre-Accession
PAA	Pre-Accession Advisor
PAC	Project Advisory Committee
PATA	Polish Air Traffic Agency
PHARE	Poland and Hungary: Aid for Economic Restructuring
POLSUS	Pig Breeders and Producers Association (Poland)
PPA	PSO Project Programme
PPS	Purchasing Power Standard
PSO	Economic Transformation Programme
PSO PA	PSO Pre-Accession
PUA	Programma Uitzending Ambtenaren (Matra short Mission Programme)
QA	Quality assurance
QC	Quality control

SAPARD	Special Accession Programme for Agriculture and Rural Development
SES	Single European Sky
SIDA	Swedish International Development Co-operation
SME	Small and medium sized enterprises
TFU	Enlargement Task Force
ToR	Terms of Reference
UAA	Utilised Agricultural Area
UC	Utrecht Conference
UKIE	Office of the Committee for European Integration (Poland)
UN	United Nations
UNDP	United Nations Development Programme
VAT	Value Added Tax
VNG	Association of Netherlands Municipalities
VSN	Veterinary Surveillance Network
VUmc	Free University Medical Centre, Amsterdam
WB	World Bank
WFD	Water Framework Directive
WRR	Scientific Council for Government Policy (the Netherlands)
WTO	World Trade Organization





# 1 INTRODUCTION

This report presents the findings of the case study on Poland, which took place within the framework of the evaluation of the Dutch policy on the accession of Central European countries to the European Union. This country case study is one out of four, the others being Hungary, Lithuania and Romania. These studies form building blocks for the overall policy evaluation as described in the Terms of Reference (see annex 2). The criteria to select the four countries for case study are described in detail in the Terms of Reference. The focus of this case study is on the implementation of specific Dutch policies for the accession of Poland to the EU. Hence, the Polish accession process provides the context in which Dutch policy is analysed, but is not itself the object of analysis. The four country case studies are published as separate IOB working documents in addition to the final overall evaluation report in which the findings of all case studies are combined.

## *Scope of the country case study*

The scope of this country case study was limited in various ways. First, the evaluation focused on the period from 1997 (when the European Commission presented its *avis* on twelve applications for membership and the Luxembourg European Council decided to start negotiations with six candidate countries) till 2003. Initially, the year 2003 was not included in the period of evaluation, but during that year important developments took place that could not be left out of the analysis. Events in 2004 such as the actual enlargement of the EU with ten new Member States on May 1 2004 are mentioned in this report, but are not included in the analysis.

Secondly, not all sectors and activities with Dutch involvement have been studied. This study focuses on three sectors i.e. agriculture, justice and home affairs, and transport and water management. Within these sectors various aspects of Dutch policies and pre-accession activities are assessed.

Thirdly, the Dutch government has set up more than ten different pre-accession support programmes, all of which are active in Poland. A special Dutch-Polish bilateral conference was also set up, the Utrecht Conference. In this case study an attempt has been made to list all pre-accession support activities with Dutch involvement in the three selected sectors in Poland, in order to assess possible connections. Linkages to traditional transformation assistance were also taken into account. However, only the main bilateral pre-accession projects (MPAP and PSO PA) that started well before 2003 were assessed as regards effectiveness and efficiency (see annex 10 for project evaluation methodology and detailed project assessments).

## *Limitations of the evaluation approach*

In the evaluation four different Dutch policy channels concerning accession and enlargement are distinguished:

- a. Dutch policy on EU enlargement;
- b. Bilateral and regional policy: accents and priorities for the Central European region;
- c. Pre-accession assistance policy: Dutch assistance to help Central European countries to fulfil the accession requirements;
- d. Sector policies: policies of the Dutch line ministries for Central Europe in the context of the accession process.

Ideally these general Dutch policies should be combined in a country-specific policy. This, however, is not the case and no country-specific policies were developed. Policy implementation in Poland, but also in the other acceding countries, is a scattered process in which many different Dutch actors are involved. In this evaluation attention was mainly given to the inventory and assessment of Dutch pre-accession activities. Therefore, only partial answers can be provided to the three main evaluation questions on the coherence, effectiveness and efficiency of the Dutch policy (see annex 2, Terms of Reference).

The Dutch contribution to Poland's accession process can hardly be disentangled from the contribution of the EU and other countries. The evaluation is thus confronted with an attribution problem, limited at individual project level, but substantial at aggregate levels where Dutch contributions to sector and country development can hardly be measured.

No separate analysis is made of the enlargement negotiations outcome within the EU. The accession negotiations between the EU and Poland were not analysed in detail either. However, the evaluation of Dutch policies is placed within the wider context of the negotiations to serve as a framework to answer key evaluation questions.

#### *Evaluation process*

The joint Dutch-Polish evaluation team which carried out the research for this country report consisted of: Anneke Slob and Jacek Kucharczyk (general policy evaluation and bilateral relations); Waldemar Guba and Siemen van Berkum (Agriculture); Piotr Kazmierkiewicz and Merel Wielinga (Justice and Home Affairs); and Jan Friedberg and Gerard van der Zwan (Transport and Water). Mateusz Falkowski prepared an overview of the Polish accession negotiations and provided necessary logistical support during research in Poland.

The structure of the case studies was similar for all four studies and consisted of the following steps:

#### Preparation:

- Survey of bilateral relations, made in the Netherlands, consisting of an overview of Dutch policy documents, pre-accession assistance, other policy instruments, project files, etc.;
- General overview of the accession process and of the three sectors selected by country researchers;
- Workshop at the start of the joint country research: presentation of preparatory documents by researchers, discussion, methodology to assess projects, checklist for interviews, logistics, presentation by the Dutch Embassy of main issues.

#### Interviews:

- Interviews by various subteams according to the checklist: policy level, programme level and activity level (with often additional interviews by individual researchers in the Netherlands and selected countries) (see annex 11 for the list of interviewees);
- Round-table discussion at the end of the field research with the Ambassador and staff of the Royal Netherlands Embassy, to discuss preliminary findings and main issues.

Report:

- Draft country report according to standard format (introduction, overview of accession process, Dutch policy and bilateral relations, three sector chapters, and conclusions).
- Discussion of the draft country report with Dutch Embassy staff in the selected countries.
- Discussion of the draft country report with the reference group and IOB peer reviewers.
- Submission of the draft country report for comments to main stakeholders.
- Finalisation of country case studies and publication as IOB working documents.

Field research in Poland took place in the period 12 to 18 and 24 to 26 November 2003 (see annex 2 and 3 for details). The list of interviewees is presented in annex 11.



## 2 THE CONTEXT: POLAND'S ACCESSION PROCESS

### 2.1 Introduction

To provide a context for the evaluation of Dutch policies in Poland and the development of Dutch-Polish relations in the light of Poland's accession, this chapter describes the Polish accession process.

The mechanisms and procedures of the EU enlargement with Central European countries are described in the main evaluation report. The main steps of Poland's accession process can be summarised as follows:

- 1993: the Copenhagen European Council formulated three formal accession criteria: political and economic criteria and the criterion related to the adoption and implementation of the *acquis communautaire*;
- 1991-1996: Association or Europe Agreements signed with all ten Central European countries (Poland: 16-12-1991);
- 1994-1996: Submission of accession applications (Poland: 05-04-1994) followed by Accession Partnerships (Poland concluded its first Accession Partnership in March 1998 and updated it in 1999 and 2001);
- 1998 onwards: Drawing of National Programmes for the Adoption of the Acquis (NPAA; Poland presented its first NPAA in May 1998 and subsequently presented updated versions);
- July 1997: Publication of the opinion (*avis*) of the European Commission on all membership applications<sup>1</sup>;
- December 1997: Decision of the European Council of Luxembourg to start accession negotiations with six countries (five Central European countries, including Poland, and Cyprus);
- December 1999: Decision of the European Council of Helsinki to start accession negotiations with six other countries (five Central European countries and Malta);
- December 2002: Decision of the European Council of Copenhagen to close accession negotiations with ten countries (eight Central European countries including Poland, Malta and Cyprus) and prepare for enlargement on 1 May 2004;
- April 2003: Signing of the Accession Treaty followed by ratification procedures in all acceding countries (including referenda) and EU Member States;
- May 2004: Actual enlargement of the EU from 15 to 25 Member States and continuation of the accession negotiations with Romania and Bulgaria.

Poland thus belonged to the so-called 'Luxembourg group', the first group of five Central and Eastern European Countries, with whom the EU decided to start accession negotiations.<sup>2</sup> On 31 March 1998 negotiations on Poland's EU accession were officially launched at an Intergovernmental Conference on Accession. Poland became a member of the EU on 1 May 2004.

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<sup>1</sup> Commission of the European Communities, *Agenda 2000 – Commission Opinion on Poland's Application for Membership of the European Union*, Brussels, July 15 1997.

<sup>2</sup> The Luxembourg group consisted of Cyprus, the Czech Republic, Estonia, Hungary, Poland and Slovenia. In 2000 the EU launched accession negotiations with Bulgaria, Latvia, Lithuania, Slovakia, Romania and Malta.

## **2.2 Institutional Arrangements**

Integration in the Euro-Atlantic structures (NATO and the EU) has been a priority in Poland's foreign policy, with broad political consensus, since the beginning of the transition from communism in 1989. To provide the institutional and organisational base for Poland's integration into the European Community, and to co-ordinate initiatives launched on the basis of the Association Agreement, a Polish Government Plenipotentiary for European Integration and Foreign Assistance was appointed on January 1991. In the light of the intensifying integration process, the EU membership application submitted, and the forthcoming accession negotiations, in 1996 the European Integration Committee (EIC) was founded. The chairman of the EIC is the Prime Minister, who, assisted by the secretary of the EIC, ministers and the Polish Government Plenipotentiary for Negotiations for Poland's Membership of the EU (the chief negotiator, appointed 24 March 1998), was in charge of and responsible for political aspects of the accession negotiations. Main EIC tasks are co-ordination and programming integration policy, and submitting plans of adjustment initiatives and legislative projects, as well as recommending specific negotiation positions to the Council of Ministers. The administrative and substantive base of the EIC is the European Integration Committee Office (EICO or UKIE).

The Secretariat of the Polish Government Plenipotentiary for Negotiations on Poland's Membership of the EU in the Chancellery of the Prime Minister together with the Department Supporting Accession Negotiations in the EICO, served as the substantive and organisational base for the chief negotiator. This rather complicated institutional set-up for co-ordinating the negotiating process and utilising EU pre-accession aid was considered suboptimal for decision-making, all the more because of the high turnover of key decision-makers. During the negotiation period frequent changes in Polish government occurred, influencing the negotiation process.

## **2.3 Progress of the Accession Process**

### *Political criteria*

In its 1997 opinion on Poland's application for EU membership the Commission declared the country met the political criteria by concluding that "Poland presents the characteristics of a democracy, with stable institutions guaranteeing the rule of law, human rights and respect for and protection of minorities". The first progress report of the Commission stated that "Poland continues to fulfil the political Copenhagen criteria". No serious problems arose in this area during the negotiation process, as witnessed by the Commission's comment in 2002 that Poland's considerable progress in consolidating and deepening the stability of its institutions, guaranteeing the rule of law, human rights and respect for and protection of minorities had been confirmed during the past year.

### *Economic criteria*

The Commission's 1997 opinion stated on the economic criteria that "Poland can be regarded as a functioning market economy that should be able to cope with competitive pressure and market forces within the Union in the medium-term". In the 2002 Regular Report it was repeated that Poland functions as a market economy. "The continuation of its current reform path should enable Poland to cope with competitive pressure and market forces within the Union." Fiscal policy, bankruptcy procedures and land registry were however mentioned as areas for improvement. Privatisation and restructuring of heavy industry, the financial sector, energy

distribution and agriculture also still had to be completed. According to the Commission's 2003 Monitoring Report little progress was made in these fields and most issues still needed to be tackled.

#### *Negotiations on the 31 chapters*

The accession negotiations deal with the third Copenhagen criterion, i.e. the obligation to adopt, implement and enforce the *acquis communautaire*. To this end the *acquis* was divided into 31 chapters. Generally speaking, 'easier' chapters (e.g. chapter 17, science and research, and chapter 20, culture and audio-visual policy) were opened and provisionally closed during the first stages of negotiations, whereas more complicated chapters followed at a later stage. Poland is no exception to this general rule (see annex 4 for a survey of Poland's accession negotiations). An important guiding principle during the negotiations was "Nothing is agreed until all is agreed". The closing of accession negotiations with Poland was decided by the European Council of Copenhagen in December 2002.

To engage in the negotiations each applicant had to formulate its position on each of the 31 negotiating chapters. After screening the situation in the applicant country the Commission formulated the draft EU negotiation positions, which had to be approved by the Council. The presidency of the Council of Ministers presented the EU positions during negotiation sessions.

#### *Poland's accession negotiations*

As the largest acceding country Poland had a relatively strong negotiation position. As regards Polish negotiation style, Polish politicians and negotiators frequently pointed out they "wanted to attain the best possible conditions for accession, even if it implicated delays in admitting Poland to the EU". One of the negotiators used the following words to describe their strategy as "rather a delay than an easy compromise". Negotiators emphasised their strategy was not based on "questioning the *acquis*, which we have broadly accepted, but on securing the best possible accession conditions, and therefore fighting for possibly numerous transition periods" in politically, socially and economically sensitive areas. To maintain internal political consensus and public support for the accession, more emphasis was later given to obtaining conditions equal to those enjoyed by the EU15 (especially concerning the free movement of persons and direct payments to farmers).

As Poland belonged to the first group of candidate countries (the 'Luxembourg six'), it secured a privileged position compared to other Central and Eastern European countries aspiring EU membership but excluded from that first group. The acceptance of fewer countries to the EU and a delayed next wave of enlargement would have resulted in additional resources for Poland from the EU budget and other benefits resulting from the exclusivity of EU membership. Nevertheless, rejection of a 'big bang enlargement' was politically impossible for Poland. Moreover, the membership of Slovakia or the Baltic States could clearly serve as a long-term advantage. After the Helsinki summit, when the EU decided to launch accession negotiations with the second group of candidates (the 'Helsinki six'), Poland had to negotiate within a clear institutional framework and time period and hence had to change its negotiation strategy. The 'set-back strategy' had only been possible during the first rounds of negotiations and was replaced by a 'catch up strategy' from 2000 onwards.

Due to the tough Polish negotiation strategy and deteriorating financial conditions (in comparison with the funds earmarked for enlargement in Agenda 2000) the Polish negotiation process was quite complicated and did not run smoothly. The Polish negotiation style definitely caused tensions with the Commission and certain Member States, and the negotiations on some chapters lasted several years. Important chapters such as agriculture (chapter 7) and justice and home affairs (chapter 24) were only closed at the end of 2002. Nevertheless, at critical moments Poland succeeded in obtaining a satisfactory outcome. Prior to the start, the Commission's opinion (*avis*) on Poland's membership was more positive than expected. The outcome of the Nice summit (December 2000) was very well received, as Poland was granted the same number of seats in the European Parliament as Spain, only less than the four largest Member States. The result of the Copenhagen summit in 2002 was also advantageous, especially due to the financial package.

In the first half of 1998 the first negotiation chapter was opened (common foreign and security policy). The following table reflects the progress of the Polish negotiation process:

**Table 1 Progress of Poland's accession negotiations**

<i>Time Period and presidency</i>	<i>Number of chapters opened (cumulative)</i>	<i>Number of chapters provisionally closed (cumulative)</i>
<b>1<sup>st</sup> half 1998</b> <b>British presidency</b>	1	--
<b>2<sup>nd</sup> half 1998</b> <b>Austrian presidency</b>	8	3
<b>1<sup>st</sup> half 1999</b> <b>German presidency</b>	18	7
<b>2<sup>nd</sup> half 1999</b> <b>Finnish presidency</b>	23	9
<b>1<sup>st</sup> half 2000</b> <b>Portuguese presidency</b>	30	10
<b>2<sup>nd</sup> half 2000</b> <b>French presidency</b>	30	13
<b>1<sup>st</sup> half 2001</b> <b>Swedish presidency</b>	30	16
<b>2<sup>nd</sup> half 2001</b> <b>Belgian presidency</b>	30	20
<b>1<sup>st</sup> half 2002</b> <b>Spanish presidency</b>	31	24 incl. free movement of capital and transport
<b>2<sup>nd</sup> half 2002</b> <b>Danish presidency</b>	31	31 incl. competition policy, agriculture, justice and home affairs

Source: European Commission, Enlargement of the European Union – *Guide to the Negotiations Chapter by Chapter*, December 2003



The main negotiation bottlenecks from a Polish perspective can be summarised as follows:

**Table 2 Main bottlenecks during the Polish accession negotiations**

<b>Politically sensitive problems</b>	<ul style="list-style-type: none"> <li>- Acquisition of real estate by foreigners (chapter 4)</li> <li>- Direct payments in agriculture (chapter 7)</li> <li>- Free movement for persons (chapter 2)</li> </ul>
<b>Socially sensitive problems</b>	<ul style="list-style-type: none"> <li>- Competition policy - restructuring of the Polish metallurgical industry and Special Economic Zones (chapter 6)</li> <li>- Direct payments in agriculture (chapter 7)</li> <li>- Visa regime concerning the eastern border (chapter 24)</li> </ul>
<b>Economically most important issues</b>	<ul style="list-style-type: none"> <li>- Rural development (chapter 21)</li> <li>- Structural funds and regional development (chapter 21)</li> <li>- Budget and finances - net payment compensation (chapter 29)</li> </ul>
<b>Other problems with impact on the negotiation process</b>	<ul style="list-style-type: none"> <li>- Weakness of social partners advising on Polish negotiation positions</li> <li>- Information campaigns and communication with society at large not enough appreciated</li> <li>- Existence of competing centres dealing with formulation of foreign policy</li> <li>- Implementation problems</li> </ul>

Agriculture, free movement of capital, environment and competition policy formed the main stumbling blocks during the Polish accession negotiations, which is also reflected in the number and length of the transition periods obtained (see also annex 4 for an overview of the negotiations and transition periods per chapter).

In view of the size of the agricultural sector and the conditions in which it functioned, the negotiations on the **agriculture** chapter created the greatest difficulties and controversies, evoked the strongest emotions, and carried the greatest significance. Description of the negotiation position on agriculture required over 465 pages. The Polish negotiators were aware there was little probability “of achieving a state of public consensus without direct payments”. The issue of direct payments was paramount for social reasons. From the very start of the negotiation process the amount of direct payments and the period during which the highest amounts would be obtained was one of the most difficult issues, as was implementation of the remaining instruments of the Common Agricultural Policy (see chapter 4).

**Free movement of capital**, in particular regulations concerning the acquisition of immovables by foreigners, turned out to be one of the most difficult chapters (with the exception of the agricultural chapter). Polish negotiators expressed their anxiety about the sudden rise in prices of immovables and the threat of speculation resulting from the predicted rise in prices. Negotiators moreover pointed to the emotional and historical aspects of the local debate on land acquisition by foreigners. Eventually, the European Union consented to two transition periods, i.e. five years of protection of the Polish real estate market from acquisition of ‘second houses’ by foreigners and a twelve-year period during which Polish legal regulations concerning acquisition of rural areas and woodlands can be applied.

The **environment** chapter was another difficult negotiation area requiring long transition periods, one of which ended by 31<sup>st</sup> December 2004 and another which will start in 2008 and will be binding till 2017. The transition periods (10 in total) concern, among others, municipal sewage treatment, reduction of sulphur content in liquid fuels, reduction of contaminant emission, levels of glass, plastic and metal recycling and modernisation of already existing waste yards and the building of new ones, et cetera.

The **justice and home affairs** chapter was also a difficult issue during accession negotiations. Negotiations took a long time and were only concluded in December 2002. Closing this chapter was not easy, as some Member States had doubts as to whether Poland would be able to take on the obligations of the justice and home affairs chapter. The difficulties experienced by Poland in the justice and home affairs area also concerned the Schengen acquis. Poland's eastern border would become an external EU frontier, meaning that a series of initiatives against illegal migration and employment needed to be taken. Extra funds had to be made available to do so. The introduction of visa obligations for citizens of Russia, Belarus and Ukraine, binding from 1 July 2003, furthermore evoked strong emotions (see chapter 5).

In the area **free movement for persons** Poland accepted the *acquis communautaire* in full, although the EU expressed anxieties and reservations about threatening destabilisation of the internal EU labour market due to the free movement for persons of new Member States. Eventually the EU requested transition periods in the form of limits that could be imposed on access to the Union labour market during the first two years of Poland's membership in the EU, with the possibility of prolongation by another three years and subsequently by two more years in case of considerable destabilisation of Member States' labour markets. The Netherlands initially did not apply for a transition period but reconsidered its position in 2004.

For **budget and finances** the key Polish objective was to negotiate the position of net beneficiary from the start of EU membership. In 1998 there were problems related to the Phare funds and a budget cut was applied. During the negotiation process the Commission had doubts about Poland's capacity to make efficient use of the structural funds. Nonetheless, the final outcome of negotiations was positive. Poland was allocated an additional € 443 million of compensation by the EU during the first year of its membership and part of the resources from the structural funds were transferred as budgetary compensation (in the case of Poland this came to the considerable sum of € 1 billion). Moreover, Poland was granted financial assistance of € 280 million for adjusting its external borders and international airports in conformance with Schengen standards.

The complicated negotiation process with Poland was reflected in the Commission's last monitoring report, which mentioned a large number of areas "requiring enhanced efforts to complete preparations for accession", despite "the high level of alignment with the *acquis* in most policy areas". The Commission moreover mentioned at least "nine issues of serious concern", where Poland should take immediate and decisive action. One issue was related to mutual recognition of qualifications, especially in healthcare. All other issues were related to agriculture and fisheries and concern important aspects of food safety, Paying Agencies and resource management (see chapter 4).

After the signing of the Accession Treaty in April 2003, the Polish government held a binding referendum on Poland's accession in June 2003. 77% of Polish voters voted in favour, whereas 23% voted against. On 23 July 2003 the Polish President signed and ratified the Accession Treaty. On 1 May 2004 Poland officially became a Member State of the EU.

### *Poland as part of the Visegrád group*

Poland always tried to give the Visegrád group (the Czech Republic, Hungary, Poland and Slovakia) a larger weight by launching common international initiatives. However, for various reasons the group failed to develop a common policy towards the European Union. Conflict of interest regarding integration issues played a role in this respect. The Czech Republic and Hungary were afraid that Poland, being the largest country of the region, would create difficulties in Brussels that could delay their accession to the EU. Hence the Visegrád group served for rather routine consulting purposes. Polish politicians expressed rather tentative opinions on future co-operation within the Visegrád Group within the EU. In 2001, the Polish President Kwaśniewski said: "It is difficult to foresee the future role of the Visegrád group, so extremely important during political transformation. Certain forms of regional co-operation will remain. However, I do not believe that the Visegrád group will become another Benelux in Central Europe."

## **2.4 Factors Influencing the Accession Process**

The accession process cannot be analysed in isolation, but is part and parcel of the overall historical, political, economic and social development of the acceding country. Moreover, the process itself is also influenced by developments within the EU and its Member States. Some of the most important factors forming the context for Poland's accession process are stated below.

### *Historical and political developments*

In the early 80s strikes in Gdansk and the foundation of a labour union marked the decline of communism in Poland. In 1989 the Republic of Poland was declared. Lech Walesa and his party achieved an overwhelming victory at the elections. A new government was formed and in 1990 Lech Walesa became the new Polish president. The consequences of particularly economic transition caused demonstrations, strikes and changes in government. In spite of the country's instability, Poland succeeded in keeping its policy focused on integration with the West. Accession to NATO and the EU were among the government's highest priorities. In 1999 Poland joined NATO and in May 2004 acceded to the EU.

### *Socio-economic situation*

Since 1997 economic developments in Poland have been positive. GDP in PPS is still only around 43% of the EU15 average, but high economic growth and foreign investment promise improvement. However, the high unemployment rate (around one fifth of the population was unemployed in 2003) remains a pressing problem.

In the following table recent information on a number of key socio-economic indicators on Poland are presented.

**Table 3 Socio-economic data on Poland, The Netherlands and the EU, 2003**

	<i>Poland</i>	<i>Netherlands</i>	<i>EU15</i>	<i>EU25</i>
<b>Population x 1,000</b>	38,200	16,256	382,424	456,583
<b>GDP per capita, Volume index (EU15 = 100)</b>	19.9	114.8	100	87.7
<b>GDP per capita, PPS index (EU15 = 100)</b>	42.9	109.1	100	91.7
<b>GDP per capita, market prices</b>	4,848	27,946	24,345	21,386
<b>GDP Growth %, national currency (for 1995 prices)</b>	4.3 (3.8)	2.0 (-0.9)	3.1 (0.9)	3.3 (1.0)
<b>Unemployment %</b>	19.2	3.8	8.1	9.1

Source: European Commission, *Statistical Annex of European Economy, DG Economic and Financial Affairs*, autumn 2004, ECFIN/173/2004-EN, Brussels, 18 October 2004.

#### *Foreign assistance to the accession process*

From the early nineties onwards the EU, its Member States and other countries and donors such as the World Bank, IMF and UN organisations assisted Central European countries in their transformation process. The EU developed the Phare programme for assistance. From 1998 onwards this programme became almost exclusively accession-oriented and concentrated on adoption of the *acquis* with 30% of the budget earmarked for institution building and 70% for investment support. Moreover, in 1999 the EU started two other support programmes: ISPA (Instrument for Structural Policies for Pre-Accession) to address environmental and transport infrastructure priorities, and SAPARD (Special Accession Programme for Agriculture and Rural Development). These programmes are part and parcel of the EU's accession strategies.

A complete overview of all financial support to Poland during the evaluated period 1997-2003 is not available, but it is clear that the EU has been a major source of support. The EU's combined support to Poland during 2000-2002 is estimated at € 2,761 mln (€ 1,194 mln. Phare, € 513 mln. SAPARD and around € 1,054 mln. ISPA), or over € 920 mln. annually.<sup>3</sup> Member states, for example Germany, the UK and France have also been very active supporters of Poland's transformation and accession processes.

## **2.5 Conclusion**

The context of this Dutch policy evaluation is given by the Polish EU accession negotiations. Integration in the Euro-Atlantic structures (NATO and the EU) has been a priority in Poland's foreign policy since the political turnover in 1989. Polish EU accession negotiations did not run particularly smoothly. Poland's strategy was to secure the best possible accession conditions, and it therefore opted for relatively many transition periods, while also insisting on equal conditions enjoyed by other -

<sup>3</sup> Source: Website European Commission.

especially 'old' - members. The accession date was less important to Poland than the best possible negotiation outcomes. The Helsinki decision to grant six other EU applicants the possibility to catch up influenced Poland's tactics, as it had to replace its 'set-back strategy' by a 'catch up strategy'. This did, however, not lead to a faster negotiation process. The most problematic chapters during the negotiations were the free movement of capital (especially acquisition of land), agriculture, environment and competition policy. Despite the complicated negotiation process, during which the Polish negotiation style created tensions, the outcome of the negotiations was generally welcomed in Poland and considered a success. The last monitoring report on Poland (2003) was quite critical in comparison to those on other countries, but this seems to reflect the tenor of the overall negotiation process. In its report the European Commission noted still nine areas of serious concern where Poland should take immediate action if it was to be ready by the date of accession.

The background of the negotiation process was formed by largely positive economic developments. Although Poland's GDP still lags behind the EU15, economic growth during the accession period was considerable. A serious problem however was the persistently high unemployment rate. Poland received generous accession support, both from the European Union and 'old' Member States.



### **3 DUTCH POLICY ON POLAND'S ACCESSION**

#### **3.1 Introduction**

This chapter describes the status of Poland in Dutch bilateral and pre-accession policy. Taking into account the availability and deployment of Dutch policy instruments, it will clarify how Dutch-Polish relations took shape in practice. The focus is on the implementation of general policies of the Dutch Ministry of Foreign Affairs in Poland, in which the Dutch-Polish Utrecht Conference assumes a special position.

According to the methodological framework of this evaluation three different policy channels in the policy of the Ministry of Foreign Affairs concerning EU accession of Central European countries are distinguished: 1. Dutch policy concerning EU enlargement 2. Dutch bilateral policy and 3. Dutch pre-accession assistance policy. A methodological problem already mentioned in the introduction of this report was the absence of country specific policies, complicating assessment at country level.

#### **3.2 Dutch Policy: Poland as a Priority Country**

##### *Dutch policy on enlargement*

The Dutch position on the enlargement of the EU is characterised by two concepts: 'speed' and 'quality'. The Dutch government recognised the need to maintain the momentum of the accession, while at the same time emphasising that the Copenhagen criteria had to be fully met before a country could become an EU member. Both the 'speed' and 'quality' conditions were repeatedly expressed in Dutch policy documents. In November 1999, a month before the decision to start negotiations with the Helsinki six was taken, the Dutch policy document *Helsinki and how to Proceed* advocated the establishment of a road map and accession dates for the candidate Member States. The Netherlands supported the abolition of the distinction between 'ins' (amongst whom Poland), and 'pre-ins', used until the Helsinki summit of 1999. The 'quality' condition was visible in firm Dutch support for the Commission's monitoring practice of the adoption and implementation of the acquis by all candidate Member States. With respect to monitoring Poland's accession process the Netherlands agreed with the findings of the Commission. It should be noted that the Netherlands was one of the most critical Member States regarding justice and home affairs conditions in Poland and, insisting on fulfilment of all entry conditions, took a tough stance on the closure of this chapter (see chapter 5). Furthermore, in 2002 during the final stages of negotiations, the divergence between Dutch and the Polish positions on direct payments became evident, influencing relations between the two countries (see also section 3.4 and chapter 4).

As negotiations proceeded, the 'quality' condition gradually gained precedence over the 'speed' condition of Dutch policy. This became more visible after the change of Dutch government in May 2002. Members of the new parliament questioned Poland's (and some other candidates') state of preparation for EU membership and urged the European Commission to publish progress reports early so that Member States would have more time to study them and decide which countries were ready to join the EU or not.

### *Bilateral policy*

The policy document *Accents in a wider Europe* of 18 November 1999 was the first attempt of the Dutch government to formulate an overall strategy for bilateral relations with Central European countries in the context of the planned EU enlargement.<sup>4</sup> No explicit policy objectives were formulated, but our analysis makes clear two objectives were pursued:

1. To assist Central European countries in the accession process i.e. to meet the Copenhagen criteria
2. To strengthen bilateral relations with candidate Member States

The 'Accents' policy document distinguished three groups of candidate countries with different priority status. The classification of Central European countries was based on a combination of political factors (political importance, safety interests), economic factors (volume of Dutch exports and investment, intensity of economic relations) and affinity (established contacts, historical relations and perceptions). The assessment of the intensity of overall political, economic, cultural and historical bilateral relations served as an indicator for attaching different priorities. The classification was also based on the priority Dutch line ministries attached to various Central European countries. Poland was allocated to the first group, together with Hungary, Slovakia and the Czech Republic. The second group of countries consisted of Romania and Bulgaria. The Baltic States were placed in the third group, together with Slovenia.

On the first group of countries the policy document stated: "These countries offer the best perspective for an intensive relationship with the Netherlands. These countries have numerous contacts with the ministries in The Hague and are regarded as the most important." Poland in particular was considered important for safety-political reasons and its relations with neighbouring countries, i.e. Russia, Belarus and Ukraine. Also Poland's economical importance to the Netherlands was considered to be self-evident. For the Netherlands Poland is by far the most important trade and investment partner in Central Europe. Concerning the 'affinity' factor it was said: "It seems that the affinity between Poland and the Netherlands is strengthening." At the same time it was noted that Poland, as a large country, tended to direct its attention to other, larger, countries. The Netherlands however wanted to have a unique and exclusive relationship with Poland. To underline and stimulate this relationship the so-called Utrecht Conference was set up, a bilateral instrument aimed at assisting Poland in its accession process and at the intensification of bilateral relations (see section 3.3).

It is remarkable that, even though relations with Poland were considered this unique and of such high priority, apart from the Utrecht Conference this priority status did not translate in the amount of transformation- and pre-accession assistance provided by the Dutch government. Nor was Poland placed on the Dutch list of priority countries for cultural co-operation, as suggested by the Dutch Embassy in Warsaw in 1999.

On 27 March 2002 the Dutch policy document *New Accents in a wider Europe* was published, in which 'new accents' were developed.<sup>5</sup> The three priority groups of countries remained unchanged and a shift of position towards Poland was not envisaged. During 2000-2001 Dutch-Polish relations were shaped within the

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<sup>4</sup> Netherlands Ministry of Foreign Affairs, *Accenten zetten in Midden-Europa*, TK 26 800 V, no. 20, 18 November 1999.

<sup>5</sup> Netherlands Ministry of Foreign Affairs, *Nieuwe Accenten in een groter Europa*, TK 23 987 no. 12, 27 March 2002.



framework of the Utrecht Conference. In general, the 'new Accents' document put more emphasis on the possibility to form future coalitions within the EU, and the need to constantly seek synergy between Dutch positions and those of the new Member States.

Hence, the choice for Poland as the first among the priority countries in Dutch bilateral policy seems to be based primarily on the fact that the country is the largest acceding country, with most political and economic weight. The Netherlands as a medium-sized country was expected to receive less attention from Poland once it was an EU-member. As such was assumed that strong bilateral relations had to be forged prior to accession.

#### *Pre-accession assistance policy*

In 1997 the Dutch government decided to set up new bilateral pre-accession programmes to complement existing ones for social (Matra) and economic transformation (PSO). All countries applying for EU-membership would be eligible. No country-specific guidelines were formulated. In 1998 and 1999 Dutch pre-accession programmes were elaborated and implementation started with bilateral MoUs signed. In Poland implementation of Dutch bilateral pre-accession programmes started in 1999.

The Dutch pre-accession assistance programmes had the same objectives as the bilateral policy:

1. To contribute to the adoption and implementation of the *acquis communautaire*
2. To strengthen bilateral relations

The Matra programme was originally directed at strengthening non-governmental organisations and local governments in former communist states of Central and Eastern Europe. When the pre-accession component was added, the Matra social transformation programme (referred to as 'Matra classical') continued to be implemented in the acceding countries next to pre-accession programmes. In most candidate states, amongst which Poland, economic transformation assistance through the PSO programme was stopped when economic pre-accession assistance started. The decision to stop economic transformation assistance was based on assessment of the economic situation and the need for such assistance.

The Matra pre-accession component consisted of various subprogrammes (see table 2 in the Terms of Reference, annex 2). Each subprogramme delivered a specific product, such as bilateral projects, short missions by Dutch civil servants to assist the Central European administrations (PUA), professional training for Central European civil servants in the Netherlands (ADEPT), or internships for Central European civil servants at Dutch governmental institutions (IMPACT). Each programme was implemented by a different Dutch agency.

### **3.3 The Use of Bilateral and Pre-accession Policy Instruments**

#### *The use of bilateral policy instruments*

Bilateral policy instruments are communicative instruments, mostly aimed at dialogue with bilateral partners. In Dutch-Polish bilateral relations extensive use was made of these kind of instruments. In 1999 the Utrecht Conference, a special Dutch-Polish bilateral partnership covering a number of different policy areas, was initiated.

- The Royal Netherlands Embassy in Poland

In accordance with the Polish priority status in Dutch bilateral policy, the Warsaw embassy is the largest of the Dutch embassies in the acceding countries. In its annual reports the embassy regularly presents its views on Dutch-Polish bilateral relations. According to the 1999 annual report of the embassy in Warsaw “the multitude of ministerial and other political contacts [...] has contributed to a spectacularly qualitative deepening of relations with Poland. [...] [T]he Utrecht Conference is undoubtedly the most significant example of this development.” The report points out that “the Netherlands can consider itself lucky having the position of most highly appreciated EU partner in Poland. Dutch efforts in EU-related fields are perceived as unconditionally positive.”

- Memoranda of Understanding (MoUs)

Governmental forms of co-operation are often laid down in bilateral Memoranda of Understanding (MoU). MoUs have for instance been concluded between the Dutch and Polish Ministries of Agriculture and Justice (see respectively chapters 4 and 5). Dutch line ministries have concluded more MoUs with acceding countries belonging to the Visegrád group (including Poland), Romania, and Bulgaria, than with the Baltic States.

- Bilateral political visits

During 1997-2003 bilateral political visits took place on quite a regular basis, also in comparison with other countries. In July 1997 the friendly ties between the Netherlands and Poland were confirmed by a state visit by the Dutch Queen Beatrix to Poland. No high level Polish political visits were paid to the Netherlands that year. Only in 1998 and 2000 was the frequency of political visits low on both sides. It is interesting to note that the highest number of visits, i.e. sixteen, was by Ministries and State Secretaries of Foreign Affairs. This is directly related to the Utrecht Conference (see annex 5 for a specified overview of bilateral political visits).

**Table 4 Bilateral political visits to and from Poland 1997-2003**

<i>Year</i>	<i>To Poland</i>	<i>From Poland</i>
<b>1997</b>	3	0
<b>1998</b>	0	2
<b>1999</b>	4	3
<b>2000</b>	1	1
<b>2001</b>	4	3
<b>2002</b>	5	3
<b>2003</b>	2	2

Source: Netherlands Ministry of Foreign Affairs

It should be taken into account that in 2002 many important events took place in the Netherlands, amongst which parliamentary elections in May. Four political visits took place in the autumn of 2002, when Poland’s accession was high on the agenda for both countries. The Dutch public debate on EU enlargement in autumn 2002 attracted attention in the acceding countries. Poland perceived a changing Dutch attitude towards EU accession, and this issue was put on the agenda of the political visits.

- The Utrecht Conference

The Utrecht Conference is a Dutch-Polish conference consisting of thematic working groups at ministerial or official level, meeting on a regular basis (two or three times a

year). It is unique in the sense that only the Netherlands has such a broad (not sector-specific) partnership with Poland, and also in the sense that Poland was the only acceding country with which the Netherlands maintained such relationship. In Dutch policy documents and interviews with policymakers the Utrecht Conference was consistently presented as the main Dutch policy instrument towards Poland.

The Utrecht Conference was initiated in 1999 by the then Dutch Minister of Foreign Affairs van Aartsen and his Polish colleague Geremek. The importance of this personal tie for the start of the special relationship is often emphasised. During his visit to Warsaw in February 1999 the Dutch Minister of Foreign Affairs proposed, at the request of members of the Polish government, a bilateral form of co-operation in which Polish accession issues would be discussed and assistance offered on pre-accession issues where needed and possible. After the first Utrecht Conference the Polish and Dutch Ministers of Foreign Affairs signed a memorandum which stated that co-operation would cover “bilateral fields such as culture and education, economic and trade relations as well as multilateral co-operation, notably within NATO and the European Union”. By promising to support Poland’s transformation and accession process the Dutch Minister of Foreign Affairs hoped to strengthen Dutch-Polish bilateral relations, so that Poland in the future would not direct its attention to the larger Member States of the European Union only.

The **objectives** of the Utrecht Conference were never clearly and uniformly defined on paper. According to different documents studied and interviews three main aims of this conference can be identified:

1. To assist Poland in its preparations for EU membership
2. To strengthen bilateral relations between Poland and the Netherlands
3. To prepare the grounds for future strategic partnerships between the two countries by identifying common interests and positions on key EU policy issues

At the start the first two objectives received most attention. The Dutch Ministry of Foreign Affairs thought that this conference could build a visible bilateral relation between a ‘founding father’ of the EU and the largest candidate Member State, by making use of and deepening already existing bilateral relations and activities. At the same time the Dutch wanted to ensure Polish preparations for accession were as effective as possible. In this respect the Netherlands wanted to play a complementary role to that of the EU.

In practice Poland and the Netherlands organised the Utrecht Conference and co-ordinated the inputs of participating line ministries in turns. In the following table an overview of the conferences organised over 1999-2003 and the number of thematic working groups per conference is given (see also overview in annex 8).

**Table 5 Overview of Utrecht Conferences and working groups per conference 1999-2003**

<i>year</i>	<i>month</i>	<i>country</i>	<i>number of working groups*</i>	<i>level</i>
<b>1999</b>	March	The Netherlands	3	ministerial
	June	Poland	7	official
	November	The Netherlands	8	ministerial
<b>2000</b>	May	Poland	5	official
	December	Poland	12	ministerial
<b>2001</b>	April	The Netherlands	11	official
	July	The Netherlands	8	ministerial
	November	Poland	6	official
<b>2002</b>	April	The Netherlands	8	official
	November	Poland	6	ministerial
<b>2003</b>	July	The Netherlands	5	official
	October	Poland	2	ministerial

\* See annex 8 for specification

In total, twelve conferences took place during the period analysed, six in respectively Poland and the Netherlands. The average number of participating working groups is around seven per conference. The most important participants were officials of ministries. A few working groups experimented with the participation of experts, researchers or social partners, but this number remained rather limited. Some of the ministries regularly experienced difficulties to set an effective agenda for the working groups, while others worked more strategically.

After the start of the Utrecht Conference in 1999 the number of **working groups** rapidly increased towards a maximum of 11-12 by end 2000. Thereafter the number of active working groups decreased again. The two working groups 'EU General' and 'Security' were held almost every conference and participants came mainly from the Ministries of Foreign Affairs. Other working groups that took place on a regular basis were 'Agriculture (and Fisheries)', 'Justice and Home Affairs', 'Economic Affairs' and 'Transport and Infrastructure'. In each of these working groups the line ministry relevant for the policy area was involved. The importance of the Utrecht Conference for the agriculture, justice and home affairs and transport sector will be discussed separately in the chapters 4, 5 and 6 of this report.

In the early phases of the Utrecht Conference some **line ministries** indicated a preference for an own form of bilateral co-operation. They feared duplication of bilateral contacts due to the initiative of the Ministry of Foreign Affairs. One example is that in May 1999, before the second Utrecht Conference, the Dutch Ministry of Economic Affairs informed the Minister of Foreign Affairs that it preferred to deal with 'their' topics during a visit to Poland and would hence not participate in the upcoming Utrecht Conference. The Ministry of Economic Affairs brought forward a number of arguments. It wanted to be able to conduct its 'own business' in Poland, wanted the co-operation to remain practical, and stressed that the Ministry of Economic Affairs never agreed on the model implied by the Utrecht Conference. The Ministry of Foreign Affairs replied that the cabinet of ministers had agreed on the Utrecht-model

and insisted it was important to preserve the common character of the conference. It pointed out that through the Utrecht Conference “[...] the Netherlands would gain a firm foothold in Poland [...]”. This effect was feared to become nullified if ministries abandoned the Conference. Hence, Foreign Affairs hoped that Economic Affairs would continue to participate in the Utrecht Conference. This did not happen until the 5<sup>th</sup> Conference in December 2000. From then on Economic Affairs participated in the Conference on a regular basis. However, from the 8<sup>th</sup> Conference in 2001 onwards, some other working groups started to meet at dates different from those of the general Utrecht Conference (see annex 8), because its framework and fixed time schedule were considered not to be optimal for strengthening relations at sectoral level.

A consolidated overview of **expenditures** of the Utrecht Conference is not available. In general the host country finances accommodation, meeting rooms, transport and catering, while the visiting country pays travel costs to and from the host. The average cost to the Netherlands for organising a Utrecht Conference is around € 12.000 and is paid from different budgets. Thus total cost of the twelve sessions of the Utrecht Conference does not exceed € 150.000, a very limited amount for such an important partnership. The involvement of officials from both sides is probably the most important factor, but their costs are not included. One full-time official is in charge of overall preparation and co-ordination, though for most officials preparation and follow-up time is limited to a few days per year.

The Dutch Ministry of Foreign Affairs highly values the Utrecht Conference. The ministry wanted to keep the Utrecht Conference unique, so it did not honour requests from other countries (e.g. the Czech Republic, Romania) to start up similar intensive mechanisms. Many, although not all, interviewed Dutch and Polish officials mentioned the Utrecht conference as the highlight of bilateral relations. The Conference appears to be very well known among civil servants of the Polish Ministry of Foreign Affairs and is described as “very helpful and productive”. The Polish Ministry of Foreign Affairs indicates to attach such importance to the conference that it refuses to organise activities with other EU partners if dates clash. Embassy officials from other countries also confirmed that the Utrecht Conference is seen as a very interesting initiative worth emulating. Nevertheless, it is not the intensity or depth of the debate that is applauded, but the initiative as such. Hence, as a diplomatic tool the Utrecht Conference is highly appreciated and attracts interest of other countries, but does this also mean that the conference is effective in the sense that its goals are achieved?

The **effectiveness** of a diplomatic tool or network instrument such as the Utrecht Conference is difficult to assess. The first Conferences were mainly dedicated to specific accession issues thought important at the time. In some working groups specific practical solutions were debated. However, from the minutes and interviews it is difficult to evaluate to what extent the Conferences really contributed to the adoption and implementation of the acquis. Most interviewed officials state informal contacts between Conferences created the opportunity for regular discussion on specific accession issues (“people to people contacts, and personal knowledge”). The Utrecht Conference was said to be helpful in guiding Poland on the “how to do it [i.e. implementing the acquis] in practice”. Although few concrete examples were mentioned of the contribution of the Conference to the accession process, it is generally claimed that the conference was at least moderately effective in realising this objective. However, given the frequency and length of the conferences (two or

three days a year) and the many issues on the agenda, this should not be overestimated.

The second policy objective of strengthening bilateral relations was definitely realised in certain sectors. In 1998 bilateral relations at ministerial level were not yet very intensive and lagged in comparison to other acceding countries such as Hungary. The Utrecht Conference certainly boosted relations. Initial resistance by some line departments was gradually overcome and the Utrecht Conference reached a climax in 2000-2001. However gradually line departments from both sides lost interest in the conference and the number of working groups decreased from 2001 onwards. The Utrecht Conference was particularly successful in establishing contacts between officials at the intermediate level of administration, which is quite an achievement. On the other hand it must be emphasised that the Utrecht Conference is not well known beyond participant and diplomatic circles. The high turnover of Polish civil servants moreover limited the effectiveness of forging personal links. Some participants point to a positive side effect of the Conference, i.e. the damage control during the heated discussions in the Netherlands on Poland's accession. The conference created a setting for Dutch officials to elaborate on their position and thus prevent, it is argued, deterioration of bilateral relations. However, the Utrecht Conference failed to become a tool of public diplomacy, although this was never officially intended.

It is too early to assess to what degree the third policy objective of paving the way for future strategic partnerships has been achieved. The Dutch Ministry of Foreign Affairs many times emphasised its wish to transform the Utrecht Conference into a forum for EU decision making and coalition building, but Poland was less clear on this subject. Both countries agree transatlantic policy is the first area where common interests could be identified. In contrast the Netherlands, as a net-contributor aiming to decrease its contribution and Poland as a net-receiver clearly have divergent interests. Poland is making efforts to team up with large Member States and looks less toward the Netherlands. In this respect it can be seriously questioned whether one of the original aims of the Utrecht Conference, to direct Polish attention to a medium-sized Member State for European decision-making, can and will be realised. So far, hardly any positive examples can be mentioned. Nevertheless, a sectoral group, such as agriculture (see chapter 4) started to debate reform of the Common Agricultural Policy to define common interests, but in general such attempts remained limited. The need to broaden the formula was recognised by Dutch officials interviewed and first steps were taken. There is also a need to engage in more systematic analysis and development of strategic partnerships, especially in view of the fact that other countries, notably Sweden and the UK, do so. With Poland acceding to the European Union in 2004, the future of the conference is uncertain. The real value and effectiveness of the Utrecht Conference still have to be proven.

#### *The use of pre-accession support instruments*

A complete overview of Dutch support or contributions by other countries and multilateral organisations to Poland is not available. In 1990 the Netherlands started to support the Polish social and economic transition process through assistance programmes (classic Matra and PSO), to which pre-accession programmes were added in 1999. Remarkably the Polish priority status is not reflected in allocated assistance, which is roughly the same for all acceding countries. During 1999-2003 annual bilateral pre-accession support to Poland was around € 2 million. Matra social transformation support is estimated at another € 2 million per year. Economic transformation support through PSO (average annual allocation to Poland during

1998-2001 of € 1 million) was phased out in 2001. Hence, total Dutch assistance to Poland can be estimated at € 4 to 5 million. As the combined support from the EU to Poland (Phare, ISPA and SAPARD) since 2000 is estimated at € 1 billion, the annual Dutch contribution is probably less than 1% of the total. Nevertheless the Netherlands has been a relatively important bilateral donor in the Polish transformation and accession process. Other active donors were France, Germany, the United Kingdom, Denmark and Sweden. Most bilateral donors have decreased their support over the last years in view of Poland's accession. For example, the UK stopped Know-How Fund contributions in 2002 and shifted towards more strategic assistance. During 1999-2003 the Netherlands maintained support at a fixed level, which is quite exceptional. Dutch support was phased out from 2004.

- **Main bilateral pre-accession programmes**

In this evaluation emphasis is mainly given to the assessment of the Matra and PSO pre-accession project programmes MPAP and PSO PA, as they formed the core of the Dutch bilateral pre-accession assistance. Implementation in Poland started respectively in 1999 and 1998. Both programmes have a demand driven design and were implemented by Senter, an agency of the Dutch Ministry of Economic Affairs. On the Polish side, the Office of the Committee for European Integration (UKIE) was responsible for co-ordinating the selection of pre-accession projects. Each year this office invited line ministries to submit project proposals. UKIE made a preliminary selection before Senter, after consulting stakeholders, selected the proposals eligible for implementation. The result of this selection process was documented in a so-called 'product plan' which went for approval to the Ministry of Foreign Affairs (in the case of MPAP) and the Ministry of Economic Affairs (in the case of PSO PA).

**Table 6 Overview of pre-accession support activities in Poland 1998-2003**

	<i>Average project budget</i>	<i>Agriculture</i>	<i>Justice and Home Affairs</i>	<i>Transport and Water Management</i>	<i>European Integration</i>	<i>Total number of projects / missions</i>
<b>MPAP projects</b>	€ 369,556 *	0	0	1	1	11
<b>PSO PA projects</b>	€ 360,261 **	6	0	1	0	13
<b>Phare Twinning projects</b>	€ 1,756,682	6 (5 leading, 1 junior)	6 (1 leading, 5 junior)	0	0	22 (12 leading, 10 junior)
<b>ADEPT courses</b>	€ 4,230	3 (26 Polish participants)	0	2 (33 Polish participants)	1 (101 Polish participants)	13 (250 Polish participants)
<b>PUA missions (2000-2002)</b>	€ 4,860	3	1	0	0	18

\* Average project budget for all countries: € 325,000

\*\* Average project budget for all countries: € 353,000

As activities were spread out over different sectors and programmes, implementation of Dutch pre-accession activities in Poland reveals a scattered picture. A concentration of activities was found in the agricultural sector, where 6 PSO PA projects, 6 Phare Twinning projects, 3 ADEPT courses and 3 PUA missions took place. Furthermore, a small concentration of Phare Twinning projects was found in the justice and home affairs sector (6 Phare Twinning projects; the Netherlands was

junior partner in five of these). In other sectors the picture was more scattered and no concentration of activities was found (see annex 6, 7 and 9).

Of submitted MPAP and PSO PA project proposals 11 out of 39 MPAP projects and 13 out of 64 PSO PA proposals were selected (see annex 6 for an overview of the selection of projects). Although Senter product plans listed the arguments for selecting proposals, the application of criteria was not always transparent to applicants. According to Senter product plans, the main reasons for rejection of the proposals were: the proposal was not or less relevant to Poland's accession, the proposal did not meet requirements of the programme, there was overlap with other projects, there were doubts about the commitment or capacity of the relevant parties, the feasibility of the project or sustainability of results.

Especially during the early years few qualitatively good project proposals were received. In 2002 the earmarked budget for MPAP of € 2 million was not fully used as only one project with a budget of € 1 million was approved. In the following year 3 MPAP project proposals were approved. In certain areas absorption problems existed and projects tended to overlap. Low absorption capacity was also related to what was referred to as "training fatigue" i.e. too many training programmes targeted at a small group. Not all stakeholders agree that the demand-driven approach was best given Polish circumstances. The Polish co-ordinator for the UKIE programmes stated that the size and importance of EU support provided made it difficult for line departments to identify specific niches for bilateral pre-accession support. In practice also other methods to develop projects under the two Dutch pre-accession programmes were applied (see the following chapters, notably the chapter Agriculture).

#### *Co-ordination of Dutch pre-accession support*

Some preliminary remarks on the co-ordination of Dutch pre-accession subprogrammes can be made from the perspective of implementation. Largely due to the design of Dutch pre-accession programmes (demand driven and outsourced to a number of Dutch implementing agencies all with different working methods) implementation of the various sub-programmes was rather dispersed. Moreover, overall co-ordination was hampered, as co-ordination responsibility was not properly defined and a complete overview of Dutch pre-accession activities lacked. Already in June 1999 the Dutch Embassy in Warsaw argued that the design of the pre-accession programme would lead to overly dispersed implementation and negatively influence the effectiveness and efficiency of assistance as well as lead to low visibility of Dutch assistance. The Embassy suggested The Hague to "streamline" and improve the design and align implementation with the aims of the Utrecht Conference. These suggestions however were not followed up.

- **Dutch involvement in Phare Twinning**

Because Dutch participation in Phare Twinning projects was lagging behind expectations the 1999 Accents policy document proposed to establish a National Contact Point for Twinning at the Ministry of Foreign Affairs, to stimulate and co-ordinate Dutch participation in the Phare Twinning Programme. According to the design of this accession-driven programme, line ministries of EU Member States should compete for participation in implementing planned pre-accession projects. The ministries of the acceding countries decided on the partner. The Twinning programme could thus play a role in intensifying bilateral relations.



During 1998-2003, the Netherlands was selected for 22 Phare Twinning projects, 12 of which in a lead role (see annex 7). Most projects with Dutch participation took place in the agricultural sector (in 5 projects the Netherlands was leading partner and in 1 it had a junior role) and justice and home affairs sector (1 project as leading partner and 5 projects as junior partner). Most Dutch Phare Twinning projects took place in Poland. Poland's most important Phare Twinning partners were Germany, France and the UK, followed by Spain and the Netherlands.

- General pre-accession support to UKIE

During the Polish accession process the Netherlands implemented a number of general pre-accession activities directed at strengthening the Polish Office of the Committee for European Integration (UKIE). From January 2000 till July 2001 a Dutch MPAP project was implemented, aimed at institutionally strengthening UKIE (see box 1 below and annex 10 for the project assessment). Furthermore, in May 2003 an ADEPT training course "How to operate in Brussels?" was organised in Poland, at the request of UKIE. Normally ADEPT-courses took place in the Netherlands and hosted participants from the ten acceding Central European countries. Due to contacts established at the Utrecht Conference and the assurance that 100 Polish participants would easily be found, a course exclusively for Polish participants was organised. Recruitment however proved more difficult than expected and in the end 82 persons participated. The contents and teachers of the course were positively evaluated and most participants indicated the course was useful to their career. CROSS, the implementing agency in charge of the ADEPT programme, was unwilling to repeat such a course due to recruitment and logistic problems.

**Box 1                      Assessment of general pre-accession support to UKIE**

Between January 2000 and July 2001 the Matra pre-accession project "Strengthening the capacities of the Office of the Committee for European Integration" was implemented. The idea originated from UKIE. After the project was selected, Senter prepared the Terms of Reference and selected consultants for implementation. However, during implementation it became clear that demand for the project came from one UKIE department only rather than UKIE leadership and other ministries who would also benefit from the project and whose commitment proved indispensable to effective implementation.

Both the inception and final report of the project acknowledge the risk of overlap with EU Phare assistance, without assessing the actual degree of overlap. The reports also mention countermeasures in the form of information exchanges with the EU Delegation Office.

The objective of the project – institutional strengthening of UKIE – was directly aimed at helping to resolve one of the most essential problems during its accession period, the institutional framework for implementation of EU-related policies (see chapter 2). Hence it addressed one of the most difficult accession-related needs. However, due to project design and without clear commitment from all relevant Polish actors, it can be seriously questioned whether this ambitious project objective could be realised. Although institutional strengthening was relevant at that time to the accession process, in hindsight it can be concluded that the project design was not adequate. The purely technical approach (focus on office procedures and staff training) could only result in very limited improvement of institutional performance.

*Effectiveness*

The project inception report identified the risks of the political situation as well as the lack of commitment of the beneficiary. However, it appears that these risks were grossly underestimated. UKIE was, according to one interlocutor, "too busy with getting on with the job" to commit itself to institutional capacity building. Therefore, the project faced serious

obstacles from the moment of inception. Due to the lack of project ownership by line ministries and the fact that UKIE could not discipline other ministries, only two out of six European Integration Units targeted remained involved in the project throughout its duration. To change this, intervention on the highest political level was necessary, but never occurred. In the end the project did not lead to visible strengthening of general capacities at UKIE, though some improvements in one department could be identified. The second Dutch policy objective, the intensification of bilateral relations, was not addressed by this project. Due to the set-up of the pre-accession programmes the project was entirely implemented by the selected consultancy firm, leaving relevant Dutch actors (at governmental level) insufficiently involved. Therefore, the effectiveness of the project in that field can only be assessed as negative.

#### *Efficiency*

The efficiency of this project is also negatively assessed. As consultancy costs were substantial, ownership problems and training fatigue delayed project implementation, and the final results were meagre, the costs-benefits relation is not positive.

### **3.4 Bilateral Relations**

According to the Dutch Ministry of Foreign Affairs bilateral relations between Poland and the Netherlands are very good. There are many forms of co-operation between governments and non-governmental organisations. During the past decade the Netherlands has been among the most important foreign investors in Poland. In 1990 the Dutch government started to provide financial support for the political, economic and social transformation process in Poland.

#### *Poland's unique position in Dutch bilateral policy*

Because of Poland's size and geopolitical importance, in 1999 the Netherlands chose to invest in a special and exclusive relationship with Poland. Since then the Dutch Ministry of Foreign Affairs sees the bilateral relation as unique and to be kept that way. The Utrecht Conference, which stimulated contacts between officials and led to an increase in high level political visits, was meant to underline Poland's unique position in Dutch bilateral policy. Although Poland was also interested in intensification of relations, the relationship was perceived as less unique and exclusive by Poland, as stated by various Polish interlocutors.

#### *The role of Poland's accession in bilateral relations*

The start of discussions on Poland's accession to the EU gave a considerable boost to Dutch-Polish diplomatic relations. The Netherlands was a firm supporter of Poland's accession, in conformance with the Dutch accession policy themes of speed and quality. Once the timetable was set for Poland's accession the Dutch side started emphasising quality. This was not only triggered by the fact that accession drew nearer, but also by the fact that Poland's negotiation process did not run as smoothly as expected (see chapter 2). The complicated Polish accession process led to a number of critical remarks by the Commission and Member States, including the Netherlands. After the Dutch government change in May 2002, the leader of one of the coalition parties (VVD) during the debate in the Dutch parliament in October 2002 claimed that Poland "had failed the admission exam". In response, the Dutch Prime Minister pointed at the possibility of using safety clauses in case problems arose. The public debate was reported in Polish media and attracted the attention of the Polish government. Since then Polish media attention focused increasingly on Dutch criticism of the Polish accession, thus shifting Polish public perception of the Netherlands as a proponent of Poland's accession to a more critical Member State. Nevertheless, the Dutch government supported the inclusion of Poland into the first

group of countries acceding to the EU in 2004. The discussion in the Netherlands on Poland's accession however affected bilateral relations, as indicated by interlocutors.

It is difficult to assess whether the Dutch government, after the change in May 2002, did indeed become more critical towards Poland's accession. The Dutch government had always held the position that candidate members had to meet Copenhagen criteria before being allowed to accede to the EU and did not change this position throughout the entire enlargement process. However, in Polish public opinion the Netherlands had since autumn 2002 shifted from being a firm supporter of enlargement to a more critical Member State. In the Netherlands two views on the Dutch position can be identified. Firstly, the Dutch government had held on to the 'quality' theme of Dutch enlargement policy and thus not changed position. One of the interlocutors added that this should not be seen as something negative for Poland, as "we [i.e. the Dutch] are critical because we care." The second view was that the government change of 2002 indeed led to a more critical attitude towards enlargement as well as Polish accession.

During the negotiation process Poland and the Netherlands held divergent opinions on a number of issues e.g. on Common Agricultural Policy subsidies for farmers (see chapter 4) and sale of land to foreigners. Poland had to reverse its earlier strategy of obtaining an 18-year transition period on the sale of land to foreigners, to catch up on the number of closed negotiation chapters of other candidates. Poland was forced to accept a shorter transition period and allow transformation of lease into ownership before the transition period expired. The Dutch, defending their interests, were active in pushing this issue forward, despite the well known political and social problems the Polish government was then facing. The Netherlands also took a critical position on the closure of the justice and home affairs chapter (see chapter 5) and backed the inclusion of 'safety clauses' in the accession treaty. As these clauses can only be invoked against new Member States, their inclusion fed Polish concerns that new Member States would become 'second class members'. At the beginning of 2004 the Netherlands decided to apply a transition period during which limits would be posed on access of workers from new Member States to the Dutch labour market. This constituted a change in the earlier Dutch position, in which the government held that it would not limit the access of workers from new Member states to the Dutch labour market from the moment of accession.

### **3.5 Conclusion**

In the Dutch bilateral policy on EU enlargement Poland is a priority country for the Netherlands. The Dutch government wanted to establish a unique and exclusive relation with Poland. Apart from appointing the Utrecht Conference as the main instrument for intensifying bilateral relations and establishing a special relationship between the two countries as future partners in the enlarged EU, the Polish priority status is not elaborated in the various policy documents. It is surprising that the Polish priority status is not reflected in the allocation of Dutch pre-accession assistance, which is approximately equal for all acceding countries. This points to policy incoherence.

The bilateral Utrecht Conference is appreciated by both Dutch and Polish officials. Other Member States see the conference as an important diplomatic tool worth emulating. Outside diplomatic circles visibility of the Utrecht Conference has remained limited. The Dutch-Polish relationship does not have the same unique value

to Poland as it has to the Netherlands, as Poland also has intensive relationships with many other EU Member States. The Utrecht Conference was moderately effective in assisting Poland to adopt and implement the *acquis communautaire*, by guiding Poland on the “how to do it in practice”. The Utrecht Conference was effective in strengthening bilateral relations between politicians and officials of both countries. It is a flexible instrument characterised by “people to people contacts, and personal knowledge”. Its effectiveness for forging a future coalition within the enlarged EU cannot be assessed yet. Both countries mention the transatlantic dimension of foreign policy as the most important area of common interest. In other areas however interests and views are more divergent, reducing the likelihood of the two countries becoming future coalition partners.

Compared to pre-accession assistance provided by the EU, Dutch assistance was rather small. Dutch pre-accession support to Poland was characterised by scattered implementation (numerous activities implemented by different implementing agencies and spread out over several sectors) and sub-optimal co-ordination of assistance.

Bilateral relations between Poland and the Netherlands were good to start off with, and intensified from 1999 onwards. Stimulated by Poland’s approaching EU-membership and the Utrecht Conference, contacts between officials and political visits increased. However, divergent perspectives on certain enlargement issues, such as the sale of land to foreigners, subsidies to farmers, access to the EU labour market and the introduction of safety clauses, strained the relationship between Poland and the Netherlands. Furthermore the Netherlands, insisting Poland meet all entry conditions, took a tough stance on closure of the justice and home affairs chapter. Poland perceived that the Dutch government change of the first half of 2002 led to a shift in Dutch position on Poland’s accession. On the Dutch side this shift to a more critical position is explained as an accentuation of the quality aspect of Dutch policy, rather than a fundamental change of policy. For some issues the Utrecht Conference provided a useful forum to discuss divergent opinions and exercise ‘damage control’.

## 4 Agriculture

### 4.1 Introduction

In this chapter a sector-specific analysis of Dutch-Polish agricultural relations will be presented. Firstly, the conditions in Polish agriculture before the start of the accession negotiations will be depicted, followed by a description of negotiations on the agricultural chapter and issues needed to be addressed in particular. The focal point of the chapter is on the development of Dutch-Polish bilateral relations in the sector in light of Poland's accession to the EU, taking into account the role bilateral policy and assistance instruments, including the Utrecht Conference, played in this respect. Furthermore, bilateral pre-accession projects in agriculture will be assessed (see annex 9 for an overview of Dutch agricultural activities in Poland). This chapter will form one of the building blocks for the Agriculture chapter of the final evaluation report.

### 4.2 Main Issues of Poland's Accession in the field of Agriculture

#### *Importance of agriculture to Poland*

In Poland agriculture has a significant socio-economic role. In 2000 the contribution of the agricultural sector to national GDP was 2.9% and provided 18.8% of employment. The Utilised Agricultural Area (UAA) represented 58% of the total area. On the one hand it is a sector with abundant natural and labour resources (some 13% of UAA of EU15) but, on the other hand, with substantial structural problems (some 39% of agricultural employment of EU15). The EU15 are Poland's most important agricultural trading partners, although the share has declined from 60% as of the early 1990s to nearly 40% in the late 1990s.

The political and economic transformation, which began in 1989, brought changes to the macroeconomic, policy and institutional environment of farming activities. Since Poland largely avoided collectivisation of individual farms, the privatisation process only affected some 20% of farmland, although the majority of down- and upstream sectors. This process has been almost completed. The liberalisation of agriculture and trade policy caused changes in relative prices and resulted in an initial decline of production levels. Adjustments of production structures began relatively early and brought about a recovery in input and output levels. Farm policy since then operated under the constraints of WTO membership, bilateral agreements with the EU, EFTA and other countries as well as the limitations of the state budget.

#### *Agriculture and the accession process*

Agriculture was always at the centre-stage of the debate on Poland's EU accession, both in the EU and in Poland. Since the country's agricultural sector accounted for about half of the total agricultural potential of the ten new Member States, the Polish agricultural accession process tended to dominate the entire enlargement process.

Given the recent evolution of the Common Agricultural Policy (CAP) from price to direct (budgetary) support, the EU's main worries concerned budgetary costs after enlargement. Also, initially observed price gaps implied increases in output, threats to market balances and EU commitments under the WTO. Later on doubts emerged about the ability of Polish farms and processing establishments to meet increasing

acquis requirements, mainly in the area of food safety (see chapter 2). The Poles, on the other hand, saw accession as an opportunity for the sector to benefit from single market access and from competing on equal basis with farmers. At the same time consumers feared food price increases. Differences in purchasing power between the citizens of an enlarged EU as well as differences in land prices caused worries about massive land buy-outs by foreign farmers. Some of these fears were clearly reflected in negotiation positions and outcomes.

#### *Links between the accession negotiations and reform of the CAP*

Accession negotiations coincided with the Mid-Term Review of Agenda 2000 and the subsequent reform of the CAP. There were complex interactions between the two processes. Due to agreed timetables, the accession negotiation process was finalised in December 2002, thus before the ultimate decisions on CAP reform, timed for June 2003. In their Common Position the EU15 anticipated the outcome of the CAP reform by including a proposal allowing new Member States to choose a form of direct payment de-coupled from production.

However, before final negotiations the Polish Government reacted to the reform proposals by pointing at its priorities. These included (i) simplification and provision of greater CAP flexibility, (ii) avoiding competitive deterioration of Polish farmers vis-à-vis EU15 farmers, (iii) preservation of the principle of financial solidarity, (iv) improved competitiveness of EU agriculture on the global market and greater support to environmental, animal welfare and food safety goals. This position was also presented during the Council's meetings in Luxembourg, where Poland and other candidate countries took advantage of their active observer status.

The 1992 and 1999 CAP reforms significantly increased the scope of the CAP measures financed from the budget that require a complex implementing system. The 'new' CAP provides a double challenge to the accession process. Firstly, institutional and (unit) transaction costs at farm level are correlated with the number of farms (farm structure). Secondly, administrative control of production structures inherent to 'coupled' (pre-Luxembourg) direct support might limit the adaptability of the sector to new market opportunities. Against this background the Polish government decided to apply the simplified direct payment scheme as offered by the EU15 in its Common Position document of November 2002. In spite of this, the construction of the Integrated Administration Control System (IACS) to supervise around 2 million farms with 20 million agricultural plots still represented a substantial task to be accomplished before the date of accession.

#### *Main negotiation issues and outcomes*

As the direct support schemes of the CAP formed a major part of the financial cost of enlargement the issue of direct payments constituted a core negotiation problem. While there was consensus on the rationale to extend direct payments to new Member States, the issue was which transition terms to apply. Because of the importance of direct payments in agriculture and the EU's total budget expenditure, Poland's priority was to make sure it would not become a net payer during the first years of EU membership. The final negotiation result included a ten-year period during which direct payments would be phased-in, starting from 25% in 2004 with the possibility of 'topping-up'.

Another important issue was production and support quota. The question was what principle should be applied in setting production and support limits in sectors such as

milk, sugar, cereals and cattle. Due to transformation effects and much lower production support compared to the EU15, Poland's initial position was that production and support limits should enable Polish agriculture to continue the process of restructuring and the recovery of production. The recent past was considered to be an improper base period for settling these limits, and earlier years were proposed. Apart from a few exceptions (e.g. milk - restructuring quota), this interpretation was not accepted by the EU15. In general the agreed production and support quota were based on recent pre-negotiation years (1996-2001). The agreed values translate in direct support of € 2535 million, around 38% below the amount implied by the latest Polish negotiation position (November 2002).

As a result of the negotiation process Poland was granted a twelve-year transitional arrangement during which it will be allowed to maintain national legislation on the purchase of agricultural land and forests (see also chapter 2 and 3). As in the case of the transitional period for the free movement of labour, requested by the EU15, this arrangement originated from concerns about quick adjustments given price (wage) differentials and social sensitivity.

Transitional arrangements were also agreed on public health requirements for meat and dairy establishments until 2006, to enable modernisation and full adaptation of *acquis* requirements. A number of other similar transition periods were also agreed (see annex 4 for an overview of the Polish accession negotiations and the outcomes).

#### *Progress in meeting the *acquis* requirements*

During the enlargement process the European Commission published reports, in which new Member States' progress towards EU membership, in particular their alignment with and implementation of the *acquis communautaire*, was evaluated. In its first Regular Report on Poland (1997) the Commission recorded a "steady progress in alignment of legislation". The Commission indicated it understood the slow pace of progress given the many issues to be tackled. However, in more recent reports – from 2000 onwards – the Commission's judgement was more severe. The delay in setting up and implementing the Integrated Administration and Control System – a key instrument for the implementation of the CAP – was a constant concern. The Commission also warned that the use of SAPARD funds in Poland would be delayed because ARMA – the agency responsible for the distribution of the funds – lacked human resources and knowledge and would be unable to comply with all the 'Brussels' rules for accreditation. Even in its last Regular Report (2002) the Commission observed "rather slow progress in the strengthening of administrative capacity. Progress on veterinary issues, with the exception of the law on animal welfare, has been limited in particular with regard to the adoption and implementation of legislation. In particular, limited developments with regard to the IACS, including animal identification and registration, represents the major obstacle to Poland's readiness for accession in the field of agriculture." Progress on veterinary requirements was absolutely unsatisfactory, according to the Commission.

The Comprehensive Monitoring Report on Poland's preparation for membership of November 2003 provided a picture of Poland's readiness in terms of the implementation of the *acquis* a few months before accession. In agriculture the Commission's concerns included:

- preparations to set up Paying Agencies and implementation of the Integrated Administration and Control System;
- adoption and implementation of basic veterinary acts;

- building-up a collection system for cadavers and rendering plants;
- movement control of animals and control of plant harming organisms;
- upgrading of agri-food establishments.

The Polish media and political scene received the report with mixed emotions. Some felt the Commission's report was excessively critical. A more constructive reaction was the realisation that a clear-cut warning was given that to meet commitments in time, resources and energy needed to be mobilised. In response, Poland pointed out that the report did not reflect the current status and left out substantial progress made during the previous months in certain areas. It was added there was still sufficient time to meet the goals (particularly in terms of legislative adjustments) and that high adjustment costs and transition periods explained the significant gap as far as upgrading of agri-food establishments was concerned.

#### *Economic and social implications of accession*

Estimates of the agriculture-related budgetary cost of the Polish accession vary significantly, depending on assumptions. However, as a result of the agreed phasing-in mechanism for the most expensive element of the CAP – direct payments – the cost for Poland diminished substantially.

More important than budgetary implications are the social implications of Poland's accession to the EU. Accession accelerated the modernisation and restructuring process of Polish farms and processing establishments, forcing them to meet the standards embodied in the *acquis*, required in order to compete on the single market on time. The adjustments related to food safety, especially for milk and meat production and processing, were the most sensitive. A major constraint was the high cost that had to be incurred in a relatively short time. In recent years substantial public support has been provided and the negotiated transition periods should enable timely termination of the adjustments. However, due to new technologies and the financial burden of investment, many farms and processors will have to cease their activities, thus adversely affecting the labour market. Hence, the restructuring pressure on the agriculture sector will have considerable social implications, which will be even more severe given the already substantial labour surpluses in farming and the expected lay-offs due to economic restructuring.

During the negotiations Poland and the EU15 clearly held different views on the role of the CAP. In Poland high adjustment costs and increased competition on the single market were expected to be counterbalanced by income support under the CAP. The EU15 questioned whether the CAP, constructed to serve the agricultural needs of the EU15, would be sufficiently flexible to address problems in Poland and other new Member States. A major controversy concerned the ratio of financial resources of the first and the second pillar of CAP to be applied in the first years of EU membership. Given the market-distorting nature of direct payments and the challenge of effectively applying a considerable amount of rural development funds in a short time, Poland opted for a ratio closer to that in the EU15.

#### *Communitarian and other pre-accession support*

The EU contributed to the development of the agricultural sector and rural areas through assistance programmes. Both in terms of accession relevance and financial value the most important EU-financed support programmes for agriculture were Phare (since 1990) and SAPARD (Special Accession Programme for Agriculture and Rural Development, since 2000). Under the Phare programme the support to the



agricultural sector increased from 17 million ECU in 1991 to € 50 million in 2002. Up to the mid-1990s projects concentrated on a broad range of activities aimed at facilitating economic transformation. This included, for example, privatisation of state owned farms, reform of co-operatives, rural banking and advisory systems, development of market institutions (wholesale markets, farmers' groups) and the upgrading of farm production practices. Later on, notably since 1998, projects focused almost exclusively on the sector's preparation for EU accession. Projects included enhancement of the institutional capacity of the Ministry of Agriculture and Rural Development to implement the IACS, reform of veterinary administration, set-up of an animal registration system, strengthening of veterinary and phytosanitary border controls and set-up of a Farm Accountancy Data Network (FADN).

SAPARD was launched in 1999 to speed up adaptation to the *acquis* and support the adjustment of the agricultural sector and rural areas of acceding states. The programme provided for yearly financial support of around € 170 million. Implementation was based on standard procedures of EU rural development programmes. The latter were meant to assist new Member States in building up required institutional capacities. The program concentrated on investment support at the farm and processing level, mainly in animal product sectors (meat and milk) and support for rural infrastructure.

During transformation the agricultural sector and areas also benefited from many other external aid programs. They addressed a variety of issues, focusing on technical assistance and rural area development. The programmes, specifically aimed at facilitating restructuring and modernisation of agriculture and rural areas, also contributed to adjustment of the sector to EU standards. One of the major donors is the World Bank, which granted an Agriculture Sector Adjustment Loan in 1992 and in 2000 launched a Rural Development Program, including financial support worth 118.8 million USD. Several countries such as the US, the UK, Austria, Japan and Denmark supported structural change through bilateral aid programmes. One of the most important bilateral donors, however, was the Netherlands. During the early 1990s Dutch aid was granted to modernise dairy farms in the region of Turośl. Later this support expanded, mainly in the framework of PSO (classical and pre-accession) and Matra.

### **4.3 The Use of Policy and Assistance Instruments in the Agricultural Sector**

#### *Background and bilateral policy instruments*

Bilateral relations between the Netherlands and Poland in the agricultural sector are good and relatively intense. For the Netherlands Poland is by far the most important trade and investment partner in the region, which also holds true for agricultural and food products.<sup>6</sup> However, also difficulties characterised the relation, for instance divergent opinions on the acquisition of land (see the chapters 2 and 3). At the Dutch embassy in Warsaw an agricultural attaché fulfilled an important liaison role between the Polish Ministry of Agriculture and Rural Development (MARD) and related institutes, and the Dutch Ministry of Agriculture, Nature Management and Food Safety (MANMF). A Memorandum of Understanding (MoU) was concluded between both Ministries.

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<sup>6</sup> In 2002 Dutch agricultural exports to Central and Eastern European Countries accounted for almost € 1,15 billion, of which 36% went to Poland. Dutch agricultural imports were valued at € 476 million; 32% of which was imported from Poland (source: Eurostat).

- Memorandum of Understanding

In 1996 the Polish MARD and Dutch MANMF signed a Memorandum of Understanding (MoU) intended to intensify existing co-operation and promote co-operation on European integration. In this MoU MANMF promised to provide assistance to MARD during the pre-accession period. Activities would be drawn up in biannual work programmes, taking account of Polish priorities.

- Work programmes

Despite the good intentions expressed in the MoU, only in 1999 the first work programme was drafted. Many issues were raised where Dutch assistance could potentially support Poland in preparing for EU membership. Major components of the programme consisted of Dutch support to Poland on *acquis* requirements and assistance on the institutional set-up of agricultural market intervention related to CAP. The work programmes formed the framework for requests for Dutch expertise. Assistance was provided mainly in the form of training. Dutch experts went to Poland to provide lectures, seminars and/or short courses; Polish staff went to the Netherlands to attend courses and receive short-term practical training. Furthermore, opportunities for Dutch participation in Phare agricultural Twinning projects in Poland were identified and discussed. The work programme also addressed issues identified during the agricultural working group of the Utrecht Conference (see below).

The subjects raised for bilateral assistance referred to many areas, for instance phytosanitary issues and the establishment of paying agencies. Furthermore, Poland requested support for the establishment of CAP-related common market organisations and the creation of a proper institutional structure. These were the technical *acquis* requirements causing problems, and for which the country needed additional support alongside the aid provided through Phare. Questions related to the formulation and organisation of rural development programmes came at a later stage. In reaction, the Dutch Ministry prepared bilateral and communitarian pre-accession projects and actively participated therein. An overview of requests presented during the Utrecht Conference and of project implementation during 1998-2002 is presented in table 7. In the process of mutual consultation and matching supply with demand, the Dutch agricultural attaché played an important liaison role. He was in direct contact with the Polish MARD and related institutes, and the Dutch MANMF in The Hague. Not all projects were jointly developed however; Matra PA and PSO PA are in principle demand driven (see paragraph 4.4).

**Table 7 Requests for assistance and realised assistance projects in agriculture**

<b>Topics for which assistance was requested during UC meetings / Work programme 1999-2002</b>	<b>Projects realised by the end of 2003</b>
Plant protection	PSO PA 'Improving Polish inspection of seed potatoes'
Phytosanitary administration	Phare Twinning 'Phytosanitary administration for future external borders' and 'Phytosanitary administration', (NL was leading partner for both)
Establishment of a paying agency	Phare Twinning 'Preparation of Agricultural Market Agency as paying agency' (with NL as leading partner)
CAP instruments	PSO PA 'Implementation of the milk quota system – pilot', Phare Twinning 'Implementation of the milk quota system' (NL as leading partner), Phare Twinning 'CAP Common Market Organisations' (NL as leading partner)
Institutional organisation in the animal sector	PSO PA 'Improvement of the Polish cattle breeding structure' and 'Adjustment of legal regulations and organisational structures to European Union's requirements regarding hog raising'
Rural development	PSO PA 'Concept of organisation and operation of a designing and executing unit to implement projects related to rural development in Poland' (2 pilots)

- **Utrecht Conference**

The major instrument aiming at strengthening bilateral co-operation between the Netherlands and Poland is the Utrecht Conference (UC). In this government to government co-operation issues relevant to the bilateral relation and Polish EU accession were addressed in a number of thematic working groups, involving civil servants of both countries (see chapter 3 and annex 8).

The Dutch MANMF participated in the UC from its start in March 1999. The first meetings of the thematic working group on agriculture were attended by 3 or 4 participants from both countries. In the first two years the possibilities for Dutch assistance through civil servant expertise (consulting and advisory missions), workshops and conferences, study tours, specialised courses and active participation in Phare Twinning projects were explored. Possibilities for this kind of assistance were included in the work programme. Opportunities for the development of bilateral projects to be financed under the Dutch PSO PA programme were also explored by the working group.

However, the working group agriculture of the UC did not only address topics concerning possible bilateral assistance. From 2001 onwards the focus of the meetings shifted from matching demand and supply of pre-accession assistance to the exchange of information, points of view and positions on the enlargement process, the requirements embodied by the acquis and the (future of the) CAP. The number of people of both ministries involved in the meetings increased and high level staff such as the Under-secretary of State of the Polish MARD and the Director General of the Dutch MANMF led the delegations. This increased the status of the meetings, at least within both Ministries, and demonstrated the meetings started to play an important role in Dutch-Polish bilateral contacts. The political value of the agriculture working group meetings is also illustrated by the visit of Minister Brinkhorst to his colleague at the UC held in Warsaw in April 2002. The Minister explained the Dutch position on the financial consequences of enlargement and, more specifically, on direct income payments.

Agriculture was referred to in a note on the future of the UC (November 2002) when the Dutch Ministry of Foreign Affairs stated co-operation between the respective departments was so successful that the UC was no longer needed in that area. The agriculture working group had already separated itself de facto from the UC in 2002. Although reference to the UC was still made, agriculture working group meetings were held on different dates than the UC, allowing for greater flexibility. The fact that the accession negotiations gained momentum increased the need to discuss issues at regular intervals in Brussels. Thus, in 2002 the working group met three times. Accession negotiations ended at the Summit in Copenhagen in December 2002, when Poland's accession date was set. Consequently the need for consultation weakened and only one meeting of the agricultural working group was held in 2003. Still, at that meeting it was decided to frequently meet each other in the future.

During 2002 the Dutch political position on EU enlargement was affected by conclusions of a Dutch Interdepartmental Policy Research (IBO) report on the financing of the CAP after EU enlargement. The IBO stated that for policy and budgetary reasons farmers in new Member States should not be eligible for direct payments. In case the European Commission would decide to allow candidate Member States to receive direct income payments, the Netherlands favoured phasing-out of existing payments (the 'no phasing-in without phasing-out' approach). Discussions on the contents of the Interdepartmental Policy Research were dominated by the Dutch Ministry of Finance, which emphasised the negative budgetary consequences of enlargement and the negative consequences for the Dutch net payment position. The Dutch MANMF endorsed the viewpoint that CAP needed reform in view of the budgetary cost of enlargement. MANMF however emphasised that reforms should be spread out over several years to offer the agricultural sector time for adjustment and pointed at the need for strategic consultations with acceding Member States.

The Dutch position on CAP reform created some turmoil in Poland. Newspaper headlines suggested the Netherlands were blocking Poland's EU membership. The Polish Minister emphasised that direct income support was an inherent component of the CAP in determining competitiveness in the single market. Reduction of this support should be introduced in all the Member States simultaneously. Thus the phasing-in approach, which implied direct payments would be introduced gradually in new Member States, was considered a distortive measure and evoked substantial opposition in Poland.

The UC meetings of the agricultural working group had an added value in this light, as they provided a platform to discuss the Dutch-Polish divergent views and the publicly expressed dissatisfaction in Poland with the Dutch government position. It was stated that discussions about enlargement and CAP reform were essential when one disagrees.<sup>7</sup> Participants of the meetings considered the agriculture working group an effective instrument for exchanging experience and views on different topics. Also participants emphasised meetings of this group had a positive effect on accession and CAP reform negotiations, by increasing understanding of the (sometimes very diverging) respective positions.

In a note of the Dutch MANMF (February 2002) concerning preparations for the April 2002 UC, the Ministry's objective was to firstly exchange views and create mutual understanding, and secondly to expand political and economic bilateral relations.

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<sup>7</sup> See the Summary Report of the 2003 meeting of the UC Working Group on Agriculture.

Furthermore, the note indicates the focus of the meeting should be on the creation of perspectives for the Polish agricultural sector and rural areas after accession to the EU, focusing on optimal use of communitarian and Dutch assistance funds. This points to a search for coalition building opportunities after enlargement. The assessment of the value of the agricultural working group meetings is in line with these objectives of the Ministry.

In conclusion, during the accession period the Dutch Ministry of Agriculture established strong links with its Polish counterpart. The UC was very instrumental in achieving these. Strong bilateral relations at policy level, however, are no guarantee for alliances in future discussions on CAP and other policy issues, given the different opinions held by both countries.

#### *Assistance programmes*

Poland is eligible for assistance by the Matra and PSO pre-accession programmes. Under the **Matra pre-accession** programme in total three proposals for agriculture projects were submitted for selection. However, all three proposals were rejected. The proposal submitted in 2000 on the modernisation of rural areas was rejected because it was not a UKIE priority. The first proposal of 2001, again related to rural modernisation, was rejected because of doubts on the feasibility and sustainability of the project. The second 2001 proposal, related to transformation of the agricultural structure due to highway construction, was rejected because it was not sufficiently pre-accession relevant and the project proposal was not properly elaborated.

The agricultural sector benefited from the **PSO pre-accession** programme through the funding of five projects (see annex 9). In total Poland proposed thirteen projects for funding. Agriculture was the sector for which most PSO PA projects were accepted. In other sectors only one or no project was accepted. Those accepted related to animal breeding structures, milk quota, seed potatoes and rural development. An important guiding principle for the proposals' assessment was their *acquis* relevance. Improvement of commercial relations between the two countries did not explicitly play a role in the project selection process. The reasons for rejection of project proposals vary from expected overlap with other projects to a lack of accession relevance. To those submitting project proposals selection criteria were not always clear. The Dutch agricultural attaché indicated that this might be due to poor communication between Polish partners involved (UKIE and the MARD, and departments within MARD).

The following projects were accepted for implementation under the Matra and PSO pre-accession programmes.

**Table 8**            **Projects accepted for Matra and PSO pre-accession assistance agriculture 1998-2002**

<i>Programme</i>	<i>Title</i>
PSO PA 1998	Improvement of inspection of seed potatoes
PSO PA 1999	Improvement of the cattle breeding structure
PSO PA 1999	Development of a milk quota system
PSO PA 2001	Adjustment of legal regulations and organisational structures to EU requirements regarding hog raising
PSO PA 2002	Concept of the organisation and operation of a designing and executing unit to implement projects related to rural development

In addition to bilateral assistance the Netherlands contributed to Poland's preparation for EU membership through the communitarian **Phare Twinning** programme. Participation of the Dutch MANMF in Twinning projects in Poland was relatively high, illustrating Poland's priority status in the policy of the Dutch Ministry of Agriculture. In the agricultural sector the Netherlands participated in five projects as leading partner, and in one project as junior partner (for an overview of all Phare Twinning projects with Dutch participation: see annex 7).

#### *Thematic clustering of activities*

Executed bilateral assistance projects slightly emphasise the animal sector. The projects and topics featured on the bilateral working plan of the Dutch and Polish Ministries of Agriculture. Thus the projects were structured according to a coherent plan based on Dutch priorities and Polish assistance needs for accession. This provided structure to the projects thereby increasing effectiveness. The Phare projects in which the Netherlands participated focused mainly on strengthening institutional capacity in phytosanitary administration, paying agencies and common market organisations. The Twinning project on milk quota was a continuation of a PSO pilot project on the same subject. The subjects are in accordance with the priorities of the Dutch Ministry's work programmes, and thus fit into a coherent framework of support.

#### **4.4 Assessment of Bilateral Pre-Accession Projects**

In this section four bilateral agricultural projects suitable for evaluation are analysed. These are 'Improvement of the Polish inspection for seed potatoes', 'Improvement of the Polish cattle breeding structure', 'Development of a milk quota system' and 'Adjustments of legal regulations and organisational structures to EU requirements regarding hog raising'.<sup>8</sup>

#### *Background of the projects*

In many cases a formal request for assistance was issued after consultation between Dutch and Polish experts. The projects clearly benefited from existing contacts between experts and/or policy makers on both sides and preparatory work matching needs and offers. In three out of four evaluated projects the initiative primarily originated from Poland. One case, i.e. the milk project, was a Dutch initiative and (initial) proposal writing was largely done without consulting Poland. This led to some problems related to Polish ownership at the start of the project. During project implementation these problems disappeared and Poland indicated it was very satisfied with the project and its implementation. In all cases Polish demand and Dutch supply were based on real needs, so all bilateral projects were requirement driven.

All four projects are pre-accession relevant, making comprehensive references to the requirements stemming from EU accession. The adoption and implementation of these *acquis* requirements for the specific field the projects focused on were a *sine qua non* for Poland's successful accession.

The Dutch projects did not overlap with other bilateral projects or those financed by multilateral sources, such as the EU (Phare Twinning) or World Bank. One project

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<sup>8</sup> Referred to as the 'seed potatoes project', the 'cattle project', the 'milk project' and the 'pig project' respectively.

related to cattle potentially overlapped with a Phare Twinning project on animal identification and registration (I&R). The PSO PA project originally included I&R aspects. After warnings of possible overlap from Polish project partners and discussions between the Dutch and Polish project partners, the PSO PA project plan and activities however were modified.

### *Effectiveness*

The effectiveness of all four agricultural projects was evaluated as positive. The effectiveness of the pig project could not be fully evaluated, as it had not finished at the time of evaluation. However, so far the results were assessed positively by the Polish side. Of the three projects accomplished, most planned outputs and objectives were realised. In case planned activities were not realised valid reasons were provided. For example, priority setting changed during the project (the cattle project) or unexpectedly quick results were achieved, making certain intermediate steps unnecessary (the pig project). As all project objectives aim to support Poland's compliance with EU requirements and most planned outputs and objectives were achieved, the projects certainly contributed to Poland's preparation for EU accession.

As regards the second policy objective, strengthening of bilateral relations, all projects contributed to the development of contacts at professional level. Most contacts developed between consultants and experts of Dutch and Polish institutions, but not at intergovernmental level. The seed potatoes project for instance was followed up by continuous support of NAK to the Seed Inspection Service for other crops. Other seed institutions have also established and strengthened contacts during follow-up projects. Furthermore, the PSO project on seed potatoes indirectly contributed to two Dutch-led Phare phytosanitary projects. The milk project probably is the best example of how a PSO project can encourage further bilateral co-operation as it was extended into a Phare Twinning project.

### *Efficiency*

In two cases (the seed potatoes and milk projects) the projects were implemented smoothly and without delay. In the cattle breeding project, however, partners did not agree on the originally proposed activities of animal identification and registration, which caused a delayed start of the project. The project also suffered from institutional reorganisation, legislative changes and an outbreak of foot-and-mouth disease, all causing deadlines to be shifted. The pig breeding project suffered some delay as the reorganisation of the beneficiary POLSUS stopped the project work for some time. Furthermore the project's efficiency was negatively affected by communication problems. Most training focused on local staff who in general spoke inadequate English. Delays were not always due to project partners. The milk project, for instance, was extended because the formalities to shift (save) money to additional training activities took quite some time. The cattle-breeding project similarly confronted time-consuming procedures for reallocating money.

Nevertheless, Poland expressed satisfaction with the flexibility and commitment shown by the Dutch consultants and experts participating in the projects. The role of the Dutch agricultural attaché was also highly appreciated, as he was very efficient in supporting and promoting projects. This positive role was not only noticed during the start-up phase (proposal writing), but also during implementation. Moreover, the Polish side generally qualified training and knowledge transfers as very efficient.

## 4.5 Conclusion

Agriculture was always at the centre of the debate on Poland's accession to the EU. Poland at the beginning of negotiations with the EU stated that it fully accepted the acquis in agriculture and that all CAP rules and mechanisms would be applied as of accession. Negotiations however were complicated. The main issues were direct payments, production and support quota and a transitional arrangement for the purchase of agricultural land by foreigners. Poland protested strongly against the Commission's position of gradually phasing-in direct payments to farmers in new Member States, as this implied unequal competition with the EU15 farmers. After the conclusion of negotiations on the agriculture chapter in December 2002, the Commission still identified a number of serious concerns related to the Polish agriculture sector.

The Netherlands was a firm supporter of the enlargement process. However, in the final stage of negotiations the Dutch position, as presented in the IBO-report on the CAP and indicating that farmers of the new Member States should not be eligible for direct payments, stirred up some bad feelings in Poland. Thanks to frequent meetings of high level civil servants from respective Ministries of Agriculture bilateral relations between the Netherlands and Poland remained constructive. These meetings also took place within the framework of the Utrecht Conference. The agriculture working group of the Utrecht Conference proved to be a very effective instrument in exchanging views on agricultural policy issues and defining common interests.

Confirming to a Memorandum of Understanding signed by the two Ministers of Agriculture in 1996, joint work programmes were formulated. In these programmes ideas for bilateral activities were developed, based on mutual consultation and aimed at matching supply and demand. They were used as guidelines for the development of bilateral pre-accession and Phare Twinning projects in which the Dutch were involved. The Dutch agricultural attaché played an important liaison role in this process. The projects focused on key accession issues in Polish agriculture, such as phytosanitary control, paying agency and CAP instruments. In this way coherent sets of activities were implemented, addressing both relevant accession problems and Dutch supply and strategic interests.

All four projects evaluated resulted from an interactive process between Dutch and Polish experts during project proposal writing. The effectiveness of all four agricultural projects was evaluated positively. Efficiency was not always optimal due to both internal and external factors, such as institutional reorganisations, foot-and-mouth disease, communication problems and formalities. Dutch-Polish agricultural activities fit into clear chains of activities. Policies and strategies hence seem coherent, taking into account needs and capacities on both sides.



## **5 JUSTICE AND HOME AFFAIRS**

### **5.1 Introduction**

In this chapter an analysis of Dutch-Polish relations in the justice and home affairs (JHA) sector will be presented. Firstly the situation in the sector, in which accession issues are intimately related to transformation issues, before the start of the accession negotiations will be described. Then a survey of the negotiations on the justice and home affairs chapter will be given, including particular Polish concerns. The development of Dutch-Polish bilateral relations in the justice and home affairs sector and the use of available policy and assistance instruments are again the focal point of this chapter. As no bilateral assistance projects were implemented during the evaluated period, project assessments will not be presented here (see annex 9 for an overview of activities in the justice and home affairs sector). This chapter will form a building block for the Justice and Home Affairs chapter of the final evaluation report.

### **5.2 Main Issues of Poland's Accession in the Field of Justice and Home Affairs**

The Polish negotiations on the justice and home affairs chapter (chapter 24) formally started on 14 June 2000. Negotiations did not run very smoothly and Poland was the last of the ten candidates to provisionally close negotiations on 30 July 2002 (see also chapter 3). The Netherlands and France were seen by Poland as the most critical Member States in discussions on the closure of Poland's justice and home affairs chapter.

In its *avis* of 1997 the Commission highlighted that the entry into force of the Amsterdam Treaty, which incorporated the Schengen acquis into the framework of the European Union, "binds any candidate for EU membership to accept that acquis in full" prior to membership. Especially taking into account the rapid development of parts of the justice and home affairs acquis during the accession negotiations, the document thus sets the candidate Member States a moving target for meeting the justice and home affairs acquis, both in its then current and future shape.

#### *The Polish negotiation position*

The Polish government initially decided to implement the JHA acquis in full, including the Schengen requirements. Poland did not ask for official transition periods or derogations. More specifically, Poland accepted in full the acquis in the areas of 'migration, admission and readmission' and 'customs co-operation.' The areas of 'asylum' and 'combating terrorism', where legislative and institutional work was in progress, and with completion expected by the date of accession, were also accepted.

Despite full acceptance of the acquis, Poland requested clarification of procedures related to the Schengen acquis by the European Commission. Moreover Poland was of the opinion that requirements for new Member States should be the same as those for existing Member States, and not exceed these. Thus Poland refused to accede to two Conventions of the European Council<sup>9</sup>, deferring its acceptance until such time

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<sup>9</sup> European Convention on international validity of criminal judgements, The Hague, May 1970, and the European Convention on the transfer of proceedings in criminal matters, Strasbourg, May 1972.

as the legislation would "become a standard widely accepted by the Member States." In addition, the latter's acceptance of the two Conventions was a Polish condition for subscribing to the Agreement on illicit traffic by sea, which the country declined to join at this stage, as "the agreement does not apply to the Member States."

An important area of divergence between the EU and Poland was the introduction of visa requirements for the fifteen countries, mainly Newly Independent States (NIS), whose nationals Poland granted visa-free entry till as late as mid-2000. Despite the Commission's persistent request to introduce visa requirements, the Polish government opted for a schedule of gradual visa policy harmonisation with EU Member States, gradually introducing visa requirements for the citizens of those fifteen countries. The introduction of visa requirements for nationals of Belarus, Russia and Ukraine was delayed until 1 July 2003.

#### *The Commission's position in the accession process*

In response to the Polish negotiation position the European Union issued its Common Position in May 2000, laying down both the scope of the *acquis* to be implemented by each candidate country in general, and the implications for Poland in particular.

The EU made it clear that any reservations stemming from international agreements incompatible with EU membership obligations should be eliminated by termination of such agreements. This in particular was applicable to Poland's visa-free travel arrangements extended to its eastern neighbours.

The need for practical progress in the development of Poland's "independent, reliable and efficient judiciary", as well as in the country's "overall administrative capacity", was stressed. The EU announced its intention to closely scrutinise the implementation of the necessary measures in its progress reports.

#### *Issues during Poland's accession process in the justice and home affairs field*

The EU introduced incentives to intensify efforts in the justice and home affairs negotiation area. The Commission conducted annual progress reviews and offered detailed recommendations. The latter concerned visa affairs, border management, asylum, anti-corruption measures, fraud, organised crime, police co-operation, data protection, combating drugs, money laundering, and collaboration on justice and customs co-operation.

However, progress was insufficient and concerns were reiterated in 2000 and 2001 reports. In sum, during 2000-2002 the areas of the Commission's concern and key issues of Poland's accession in the justice and home affairs field were:

#### *Visa policy*

Terminating visa-free travel for citizens of Newly Independent States was an important issue, as was the construction of new consulates and the enlargement of existing facilities. This was finally implemented by the Ministry of Foreign Affairs, extending the deadline from 2000 to 2003. Bilateral talks with neighbours were necessary. These talks were particularly difficult with Russia, which refused to adopt a simplified and cheaper visa procedure. The visa issue was also complicated by the problem posed by the Kaliningrad transit. The latter was solved by trilateral negotiations (between the EU, Russia and Lithuania) which were concluded in spring 2003.

### *Border controls*

In view of accession to the EU, particular investment in border infrastructure on the Polish eastern border was needed, increasing the density of watchtowers and enabling the deployment of sufficient staff and the use of new control techniques and equipment. Until 2001 progress was slow due to a shortage of funds. Thereafter, developments accelerated, especially with regard to investment in equipment and infrastructure. The Copenhagen summit allocated substantial funds, extending until 2005, to complete the work (see chapter 3). Higher staffing levels and more personnel training at the Border Guards remained nevertheless problematic.

### *Asylum*

In the area of asylum, understaffing of the required central Office for Aliens and Refugees, and the low number of asylum centres were problematic. Furthermore, although three Alien Laws were passed in 1997-2003, the readmission of illegal aliens to safe countries was an issue, as CIS (Commonwealth of Independent States) neighbours resisted signing readmission agreements.

### *Fighting corruption and fraud*

In the field of combating fraud, the EU stated that Poland's ability to protect the Union's financial interests should be at least equal to the level of protection afforded by 'old' Member States. The transparency of public bidding procedures was to be increased and salaries of police, border guards, customs and tax officers raised. The Council of Europe Corruption Convention was ratified in September 2002. Poland held the worst position of all acceding countries in the Transparency International ranking of 2003, due to persistent corruption at central level, in the police, and the customs and border guard units. An increase of corruption, fraud and mismanagement of funds was observed.

### *Fighting organised crime and police co-operation*

The Commission expressed its concern about Poland's capacity to deal with transnational organised crimes such as the illegal transfer of vehicles, and 'new' financial and 'high-tech' crime, including money laundering. The EU stressed the need to conclude the Pre-Accession Pact on Organised Crime and suggested participation in Europol prior to accession, also on issues of hot pursuit and cross-border surveillance. While Poland was expected to clarify hot pursuit procedures upon accession, particularly substantive co-operation with police forces of Member States and neighbouring states was envisaged. The set-up of a separate central agency and new internal units within the police force was required, as well as co-ordination of criminal data exchange between institutions. The association with Europol and legislative change (Poland signed the Palermo Convention and an agreement with Germany) got on track, but due to little experience, insufficient co-ordination and secret data exchange, operational work with Union partners remained difficult.

### *Data protection*

In the field of data protection Poland's priorities were the set-up of a central agency and ratification of the Council of Europe Personal Protection Convention. Broad powers were assigned to the Inspector General for the Protection of Personal Data. The Council of Europe Convention entered into force in September 2002.

### *Combating narcotics*

The Commission welcomed Poland's intention to fully implement the acquis on illicit drugs. Implementation required readiness for participation in the information network (Reitox) of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). A national drugs strategy was to be developed in line with the EU Drug Strategy for 2000-2004, and full co-operation with Europol on the Pre-Accession Pact on Organised Crime was seen as essential prior to accession. Polish priorities in the fight against drugs were the suppression of synthetic drug production, reduction of domestic drug consumption and transits to Western Europe. Progress was made in administrative customs co-operation with neighbours and domestic business organisations to combat drug trafficking.

### *Money laundering*

In combating money laundering sufficient administrative capacity is a prerequisite for recording and analysing large transactions. A financial intelligence unit needed to be built, and training in detection methods had to be provided.

### *Co-operation of justice*

The time span for handling court cases had to be reduced. Operational co-operation was satisfactory, but mutual recognition and execution of judgements still needs to be developed.

### *Customs co-operation*

Clear competencies for a new system of customs administration had to be formulated and genuine operational co-operation at all levels of border guards had to be developed. Persistent corruption remained problematic. Reorganisation of the customs service required by the elimination of custom controls on western and southern borders proved difficult due to financial limitations.

### *Political criteria*

The Commission's progress reports also stated the necessity for improving the performance of national institutions and the organisation of the judicial system. These comments were received with scepticism in Poland. The Polish Ministry of Justice found the requirements difficult, given that no clear benchmarks were provided and that the diversity of existing national systems did not offer a single model to pursue in order to meet the high standards set for the judiciary.

### *Outcome of the negotiations*

In the second half of 2002 Poland affirmed it still had the following obligations for the period between the conclusion of the negotiations and the date of accession:

- fully implement the Schengen Action Plan;
- allocate sufficient funds to continue implementation of the Schengen Action Plan and the Strategy for Integrated Border Management in 2002 and thereafter;
- adopt and implement measures against illegal migration and employment according to Alien Law amendments;
- amend the penal code for liability of legal persons for fraud and corruption;
- timely adopt and execute a new 2002-2004 National Drug Prevention Programme;
- implement Directive 91/308/EEC on money laundering, with particular emphasis on the obligation to register and store information on the transactions at value of over € 15,000 as of 1 January 2004.

In the Commission's last monitoring report (November 2003), no areas of serious concerns in justice and home affairs were identified. The Commission however indicated the need for "enhanced efforts" on the Schengen Action Plan, visa policy, external borders, the fight against fraud, corruption, drugs and money laundering; i.e. practically all complicated issues during the Polish accession negotiations.

#### *Polish appreciation of the negotiation process*

Interviews with officials of the Polish Ministries of Justice and the Interior reveal that Poland underestimated both the length of negotiations and the scope of obligations to be faced during the accession process. The Ministries' expectations of a relatively quick and technical exercise consisting of approval of the "precisely determined *acquis* article by article," resulting in quick convergence of national legislation with the *acquis*, were proven overoptimistic. Early harmonisation with the initial modest EU legal framework presented at the outset of the negotiations was insufficient given evolving obligations. Some newer instruments adopted by 'old' Member States only with significant delay were tabled later in the negotiation process. This led to preliminary closure of the justice and home affairs chapter, without having dealt with important but contentious initiatives such as the European arrest warrant.

### **5.3 Use of Bilateral and Assistance Instruments in the Justice and Home Affairs Sector**

#### *Home affairs*

The Dutch Ministry of the Interior lists Poland and the other Visegrád countries as priority countries for police co-operation, good governance, and crisis management. In good governance and crisis management the relation between the two ministries is not very visible. Police co-operation between the Netherlands and Poland is intense, but as this co-operation largely takes place outside the (central) governmental arena, relations between the Polish and the Dutch Ministry of the Interior cannot be characterised as intensive. Neither a **Memorandum of Understanding** was concluded, nor did political **visits** take place during the accession period, or were any **MPAP** or **PSO PA** projects implemented. However, a **justice and home affairs officer** was posted to the Dutch embassy in Warsaw. Also a **police liaison officer** was posted to the embassy, who fulfils an important role in the bilateral police co-operation. Two **Phare Twinning** projects with Dutch participation were implemented.

- **Police co-operation**

The Commission considered police co-operation a priority in Poland's accession process. The functioning of the police also was an important part of Poland's transformation. Police co-operation between Poland and the Netherlands is intense. It started in the early nineties and developed over the years. In 1992-1993 nine partnerships between regional police corps were established and as contacts increased a broad network of bilateral police co-operation came into existence. The co-operation mostly takes place at operational level, at the level of regional police units. The Dutch Centre for International Police Co-operation (NCIPS), a Dutch central co-ordination body for international police co-operation, plays an important role in the bilateral co-operation. It provides a framework for regular meetings between the Ministries of the Interior and Justice and representatives of the Dutch and (among others) Polish police forces, and also co-ordinates joint Dutch-Polish police activities.

During the co-operation, which is appreciated in both countries, certain Dutch pre-accession programs of the Ministry of Foreign Affairs such as PUA<sup>10</sup> and IMPACT were used. The close co-operation led both countries to also embark on two Phare Twinning projects. During the project 'Twinning for the Police Services' (2000) the Netherlands supplied only short term expertise. In the second project, 'Twinning for the Police Services' (2001), the Netherlands was the leading partner. A meeting for this project was financed from the DIP-allocation to the Dutch Ministry of Justice in 2001. The Polish side greatly appreciated this Phare project. The fact that the Pre-Accession Advisor (PAA) spoke Polish was considered an important factor for the success of the project.

- Good governance

A number of activities in the field of local governance, amongst which one Matra classical project<sup>11</sup>, were undertaken in the framework of the Local Authority Co-operation with Candidate Countries Programme (GST) by the Association of Netherlands Municipalities (see annex 9 for an overview of Dutch financed JHA-activities). According to an IOB-evaluation of local government initiatives financed by the Dutch Ministry of Foreign Affairs (draft report published first half of 2003<sup>12</sup>) only a minor part of those GST activities (in Poland 3 out of 32) was relevant for the implementation of the acquis.

- Utrecht Conference

The working group on justice and home affairs of the Utrecht Conference was one of the 'regular' working groups of the Conference (see annex 8 for an overview of working groups participating in each Utrecht Conference). In this working group mostly matters concerning police co-operation and crisis management were discussed. Bilateral police co-operation was a topic of the JHA working group at almost every Conference. Even at the first Utrecht Conference, in which no JHA working group participated, police co-operation was discussed separately from the working groups.

As pointed out earlier (see paragraph 3.3), the Netherlands hoped for a shift in the Conference's character from a platform for bilateral assistance to a forum preparing EU decision-making. This shift did certainly not happen in the JHA working group. Topics covered were mostly of an operational nature and concerned bilateral co-operation in police matters and crisis management. An official at the Dutch Ministry of Interior Affairs felt that "the place for negotiations is not the Utrecht Conference, but Brussels". At the last two Utrecht Conferences studied (the 11<sup>th</sup> and 12<sup>th</sup>) no JHA working group session was held. Officials from both countries' Ministries of the Interior appear to be rather indifferent to the future of the Utrecht Conference.

### *Justice*

The 1999 Dutch Accents policy document states that Poland is a priority country for the Dutch Ministry of Justice as it is one of the countries a **Memorandum of Understanding** was concluded with. As pointed out before, a **justice and home affairs officer** is stationed at the Dutch embassy in Warsaw. Just as in the home

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<sup>10</sup> Mission to Voivodship Police Headquarters in 2001.

<sup>11</sup> Aimed at the improvement of the involvement of and co-operation between civilians, NGOs and local government in the decision-making processes in voivodship Lublin.

<sup>12</sup> Policy and Operations Evaluation Department (IOB), *Over solidariteit en professionalisering: Evaluatie van Gemeentelijke Internationale Samenwerking (1997-2001)*, IOB-evaluations no. 297, The Hague: Ministry of Foreign Affairs, 2004.

affairs sector no political **visits** took place during the analysed period and no **MPAP** or **PSO PA** projects were implemented. A small number of **Phare Twinning** and **Phare Horizontal** projects with Dutch participation were executed. Bilateral co-operation was most visible in border management, migration and the codification of civil law. Also with respect to training of the judiciary and the rule of law some activities were implemented. Nevertheless, the relation between the Polish and the Dutch Ministries of Justice is not very intensive. For Poland the most important bilateral partners in the area of justice are Germany and the United Kingdom.

- **MoU**

In 1996 the Ministries of Justice of both countries concluded a MoU, covering the following:

- exchange of information on legislation;
- exchange of experts and delegations 'to study issues of interest to either country';
- exchange of experience in civil and criminal law;
- promotion of the amendment of Polish legislation concerning international litigation;
- international private law.

This MoU was not renewed afterwards. Poland decided to conclude this MoU with the Netherlands in recognition of Dutch efforts to ensure Poland's accession to the Lugano Convention on enforcement of judgements, after a thorough investigation of Polish legislation by Dutch experts. The Dutch Ministry of Justice says the following on the MoUs it concluded with the acceding countries: "These MoUs are more an expression of the good relations with candidate Member States, than guidance for activities - which are demand driven."<sup>13</sup> The MoU is not particularly focused on accession issues, nor are the annual country plans of the Dutch Ministry of Justice for Poland.

- **Border management**

The Commission was particularly critical of Polish border management. It was also one of the areas of bilateral co-operation between Poland and the Netherlands and a topic regularly covered at the JHA working group of the Utrecht Conference. Bilateral co-operation in this field can be characterised as essentially operational. The Netherlands was a junior partner in three Phare Twinning projects ('Asylum and border management' in 1998 and 1999 and 'Border and visa policy' in 2000). According to Polish sources co-operation did not always run smoothly. Especially the implementation of the first Phare project was hampered by communication problems. Furthermore, lack of a common land border made the Netherlands a less interesting counterpart for Poland. Collaboration with Germany, Poland's western neighbour, was deemed more important. In the last years before accession, Polish officials indicated that the need to utilise bilateral funds had decreased as Polish priorities were served by the € 280 million Schengen Facility.

- **Migration**

Migration was another priority during the Polish accession process. Just as in border management, the Dutch were involved through Phare initiatives. In this case co-operation with the Netherlands was initiated through a Phare Horizontal programme as early as 1994, which included frequent study visits to the Netherlands. Thereafter, operational co-operation continued through study visits and exchange of information.

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<sup>13</sup> Netherlands Ministry of Foreign Affairs, *Nieuwe Accenten in een groter Europa*, TK 23 987 no. 12, 27 March 2002, p. 12.

In May 2001 a study visit by Polish officials and an exchange of information followed after discussions on migration in the framework of the Utrecht Conference. The operational collaboration between the Polish Office for Repatriation and Aliens and the Dutch Migration and Naturalisation Service (IND) was reported to be satisfactory. However in 2002 the IND was not accepted as either leading or junior partner in the two different Phare Twinning projects for which it submitted a tender.

- Codification of civil law

One of the most visible forms of co-operation between the Ministries of Justice of both countries concerned civil law. The codification of civil law was not an accession priority, but was part of the country's transformation, to which in justice and home affairs accession issues are strongly interrelated. In 1997 the Polish government created the Codification Commission for Civil Law. One of the objectives of the Commission was to make available the solutions found in the Dutch Civil Code, perceived as one of the most modern, for adaptation to the Polish context. The Dutch Ministry of Justice supported this Commission financially (from its own budget), and by posting for several years a Dutch expert at the Codification Commission in Warsaw. The expert had worked at the Dutch Ministry of Justice's legislation department for some years and had good knowledge of Poland including its language. He was appointed as contact person between both Ministries and an advisor of the Codification Commission. The co-operation lasted from September 1999 till December 2003. A new proposal for a Matra classical project ('Support for the elaboration of a new civil code for Poland') was formulated and approved end 2003. Implementation of this project, the continuation of previous support on a larger scale, started in 2004.

- Rule of law

Strengthening of the judiciary and the rule of law in general were other areas where joint activities developed. During the Polish transformation and accession period several study visits and training sessions took place, for instance within the framework of the Phare Technical Assistance project for Polish judges and prosecutors in 2002. In addition a number of Phare Horizontal projects with Dutch involvement were implemented, for example the project on the rule of law, which was led by the Dutch. The project consisted of analysis of the main aspects of the rule of law in the ten acceding Central European countries, which was published in 2002.

- Utrecht Conference

Although the working group of the Utrecht Conference was called 'Justice and Home Affairs', topics discussed mostly concerned home affairs rather than justice. Apparently interest in participation in the Utrecht Conference lacked at both Ministries of Justice. A high official of the Polish Ministry of Justice even stated that participation in the Utrecht Conference was seen as "a step backward" in the bilateral relations between the Ministries. As also at the Polish Ministry of the Interior, the Conference was criticised as a venue not conducive to high-level exchange of political positions.

Nevertheless, a few topics related to justice were discussed during JHA working group sessions. These topics mostly concerned border management, Schengen, asylum and migration. Civil law was never on the agenda of the JHA working group. On two occasions (during the 7<sup>th</sup> and 9<sup>th</sup> Utrecht Conference) an attempt was made to use the JHA working group as a forum to discuss Poland's progress on negotiation chapter 24 and the political criteria. This seems to have been a Dutch initiative. At the 7<sup>th</sup> Utrecht Conference (July 2001) the JHA working group discussed Poland's



progress in implementing the JHA acquis and the rule of law. Dutch officials also explained the rather critical Dutch opinion on the closure of chapter 24. There was no JHA working group at the 8<sup>th</sup> Utrecht Conference. At the 9<sup>th</sup> Conference (April 2002) the Netherlands repeated their concerns about the progress in the Polish implementation of the JHA acquis, which was characterised as “slow”. Dutch participants also elaborated on current developments in the JHA acquis, such as the Action Plan to combat terrorism. Some Polish officials characterised the Dutch attitude towards Poland’s progress in the JHA field as “paternalistic”.

As in home affairs, one could not observe a shift from a ‘platform for bilateral assistance’ to a ‘forum to prepare EU decision making’ in justice either. On the contrary, commitment appears to have diminished, as at the last two Utrecht Conferences no JHA working group session was held. There appears to be no commitment to continue the Utrecht Conference, on neither the Dutch nor Polish side.

#### **5.4 Conclusion**

Poland’s progress in Justice and Home Affairs was an area of concern to EU Member States, including the Netherlands. Negotiations between the EU and Poland on JHA-issues were quite complicated and took a long time.

During the pre-accession period bilateral relations between the Netherlands and Poland in justice and home affairs were not intensive. Ministerial visits did not take place and the Netherlands was not among the most important bilateral partners in this area. The main source of funding of activities in the JHA field was the European Union. Nevertheless, in some areas co-operation between the Netherlands and Poland was rather significant, notably in police co-operation, codification of civil law, border management and migration. Strengthening of the judiciary and the rule of law in general were other areas where joint activities were developed. Most areas of co-operation concerned priority accession issues, with the exception of the codification of civil law, which was an important component of Poland’s transformation. Police-co-operation addressed both accession and transformation issues, which in the justice and home affairs field are strongly interrelated. Co-operation in police and migration issues was essentially operational, with often little involvement from the Ministries of the Interior or Justice. Personal factors proved important for the success of the co-operation and Polish-speaking Dutch advisors were highly appreciated. No explicit bilateral pre-accession activities (MPAP and PSO PA) were developed in the justice and home affairs field. Hence, the effectiveness and efficiency of bilateral co-operation in justice and home affairs could not be assessed.

Stakeholders did not see the working group on justice and home affairs of the Utrecht Conference as a venue conducive to high-level exchange of political positions. At first, the working group concentrated on operational issues of police co-operation and crisis management. In later sessions the critical Dutch view on the closure of the negotiations with Poland on chapter 24 was explained. This did, however, not result in an in-depth exchange of opinions and positions of both sides. The future of the justice and home affairs working group of the Utrecht Conference was unclear at the time of writing.



## **6 TRANSPORT AND WATER MANAGEMENT**

### **6.1 Introduction**

This sectoral chapter on transport and water management has a structure similar to the previous chapters. It depicts Polish conditions in the transport and water management sector, accession negotiations in this field and difficulties encountered in light of the country's accession and transformation. In addition a description of bilateral relations will be given, as well as an overview of the bilateral and assistance instruments applied (see annex 9 for an overview of activities in the transport and water management sector). Two bilateral pre-accession projects will be assessed. The chapter will form a building stone for the 'Four Other Sectors' chapter of the final evaluation report.

### **6.2 Main Issues of Poland's Accession in the Field of Transport and Water Management**

#### *Transformation and accession*

The evolution of the Polish transport and water management sector during 1989-2003 was characterised by three main features:

1. transition from a centrally planned towards a decentralised market economy;
2. privatisation of state owned businesses;
3. accession negotiations with the EU.

The accession process in transport and water management cannot be separated from the ongoing transformation process. Transformation started in 1989 and continued throughout the accession process. One of the main transition phenomena in the Polish economy was the activity shift from industry to services. The service sector is less transport consuming than the industry sector in terms of movements of cargo, but is characterised by high mobility of employees and clients. At the same time transport shifted from the simple movement of goods and passengers to wide logistics, door-to-door and on-time deliveries, passenger full services, et cetera. The structure of transported goods also changed from 'simple' (raw materials) to processed goods. Features of the Polish transport sector during the accession process were the growth in the number of private cars, increased road freight transport at the expense of rail freight transport, an increase of traffic on national roads accompanied by a growing number of accidents, and intensifying maritime and air transport.

The EU and Poland see the transport sector as one of the most important sectors to integrate the country into the Europe's economy and social and cultural life. Across all sectors there is an economic need to promote, develop and upgrade the transport infrastructure in all candidate countries. After accession the main infrastructures of candidate Member States became part of an enlarged Trans-European transport network.

In this chapter analysis of the water sector, which is very extensive, will be limited to water management issues. Water quality and drinking water will not be dealt with. An important aspect of the transformation in water management is the river basin concept, which was introduced in Poland in 1991.

### *Accession negotiations in the field of transport*

One specific negotiation chapter dealt with transport, i.e. chapter 9 on 'Transport policy'. It comprised a very substantial body of transport legislation, which was based on the articles 70-80 of the EC Treaty and represented about 10% of the total EU acquis. Negotiations with Poland on this chapter were opened in November 1999 and were provisionally closed in June 2002. However, also other chapters applied to the transport sector. They related to the internal market, such as chapter 1 on the free movement of goods and chapter 6 on competition policy. The transport acquis consisted mainly of secondary legislation, i.e. several hundred Regulations, Directives and Decisions. Implementing the acquis did not only require adoption of legislation, but also an adequate level of administrative capacity.

The *road transport*-related acquis covered a vast area of social, technical, fiscal, safety and environmental requirements. Road transport market integration was one of the most sensitive issues in the context of the accession negotiations. The EU proposed to grant access to the intra-EU road haulage market, provided that candidate Member States effectively implement the acquis and, where relevant, accept the EU position on the candidates' requests for transitional periods. Candidate Member States would then upon accession be granted access to the market of carriage of goods by road within the EU, i.e. to or from the territory of a Member State, or passing across the territory of one or more Member States (covered by Regulation (EEC) 881/92).

However, there were specific sensitivities over immediate national cabotage market opening upon accession. To achieve smooth integration, and in light of the experience of the EU, the latter therefore proposed a transitional arrangement, entailing that access of non-resident hauliers to national road transport markets of other Member States (covered by Regulation (EEC) 3118/93) should, in certain cases, be phased in gradually. The proposal was to reciprocally restrict access to the national transport markets between old and new Member States for an initial period of two years for those candidate Member States which did not request or only requested limited transitional periods and for an initial period of three years for those candidate Member States which requested more substantial transitional periods. In addition, Member States could opt for an extension of the initial transitional period, by maximum two years. In certain cases this might be extended one more year. Furthermore, Member States choosing not to prolong the transitional period were allowed to apply safeguards up to the end of the fifth year. In the road transport sector requests for limited transitional periods were accepted for Bulgaria, Latvia, Lithuania, Hungary, Poland, Malta and Cyprus.

During the accession period the *railway* acquis was subject of substantial amendments. The liberalisation of this sector called for further opening of national railway markets to competing railway undertakings from other Member States. Except for Hungary and Poland, all countries for which the EU proposed provisional closure of the transport chapter were in a position to implement the recently revised railway acquis on accession. For Hungary and Poland a limited transitional period for market access was accepted.

In *maritime* transport the enforcement of the maritime safety acquis formed one of the biggest challenges for the acceding countries. Similar to other candidate Member States, Poland did not request a transitional period. The importance of legal harmonisation and strengthening of administrative structures, especially with a view

to improving the safety of the candidate Member States' fleets, were emphasised in the candidate Member States' common positions.

In *aviation* issues of market access, safety and infrastructure organisation had to be addressed. Only Lithuania and Hungary were granted limited transitional periods in order to phase out operation of noisy aircrafts by third countries.

The accession process in the Polish transport sector was closely linked to transformation issues such as the reduction of public sector involvement in the sector, organisation of regulatory functions and speeding up restructuring of infrastructure. Privatisation of state transport companies (road transport, public transport, aviation, etc.) was particularly important. In this process interests of different professional groups, unions and other pressure or lobbying groups had to be faced. This was most noticeable in rail, but also in other transport sectors (especially bus public transport and civil aviation). In trucking, inland and sea transport and seaport operation, market opening and privatisation was more advanced or even completed. For public roads (one of the most neglected transport branches) the situation was complicated as there were no specific EU requirements (only bearing capacity of pavements for axle loads of 115 kN was required). The administration subcontracted works and services, but this took place at a slow pace. A specific case was the complicated introduction of a motorway toll system, using a private-public partnership model.

Poland accepted the whole *acquis communautaire*, excluding some acts which it proposed to implement during transition periods. A few transition periods on particular dimensions and weights of road freight vehicles and rail market regulations were granted (see annex 4 for an overview of Poland's accession negotiations and the outcomes):

- gradual increase of axle load limits on the national road network;
- access of non-resident hauliers to the national road transport market of other Member States to be phased in gradually;
- access to the Polish rail market to be phased in gradually.

The situation in the transport sector just before accession was complicated. Some areas were virtually working according to EU standards and met requirements (tracks, sea ports), some were still in transition but making progress (civil aviation, roads) and some were at a crossroad (rail). An exception is urban public transport. Due to capacity problems some of the EU sponsored programmes (including ISPA) were delayed and there was a serious danger that available resources were not fully used.

#### *Water management*

Directives related to water management such as the Water Framework Directive (WFD) (next to the Directive on Urban Wastewater and the Drinking Water Directive) were included in negotiation chapter 22 on the environment. The WFD is particularly demanding in requiring (future) Member States to achieve 'good ecological status' and 'good chemical status' for all surface and ground water by 2010. The Directive lays down procedural requirements to be applied in integrated water resources management. River basin authorities will be required to monitor water quality and quantity, set quality standards, establish rules for water abstraction and wastewater discharge permits and develop action plans to ensure agreed quality objectives will be met. Public participation in the process is deemed essential.

The Water Framework Directive and the related flood protection measures were to be fully implemented by Polish accession. The WFD was seen as part and parcel of Polish environment policy, entailing various aspects such as the introduction of the 'polluter pays' principle, an intersectoral approach and large-scale education and training. Flood protection is considered extremely important, especially after the recent floods. Clear water is a municipal responsibility.

The Commission in its 2003 monitoring report stated that the water management sector was well prepared for accession; legislation had been adjusted and the administration was in place and functioning. Hence, the water management sector seemed to be well prepared for accession. The basic concerns were related to investment projects.

### **6.3 Bilateral Policy and the Use of Bilateral and Assistance Instruments in Transport and Water Management**

In Poland responsibility for transport related matters and water management lies with the Ministry of Transport and Maritime Economy. Water management (e.g. the Water Framework Directive and flood management) falls under the competence of the Ministry of Environment. In the Netherlands the Ministry of Transport, Public Works and Water Management deals with both sectors.

#### *Bilateral relations*

For both Poland and the Netherlands transport is an important economic sector. In addition Poland is an important country for the Dutch transport sector, as 20% of all Dutch road traffic to and from Central Europe involves Poland. Due to the cross-border character of the sector there are many modes of co-operation between Dutch and Polish institutions. Bilateral co-operation focuses on transport (road, railways, civil aviation, inland and seawater transport) and water management and is effected by the Ministries of Transport (and partially Environment), between sectoral organisations and enterprises, as well as through multilateral organisations (for instance in *Partners for Water*). The European Conference of Ministers of Transport (ECMT<sup>14</sup>), where transport ministers and high officials regularly discuss transport related matters, contributed to the establishment of close relations between the Dutch Ministry of Transport, Public Works and Water Management and the Polish Ministry of Transport and Maritime Economy.

Bilateral co-operation is governed by several international treaties, the oldest of which is the Treaty on Trade and Navigation dating back to 1924. Co-operation in road transport also already exists several decades. Shortly after the Second World War bilateral treaties were signed between the Netherlands and Poland on road traffic, and seawater and inland shipping. Such treaties are common in transport, as arrangements had to be made for licensing cargo traders for use of each other's infrastructure. Within the framework of the different treaties annual bilateral negotiations on the availability of licences for the Dutch and the Polish transport sectors take place. These negotiations in so-called 'Mixed Commissions', in which government officials of both countries and representatives of the transport sector participate, take place alternately in Poland and the Netherlands. After the fall of the

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<sup>14</sup> The Netherlands was one of the sixteen founding members of the ECMT, which is linked to the OECD, in 1953. Poland (1991) belonged to one of the many countries to join ECMT after the fall of the Berlin Wall. The organisation currently has 48 members.

Berlin Wall in 1989 the meetings increased in number and scope, in order to grasp the mutual economic opportunities provided by the new situation. With Poland's accession to the EU the system of licences was dispensed, as now the transport sector had free access to both countries. The Mixed Commissions were however not abolished, but would be used to exchange information on transport of goods and passengers and European regulations.

#### *Bilateral policy*

Like other ministries, in the nineties the Dutch Ministry of Transport, Public Works and Water Management developed a strategy towards Central Europe. In this policy Poland was identified as a priority country, given Dutch transport interests. The Ministry of Transport, Public Works and Water Management was quite active in Central Europe and developed various activities in the region. Of the four areas of co-operation with Central Europe – liberalisation of market access, facilitation of flows of goods, improvement of water management and development of the communication sector – Poland was marked as a priority for the first three.<sup>15</sup>

Co-operation mainly aimed at supporting the Polish transition from a centrally planned towards a market economy. An important motive was that in this way opportunities for Dutch enterprises could be maximised, through access to the market and the creation of an adequate level of safety, environmental and social policy. During the nineties co-operation moved away from Dutch support for the transition of the Polish economy, towards co-operation between more equal partners. The main goal became the timely adoption, implementation and enforcement of the *acquis* in sport and water management. The countries decided to redirect co-operation towards accession related questions, but policy changes were limited and from the start of the Polish accession negotiations not much changed in the co-operation. Still, the Dutch Ministry modified its co-operation activities to contribute to the positioning of Dutch transport and water related enterprises in Central Europe. The activities, aiming at the timely adoption and implementation of the *acquis* in these sectors, promote the creation of a 'level playing field', thus also serving Dutch interests.

In order to co-ordinate international activities the Dutch Ministry of Transport, Public Works and Water Management established a consultation group, the so-called *Coördinerend Overleg Internationale Betrekkingen* (COIB) within the ministry. Representatives of all Directorates-General participate. A subgroup (COIB/OE) specifically deals with Central Europe. Since the early nineties an annual amount of € 450.000, which could be flexibly used, was reserved for small-scale activities. The fund was also used if other sources of funding were unavailable. It was abolished in 2003.

#### *Bilateral policy instruments*

Poland's priority status in Dutch policy is amongst others demonstrated by the fact that the embassy in Warsaw was one of the first Dutch embassies in Central Europe where a **transport attaché** was posted. Also, during the nineties the Netherlands and Poland concluded four **Memoranda of Understanding**. Some bilateral **political visits** took place during the analysed period; in 1997 the Dutch minister of Transport, Public Works and Water Management paid an official visit to Poland and in 2003 the Polish under-Secretary of State of Infrastructure visited the Netherlands (see annex 5

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<sup>15</sup> See: *Nota Toetreding V en W en Midden-Europa in het licht van de toetreding tot de EU*, Netherlands Ministry of Transport, Public Works and Water Management, The Hague, 2 May 2001.

for an overview of bilateral political visits). 'Transport' is one of the thematic working groups of the bilateral **Utrecht Conference** (see annex 8 for an overview of the Utrecht Conference and the participating working groups).

- Memoranda of Understanding

During the nineties the Dutch Ministry of Transport, Public Works and Water Management and the Polish Ministry of Transport and Maritime Economy signed four Memoranda of Understanding (MoU). In these MoUs the establishment of so-called 'Joint Committees', which are responsible for activities undertaken within the framework of the MoU, was mentioned. Over the years Joint Committees were established for transport, seawater shipping and inland shipping. The four MoUs are presented below.

1. MoU on scientific and technical co-operation in coastal management and related matters (signed 1 December 1992)

The co-operation on coastal management includes training and seminars, joint research programmes and funding of specialised equipment for scientific institutes. In particular, the following activities were financed:

- joint research on methods of forecasting changes in coastal zones due to climatic change;
- participation of Polish experts in international conferences and seminars;
- consultative support by Dutch experts in the preparatory stage of the Hel Peninsula coast protection programme.

2. MoU in the field of road transport (signed 12 April 1994)

The main subjects covered by this MoU were:

- traffic safety;
- construction and maintenance of roads and bridges (advanced technologies);
- planning of works on the road network.

Up to 1997 the assistance provided to the transport sector by the Dutch government concentrated on laying the ground for the development of combined transport. The main modes of co-operation between the road administrations are seminars held mainly in Poland, and study visits of Polish experts to the Netherlands to gain practical knowledge on technical solutions. The Netherlands seems to have been among the more active bilateral donors in this sector, together with the United Kingdom.

3. MoU on co-operation in the field of water management (signed 19 December 1996)

The MoU focussed on the following areas:

- legal and administrative aspects of coastal and port management and protection;
- short, medium- and long-term prediction of coast behaviour, including greenhouse effect;
- climate-change related vulnerability assessment;
- development of safety standards for the coastal zone;
- technical and bio-technical methods of coastal protection;
- marine environment conservation;
- promotion of trade and industrial co-operation.

4. MoU on co-operation in flood management, flood prevention and flood protection (signed with the Polish Ministry of Environment on 8 February 1999)



The aim of this MoU was to give advice in the field of high tide on the issues of:

- policy-making, regulation, administration;
- financial aspects;
- analyses of measures to limit damage;
- increase public awareness of protection from high tides;
- investment policy.

- **Utrecht Conference**

Transport is one of the thematic working groups operating within the Utrecht Conference (UC). The working group participated in seven out of the twelve Utrecht Conferences that took place during 1999-2003. Participants do not consider the working group very essential, as consultation between the Netherlands and Poland already takes place on a regular basis in the Mixed Commissions under the bilateral treaties, and at the Joint Committees under the MoU's dealing with transport, seawater shipping and inland shipping. The three different forums however each have their own role. The Mixed Commissions look after the interest of the Dutch transport sector, the Joint Committees are responsible for co-operative activities undertaken under the MoU's, and the Utrecht Conference plays a role in activities supporting the accession process of Poland. In theory the three different forums do not overlap. However, the Utrecht Conference seems to add little to the already existing forms of co-operation.

#### *Assistance instruments*

Because of its focus on economic transformation, the **PSO classical** programme was an obvious instrument for assistance projects in transport and water management. Moreover, the positioning of Dutch business and transformation of the Polish transport sector were the two main objectives of Dutch policy in the transport sector, coinciding with the PSO classical programme objectives. During 1994-1998 several PSO classical projects were carried out. Nine projects concerned transport<sup>16</sup>, while in water management three PSO projects were undertaken, all approved in 1994.<sup>17</sup> In 1999-2003 only two bilateral pre-accession assistance projects dealing with transport and water management were carried out. One project dealt with water management and was financed by **MPAP** and one, dealing with civil aviation, was financed by **PSO PA**. This is a rather low score relative to the overall number of PSO classical projects implemented in Poland.

The low number of bilateral pre-accession projects can partially be explained by the design of Dutch pre-accession programmes. Project proposals from candidate Member States were selected by the Dutch executing agency (Senter). The line ministries only had an advisory role in this process. According to Ministry officials, the MPAP and PSO PA programme definition is strictly confined to acquis-related matters. However important changes in the transport sector, which were also important in the light of the country's EU accession, were transformation oriented rather than acquis-related. It proved difficult to fit project proposals into the right assistance programme.

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<sup>16</sup> These projects concerned: 'Intermodal traffic flow', 'Chemical rail transport', 'Pilot project for tracking and tracing', 'Road border crossing post at the Ukrainian-Polish border', 'Improvement of road traffic flow at the Polish-Ukrainian border', 'Port Community System Gdansk', 'Combined transport', 'Developing possibilities of co-operation between different players in the market' and 'Storage of agricultural goods'.

<sup>17</sup> These projects concerned: 'Activities in the Zulawy polder', 'Rehabilitation of Lake Jamno' and 'Training Golf of Gdansk'.

**Table 9 Projects accepted for Matra and PSO pre-accession assistance transport and water management 1998-2002**

<i>Programme</i>	<i>Title</i>
MPAP 2000	River basin Management Plan for the Lower Vistula with special emphasis on the supply of drinking water by the Brda sub-catchment
PSO PA 2001	Full adjustment of regulations and procedures in Polish Air Traffic Management to EU aviation Standards

No Dutch **Phare Twinning** projects in transport and water management were implemented in Poland. The Dutch ministry was not very active in submitting proposals for Poland, as it expected countries like Germany and France to win tender procedures. Once a year the Dutch Ministry of Transport, Public Works and Water Management organised an ADEPT course in which two to four civil servants of each candidate Member State were trained in writing successful project proposals for ISPA funds. Through these courses the Ministry built up a network in candidate Member States.

*Thematic clustering of activities*

In both water management and transport many bilateral activities were developed, corresponding with the target areas for co-operation defined by the Dutch Ministry in which Poland was a priority country (i.e. free market access, facilitation of good flows and improvement of water management). Three out of four MoUs focused on water management and also three PSO classical projects dealt with the topic. The fourth MoU covered road transport and was complemented by nine PSO classical projects dealing with transport (road, rail and port). After Polish accession negotiations started, the Dutch Ministry targeted co-operation more at activities that contributed to the positioning of Dutch transport and water related enterprises in Central Europe.

**6.4 Assessment of Bilateral Pre-Accession Projects**

In the transport and water sector two Dutch bilateral pre-accession projects implemented in Poland were studied and evaluated (see annexes 9 and 10): One PSO PA project dealing with civil aviation ('Full adjustment of regulations and procedures in Polish Air Traffic Management EU aviation standards') and one MPAP project on water management ('Introduction of the Water Framework Directive (WFD) with emphasis on the Brda catchment area').

*Background of the projects*

Both projects were jointly developed and addressed Polish needs. The Polish NPAA mentioned legal adjustment in civil aviation, and the civil aviation project formed a part of the practical implementation thereof. Previously two related Phare projects had been conducted, but there was no overlap with the PSO PA project.

The project related to the introduction of the Water Framework Directive (WFD) emphasising the Brda catchment area was considered to be an example of practical implementation of the WFD, which forms an important aspect of water management in the EU. The water management project was implemented simultaneously with a Phare Twinning project led by France. The Terms of Reference of the MPAP project stated that the two projects should interact and also compete, as the Polish counterpart intended to compare the approaches and results of both projects.

### *Effectiveness*

The civil aviation project was effective in its contribution to the adoption and implementation of the acquis. Its main contribution was:

- enhancing capacity to implement the acquis;
- indirect impact on the implementation of Commission reports, through transferring practical knowledge of detailed regulations and practices to be incorporated in secondary legislation;
- improvement of the new Civil Aviation Administration office (indirect);
- improvement of PATA as a professional organisation.

The water management project had an important impact on Polish water management, namely by:

- demonstrating a methodological approach in planning and decision making;
- proving that this approach is feasible under Polish conditions;
- demonstrating key elements to both sides (methodology, professional background, ability to co-operate – especially between professionals and authorities and general public).

As a final product a draft management plan was prepared, which was agreed upon by the local or regional authorities and accepted by the Polish Ministry of Environment. The project was considered a pilot for two major plans for Polish river basins. These plans will be prepared and adopted by the Government in the coming years (should be completed by 2012).

In terms of the second policy objective, strengthening of bilateral contacts, the civil aviation project led to intensified contacts between professionals working at the Polish air traffic agency (PATA) and Dutch air traffic control (LVNL). It did not intensify relations at central government level. The water management project did not lead to intergovernmental contacts as governments were hardly involved in the implementation of the project. Contacts between professionals intensified, but remained limited to the duration of the project.

### *Efficiency*

The efficiency of both projects was satisfactory. Concerning the water management project, after the initial phase (methodology and data collection) the project plan was reformulated. This was necessary as Dutch experts intended to focus assistance on general methodological issues, whilst the Polish side expected more practical assistance. This difference led to some tension, but this was successfully resolved after some debate. The distribution of know-how and practical elements to all regions was made more efficient by the Polish partner, inviting professionals from various Polish regions to the sessions.

## **6.5 Conclusion**

Transport is one of the few sectors in which intensive contacts existed between Poland and the Netherlands already prior to 1989. The cross-border character of transport, and existing international treaties induce officials of the Ministries of Transport to meet each other on a regular basis at international forums.

From the early 1990s onwards the Dutch Ministry of Transport, Public Works and Water Management intensified its relations with Poland in order to promote the transformation of the Polish transport sector and to contribute to the positioning of

Dutch transport business therein. Dutch business obviously had an interest in the liberalisation of the Polish transport market, as it wanted to expand its working area.

In the Polish transformation process, the privatisation of state transport companies (road transport, public transport, aviation, et cetera) was particularly important. The accession process can be considered as a special phase of transformation in the sector. A very substantial body of transport law had to be adopted and implemented. Accession negotiations took quite some time (two and a half years) but no major problems were reported. Poland asked for and was granted only a few transition periods. However, despite progress made some transformation issues in the sector still need to be addressed, especially in public transport and public roads.

The Dutch Ministry of Transport, Public Works and Water Management selected Poland as a priority country for international co-operation, mainly in view of Dutch transport sector interests. A mix of policy instruments was used to realise the Dutch policy objectives related to supporting the Polish transformation process and to the creation of a level playing field and access for Dutch business. Multilateral policy instruments specific to the transport sector, such as international treaties and ministerial meetings, were the main vehicle to intensify bilateral relations. Moreover four MoUs were signed, introducing Joint Committees to implement them, and a transport attaché was posted to the Dutch embassy in Warsaw. Assistance instruments aimed at (economic) transformation too were intensively used. Given the focus on transformation issues in the Polish transport sector and the aim to position Dutch business, it is not surprising that a relatively large number of PSO economic transformation projects was implemented. Apart from this, the Dutch Ministry had own funds to directly support activities in Central Europe considered relevant to policy implementation.

Relatively little pre-accession assistance was provided in this sector. Apparently this also had to do with difficulties encountered to fit project proposals into the right (transformation or pre-accession) assistance programme. Only two bilateral pre-accession projects, one on civil aviation and another on water management, were implemented. The assessment of these jointly developed projects shows they were reasonably effective and efficient. The Netherlands was not involved in the implementation of Phare Twinning projects in this sector. Hence pre-accession assistance formed only a (small) part of the overall Dutch strategy.

Thus in Dutch policy towards Poland in the field of transport and water management a mix of existing and new policy instruments was used to achieve the objectives. The Utrecht Conference was not an indispensable instrument to the transport sector, as quite intensive relations between the ministries were already in place. Nevertheless, the working group on transport of the Utrecht Conference was regarded as an additional instrument to focus on activities related to Poland's EU accession.

## 7 CONCLUSION

Poland's accession negotiations were complicated and took a relatively long time. Poland adopted a firm negotiating position, wanting to secure the best possible accession conditions. It therefore asked for a considerable number of transition periods and insisted on equality of conditions for all Member States, old and new. The negotiation chapters on free movement of capital (related to the acquisition of land), agriculture, environment and competition policy were the most problematic chapters. The negotiations on justice and home affairs also proved to be quite cumbersome. Despite the complicated negotiation process Poland generally was rather pleased with the final outcomes, as for instance with the financial package. Poland was also granted quite a few transitional periods. In the last monitoring report of November 2003 the European Commission reported nine areas of serious concern where Poland should take immediate action if it were to be ready by the date of accession.

The Netherlands was among the largest investors in Poland and also a country providing substantial assistance to the transformation process. Both countries attach great importance to the transatlantic dimension of their foreign policy. The Netherlands, however, was not an unconditional supporter of Poland's accession to the EU. Speed and quality were the main themes of Dutch policy on EU enlargement, thus recognising the need to maintain the momentum of the accession process, whilst also emphasising the need for the candidates to fully meet the Copenhagen criteria before becoming an EU member. The 'quality' approach implied strict monitoring of the adoption and implementation of the *acquis* by candidate Member States. Because negotiations on Poland's accession did not run very smoothly, it is not surprising that the Netherlands was quite critical. Given the Dutch government change in 2002 and the specific negotiation problems at that time, the Polish media perceived a Dutch attitude change towards Poland's accession at the end of 2002. The public image in Poland of the Netherlands changed from an advocate of Poland's accession towards a more critical Member State. The bilateral policy instrument the Utrecht Conference proved helpful in explaining mutual positions and in remaining on speaking terms.

In 1999 the Netherlands declared Poland to be the highest priority country in its policy on the acceding states of Central Europe. The main instrument to implement this priority status was the Utrecht Conference. This Conference consists of thematic working groups and takes place at regular intervals (two or three times a year) at ministerial or official level. It is co-ordinated by the Dutch and Polish Ministries of Foreign Affairs and involves most line departments. The aims of the Utrecht Conference are a) to assist Poland in its accession process; b) to intensify bilateral relations, and c) to forge strategic partnerships in the enlarged EU. The Utrecht Conference is appreciated by most participants. It has attracted the attention of diplomatic circles as an interesting tool to intensify bilateral relations. The Utrecht Conference has in fact been effective in intensifying bilateral relations in most sectors. Its effectiveness in assisting Poland's accession process is less clear, and it is still too early to assess effectiveness in establishing strategic partnerships within the future EU. Beyond the participants and diplomatic circles the visibility of the instrument has remained limited.

Surprisingly enough Poland's priority status in Dutch policy was not reflected in the allocation of pre-accession assistance, which was approximately equal for all acceding countries. Dutch assistance to Poland consisted of various projects and activities, implemented by different agencies and scattered across a number of sectors. Due to the fragmented nature of project implementation, effectiveness and efficiency can only be assessed at the activity level, not at the policy level. In agriculture, projects were jointly developed, targeting areas where Dutch capabilities would add value. These projects, just like those in transport and infrastructure, were effective in helping Poland in its EU accession. The project on institutional strengthening of UKIE suffered from a lack of ownership and was consequently less effective. The objective of intensifying bilateral relations at governmental level through the pre-accession assistance was insufficiently addressed by the projects. Efficiency varied per project.

The analysis of the three selected sectors provides more depth to the findings presented above. In agriculture the desire to intensify bilateral relations and support Poland's accession process went hand in hand with the promotion of Dutch agricultural interests. The implemented Dutch-Polish agricultural activities fit into clear chains of activities. Strategic work programmes were jointly developed and show a gradual change from assistance towards more strategic co-operation. Especially in the agricultural working group of the Utrecht Conference this change towards a more strategic approach is visible. High-level debates on reform of the Common Agricultural Policy took place among politicians and officials from both sides.

In the field of justice and home affairs the Netherlands was critical of Poland's progress. In a number of areas, such as police co-operation, civil law and rule of law issues, Dutch-Polish bilateral co-operation developed well. However, the Netherlands is not among the most important partners of Poland in the justice and home affairs field. The working group of the Utrecht Conference dealt mostly with home affairs issues and focused on the operational level. At a later stage accession issues, such as the Dutch position on the closure of the justice and home affairs negotiation chapter, were also put on the agenda, but this was not a success as the discussion halted. Soon afterwards this working group stopped their meetings.

In transport and infrastructure bilateral co-operation also mainly took place at operational level. Both sides kept strategic interests in mind. As quite intensive bilateral relations were already in place, the Utrecht Conference was not an indispensable instrument to the transport sector. Nevertheless, both parties used the working group at the Utrecht Conference as an additional vehicle to address issues of mutual importance, focusing on activities related to Poland's EU accession. Relatively little Dutch pre-accession assistance was implemented in this sector. Apparently this also had to do with the nature of the transport sector, in which the accession process can be considered as a special phase of transformation. Bilateral pre-accession projects were jointly developed, based on an awareness of both Polish needs and Dutch supply capabilities.

## ANNEX 1 MAIN FINDINGS AND ISSUES FOR THE FUTURE

### *Background*

The enlargement of the European Union (EU) has been an important issue in Dutch politics and policy in the past few years. The enlargement was one of the main EU policy objectives of the Netherlands Ministry of Foreign Affairs. Besides Cyprus and Malta, eight Central European states joined the EU on 1 May 2004. In 2007 two more Central European countries, Romania and Bulgaria, will also accede to the Union. Since 1990 the Netherlands has been supporting these ten former communist countries, first in their transformation and then in their accession process. During that same period, bilateral relations with these countries have gradually grown closer. In view of the political, social and policy-related importance of this accession process, the Policy and Operations Evaluation Department (IOB) decided to evaluate the Dutch policy on the accession of Central European states to the EU during the period 1997-2003.

Dutch policy in this area is complex, as the title of this publication, 'An Enlarged Europe Policy', suggests. The Netherlands Ministry of Foreign Affairs co-ordinates the Dutch policy as a whole and each of the line ministries is responsible for developing and implementing sectoral policy. The policy consists of four components:

- a. the Dutch policy on EU enlargement;
- b. bilateral policy on accession;
- c. pre-accession assistance policy; and
- d. sectoral policy.

The research questions focus on the cohesion, co-ordination, effectiveness and efficiency of policy. Due to the complex nature of the policy area, not all the components were studied separately. The analysis does not describe how the Netherlands negotiated enlargement within the EU. Because, as the analysis shows, the questions on effectiveness and efficiency cannot be answered for the policy as a whole, the study of those aspects focuses on the pre-accession assistance policy pursued in the Dutch pre-accession programmes. The total expenditure on those programmes from 1997 to 2003 was € 96 million. During that period, the Netherlands was also involved in the implementation of 112 EU pre-accession projects (Phare Twinning) with a total budget of € 108 million.

For this evaluation, IOB conducted research in four of the ten candidate Member States in Central Europe: Hungary, Lithuania, Poland and Romania. In each country, IOB examined three sectors: agriculture, justice and home affairs (JHA), and a third sector (social policy in Hungary, health care in Lithuania, transport and water in Poland and environment in Romania).

### *Main findings*

#### **1. The coherence of the policy was limited due to compartmentalisation**

Initially (1997-1998) the Netherlands Ministry of Foreign Affairs pursued a coherent policy vision. The policy-making process was politically driven during that early period. The Netherlands felt it was important for the candidate countries to achieve compliance with the stringent requirements for accession quickly. Actively assisting these countries also served Dutch interests, notably by creating goodwill that would benefit coalition forming in the enlarged EU. The Netherlands' efforts therefore

focused on the transformation of the candidate countries and on compliance with the accession requirements.

The original coherent nature of the policy was gradually lost. This is most evident from the fact that the policy principle of country differentiation was never developed into concrete guidelines. When assistance was divided up among the candidate countries, the country priorities were ignored. Poland, by far the largest of the ten countries and the highest priority in Dutch bilateral policy, received no more pre accession assistance from the Netherlands than, for example, Slovakia or Bulgaria.

The coherent that had once characterised the policy disappeared as the three policy divisions of the Netherlands Ministry of Foreign Affairs and the line ministries continued to develop and implement the four policy components. The focus of the political steering gradually shifted towards the EU-level negotiations on enlargement, i.e. to only one of the four policy components. After 1999 bilateral policy and pre-accession support received little political attention, which resulted in disharmony among the policy components.

The loss of coherence between the policy components was not merely due to the limited management of the policy area as a whole. Compartmentalisation also played a role. This applied first and foremost to the policy divisions within the Netherlands Ministry of Foreign Affairs, which failed to work together sufficiently and were never forced to do so. They each concentrated on their own policy component. It also applied to the relationship between the line ministries and Foreign Affairs. Each of the parties was pursuing different interests and all were convinced of the necessity of coherent policy, but there were no standards or mechanisms in place to achieve it. There was a decided lack of management.

## **2. The co-ordination of bilateral policy and Dutch pre-accession assistance was unsatisfactory**

The Netherlands Ministry of Foreign Affairs is responsible for co-ordinating policy. Each of the three policy divisions, which fall under two Directorates-General within the Ministry, bears individual responsibility for the interministerial co-ordination of its policy component. Around 2000, the Netherlands Ministry of Foreign Affairs observed a lack of internal harmonisation and co-ordination. Organisational changes were made in 2000 and 2001, but the division for pre-accession assistance was left out of consideration, in part because of the Ministry's policy of distinguishing between diplomatic work (enlargement negotiations and bilateral policy) and assistance management (pre-accession support and transformation assistance).

The interministerial co-ordination of the first policy component, the EU-oriented policy on enlargement, was based on clear procedures that were followed in specific consultation committees. The Netherlands Ministry of Foreign Affairs also co-ordinated the Dutch participation in the EU pre-accession programme Phare Twinning. That co-ordination task was performed well and in accordance with clear procedures. The line ministries appreciated that, particularly because they had a clear decision-making role in these processes.

By contrast, the interministerial co-ordination of the other policy components, and in particular pre-accession support, was minimal. The line ministries defended their policy autonomy and were not always willing to harmonise or set joint strategic priorities, and Foreign Affairs had no adequate response to that.



The large number of Dutch programmes providing support to the Central European countries complicated co-ordination. The line ministries were involved in an advisory rather than a decision-making capacity, and co-ordinating assistance had been a low priority at Foreign Affairs for some time. This was one of the main reasons why the overlaps between the accession-oriented programmes and those aimed at social transformation remained undetected. Most of the overlaps arose in the areas of justice, home affairs and health care.

### **3. The effectiveness and efficiency of the policy as a whole cannot be assessed because the policy was not formulated in a result-oriented way and implementation was highly fragmented**

No clear objectives for the bilateral policy or the accession support policy were laid down in writing. The policy reconstruction shows that, in fact, two general objectives were pursued: a) supporting the accession process and b) strengthening bilateral relations in order to serve Dutch interests. Since no concrete targets were set for these objectives, the parties involved were at liberty to interpret them in their own way.

The bilateral policy relied on communicative policy instruments, such as visits by ministers and civil servants, diplomatic representation, agreements for specific sectors or themes, and partnerships. Under the pre-accession assistance policy, ten support programmes were established and implemented by numerous different bodies. This led to a highly fragmented process, undermining efficiency at the policy level. It is difficult to assess the impact of this policy because of the large number of small-scale, heterogeneous interventions, many of which were not clearly related to the policy objectives.

The findings described below show that it was possible to determine the extent to which the two policy objectives were achieved for a few of the components and sectors.

### **4. The pre-accession programmes brought about virtually no demonstrable change in bilateral relations**

The policy objective of strengthening bilateral relations with the new Member States at the level of central government was barely pursued. Opinions on whether this objective was achieved vary, but are not substantiated by concrete indicators. Optimists claim that the Netherlands generated goodwill by providing bilateral assistance and making other efforts. Sceptics argue that there is no evidence that any goodwill was created or that the Netherlands' prospects for forming coalitions with the new Member States have improved.

Because this objective was not actively pursued it is difficult to demonstrate whether the various instruments helped to strengthen bilateral relations. When concrete indicators such as the frequency of contact, intensity and nature of bilateral relations are examined, there is little evidence to suggest that bilateral relations at the central government level have improved as a result of the assistance efforts. The partnership with Poland, the 'Utrecht Conference', has proved that certain interventions can indeed foster more frequent and closer relations at central government level.

Dutch assistance contributed to the formation of several professional networks between implementing bodies in the candidate countries and the Netherlands. It was

not possible, however, to determine the extent to which these contacts helped to improve bilateral relations in certain sectors within central government.

**5. At the activity level, the Netherlands made a positive contribution to the accession process involving the candidate countries, but in most cases that contribution is not visible at national or sectoral level**

The Netherlands made a positive contribution to the accession process of the candidate countries by conducting activities geared towards amending legislation, establishing new institutions, and helping institutions that implement the *acquis communautaire* (EU legislation) to function more effectively. In many cases, the Netherlands was only one of the many donors involved. Effectiveness at activity level varied from over 60% to 90% for the programmes that were evaluated.

In view of the sheer magnitude of the changes required, the Dutch contribution towards helping the candidate countries through the process was obviously limited. In most cases, its support was too small-scale and fragmented to allow for aggregation at country or sector level (less than 1% of the total aid to candidate countries, spread over nearly all of the sectors).

**6. The efficiency with which the activities were carried out was satisfactory**

Approximately two-thirds of the assistance activities were carried out efficiently. The factors that aided efficiency were the flexibility of the Dutch effort, which was mentioned by several respondents in the countries concerned, and the fairly low cost of many of the activities. The factors that impeded efficiency were mainly related to institutional problems in the candidate countries, such as reorganisations within recipient organisations. The activities suffered due to the lack of commitment and responsibility in the candidate countries, frequent staff changes and absorption problems.

**7. A coherent policy was pursued in the agriculture sector. This produced good results that were also visible at the sectoral level in the candidate countries**

The agriculture sector pursued a uniquely coherent accession policy. When the policy was developed, the line ministry took the lead and the Netherlands Ministry of Foreign Affairs played a modest role. There are economic reasons – notably the expansive Dutch agricultural industry's interest in ensuring it is competing with Central Europe on a level playing field – for the highly active role the Netherlands played in the agricultural accession processes. The line ministry's long experience in EU matters was also an important factor. The agriculture sector took a proactive approach, thanks to the efforts of the line ministry, which had access to sufficient resources and capacity. Most of the other line ministries did not meet this precondition.

*Issues for the future*

The issues for the future ensue from the main findings:

**1. Clarity regarding policy coherence and the required management**

In complex policy areas in which the individual components are interrelated, policy management needs to be given adequate attention. For the EU negotiations, this management was determined at both political and official level. However, this was not done for the other policy components or for the policy area as a whole. The strategic planning of the Dutch effort in the new Member States and the candidate countries, in

consultation with those countries, remains largely undeveloped. There are opportunities to make improvements by setting clear priorities in order to develop more country-specific and sector-specific policies.

**2. Development of better co-ordination mechanisms, not just for EU negotiations, but also for bilateral policy and the pre-accession and transformation support**

The co-ordination mechanisms used for the EU policy could be applied to the bilateral policy and the assistance policy for Central Europe, possibly after some adjustment if necessary. Careful harmonisation and co-ordination on many levels are essential in this complex policy area in which many parties are active. All the parties involved have policy autonomy in their own area, but they also have an interest in achieving harmonisation and co-ordination because this will increase the effectiveness and efficiency of the policy. The Netherlands Ministry of Foreign Affairs should take the lead in shaping these mechanisms.

**3. For policy to be result-oriented, clear objectives, consistent prioritisation, the logical use of policy instruments, proper steering and monitoring are required**

When new policy is being developed, the 'what question' (What is the aim of the policy?) should precede the 'how question' (How can it be achieved?). New policy should be developed on the basis of policy objectives, rather than the existing set of instruments. When priorities are set, for instance, they need to be incorporated into the set of instruments. When the policy objectives are put into practice, indicators can be identified and used to evaluate the execution of the policy, which can then be adjusted if necessary.

**4. Learning from positive examples (best practices), such as the co-operation in the agricultural sector**

The agricultural sector stood out in a positive sense, in part because the line ministry had more capacity than others. This gave the sector a head start, but the advantage should not stop others from learning from the experiences gained here. Other sectors (e.g. water and social dialogue) also did well, but on a more limited scale. This shows that with the right priorities and the right set of policy instruments, good results can be achieved in various areas.

**5. Streamlining the support programmes and preventing overlap**

The fragmentation of the Dutch assistance to Central Europe into a large number of programmes undermined effectiveness and efficiency. The programmes need to be streamlined, and the first step in that direction has already been taken. This applies not only to the pre-accession and post-accession programmes, but also to the transformation support.



Terms of Reference, final version

**Evaluation of the Dutch policy concerning the accession of countries from Central Europe to the European Union**

IOB, 16 September 2003

**1. Introduction**

European integration is one of the Ministry of Foreign Affairs' most important policy areas. In recent years, the Explanatory Policy Document has referred to the enlargement of the European Union to include ten new members in Central Europe as one of the three main objectives in this area, alongside the deepening of integration and the strengthening of the Union's external policy. Ten new Member States will join the EU in May 2004. The decision-making process regarding their accession is complete, and the process of ratification is now in progress, so this is a good moment to assess Dutch policy on the accession process in order to draw lessons for future enlargements, and for our relations with the new Member States.

**2. Background**

**The accession process**

The fall of the Berlin Wall in 1989 not only brought the Cold War to an end. It also heralded a new era in which confrontation made way for co-operation between the European Union and Central Europe. One co-operation proposal tabled in the early days was that the countries of Central Europe should join the European Union. The Copenhagen European Council in 1993 drew up criteria with which candidate Member States would have to comply to qualify for membership of the EU. The Copenhagen criteria state that new Member States:

- *must have achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for, and protection of minorities (political criteria);*
- *a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union (economic criteria);*
- *an ability to take on the obligations of membership, which means among other things that they must have adopted and implemented the *acquis communautaire* by the time of their accession.*<sup>18</sup>

In 1997 the European Commission issued an opinion (*avis*) on the possible accession of each country that had applied to join the EU. These *avis* assessed the countries on the basis of the Copenhagen criteria. The Luxembourg European Council in 1997 decided that at that time accession negotiations could be launched with six countries: five in Central Europe (Estonia, Hungary, Poland, Slovenia, the Czech Republic) and Cyprus. The 'Luxembourg six', with which negotiations had

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<sup>18</sup> The EU also stipulated that the Union itself must have the capacity to absorb the new member states, which in the literature is referred to as the fourth (informal) Copenhagen criterion.

already been opened, were joined in 1999 by the 'Helsinki six' – another five countries in Central Europe (Bulgaria, Latvia, Lithuania, Romania and Slovakia) and Malta. Turkey was also confirmed as a candidate country at the Helsinki meeting. In the end of 2004 the EU will decide on when to start the negotiations with Turkey. Croatia submitted an application for EU membership in 2003. The European Commission is preparing an 'avis' on its application.

The accession negotiations cover the adoption and implementation of the *acquis communautaire* – the entire corpus of legislation and agreements that the EU Member States have put in place since the beginning of European co-operation, plus the case law of the Court of Justice. The *acquis* comprises over 80,000 pages of legislation and is constantly being amended and revised. For the purposes of accession, the *acquis* is divided into 31 chapters covering different themes, including the free movement of goods, persons, services and capital; competition (the foregoing all concern the internal market); agriculture; and justice and home affairs. The European Commission and the Member States are monitoring the adoption and implementation of the *acquis communautaire* chapter by chapter. They are also monitoring the candidate countries' compliance with the Copenhagen criteria.

On the basis of progress reports issued by the Commission, the European Council in Brussels decided in October 2002 that ten candidate countries would be expected to be ready to join in 2004. These countries are Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia. At the Copenhagen European Council in December 2002 the accession negotiations with these ten countries were officially closed, and an accession date of 1 May 2004 was set. Negotiations are continuing with Romania and Bulgaria. The accession treaty was signed in Athens in April 2003, and is awaiting ratification by the Member States. Procedures for the ratification of the treaty have been launched in the Netherlands. The Council of State has already issued an advisory report on the treaty. The accession treaty itself, the accompanying explanatory policy document, the Council of State's advisory report and a further report were submitted to parliament before the summer recess.

### **Details of the 2004 enlargement**

The planned enlargement to 25 Member States in 2004 is the fifth enlargement in the EU's history. Previous enlargements since the start of European co-operation in the 1950s occurred in 1973 (when Denmark, Ireland and the United Kingdom joined), 1981 (Greece), 1986 (Spain and Portugal) and 1995 (Finland, Austria and Sweden). The forthcoming enlargement differs significantly from these earlier enlargements, however. First and foremost because of the large number of countries joining, but also because of the major income differences between the current Member States and the ten candidate Member States in Central Europe (CE), which are former Communist countries.<sup>19</sup> Although the population of the EU is set to rise by 28% when they join, GNP will increase by barely 5%.

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<sup>19</sup> Cyprus and Malta have an entirely different history and their economic and geographical position is also different. These two countries will therefore not be considered here.

	<i>Population in millions</i>	<i>Per capita GNP</i>	<i>Inflation (%)</i>	<i>Unemployment (%)</i>
<b>EU 15</b>	378.4	22520	2.1	8.2
<b>10 CE candidate countries</b>	104.4	3600	16.6 (8.6 without Romania)	12.7
<b>Bulgaria</b>	8.2	1600	10.0	16.4
<b>Estonia</b>	1.4	3800	4.0	13.7
<b>Hungary</b>	10.0	5000	9.8	6.4
<b>Latvia</b>	2.4	3300	2.6	8.0
<b>Lithuania</b>	3.7	3300	1.0	15.4
<b>Poland</b>	38.6	4400	10.1	15.0
<b>Romania</b>	22.4	1800	45.7	10.8
<b>Slovenia</b>	2.0	9800	8.9	7.0
<b>Slovakia</b>	5.4	3900	12.0	18.6
<b>Czech Republic</b>	10.3	5400	3.9	8.8

Source: WRR working document 131, Hobza, October 2002

There are also considerable differences between the candidate countries. Poland has a population of 39 million, followed by Romania with 22 million, but four of the countries (Estonia, Latvia, Lithuania and Slovenia) have fewer than five million of a population. Income is highest in Slovenia (GNP: €9,800 per capita), followed by the Czech Republic (€5,400) and Hungary (€5,000), with Romania (€1,800) and Bulgaria (€1,600) bringing up the rear. The ten countries' accession processes have also differed. This is the first enlargement that has been so extensively and consistently monitored.

### **Dutch policy**

Dutch policy on the enlargement of the European Union is reflected in a number of documents. The positions the Netherlands has taken as a member of the EU in the negotiations on enlargement are part of its multilateral policy. Shortly after the fall of the Berlin Wall a debate began in the European Union about its relations with the countries of Central Europe. In the early 1990s the Netherlands opted for both 'widening' of the Union – enlargement to encompass the countries of Central Europe – and 'deepening' – closer co-operation between the Member States and the completion of the internal market, Economic and Monetary Union and the Common Foreign and Security Policy (CFSP), among other things. Since the start of the accession negotiations, the Netherlands has *'always called for speed and quality to go hand in hand in the enlargement process'* (State of the European Union, 17 September 2002).

As has been said, the Dutch position in its multilateral policy and in the accession negotiations has always been that speed and quality are equally important; bilateral policy also has the same emphasis. The Netherlands therefore developed instruments at an early stage for helping the candidate countries meet the conditions for accession. This policy of support was launched in the regional policy document on Central Europe and discussed with the Permanent Committees of the Parliament on Economic Affairs and Foreign Affairs in 1997. It announced the creation of a set of pre-accession instruments. These were worked out in further detail in 1998, and most of the actual programmes were launched in 1998 and 1999 (see page 5 for details). The bilateral pre-accession instruments can be regarded as an extension of bilateral policy. To enhance the consistency between multilateral policy and bilateral accession support, special policy documents (the 'accents policy documents') were

drawn up in 1999 and 2000. They took stock of the Dutch contribution to the EU enlargement process from a bilateral point of view.

Policy on the enlargement of the EU and pre-accession policy are devised and implemented through four channels:

1. *Multilateral*

Letters and policy documents from the Minister of Foreign Affairs and Minister for European Affairs on the enlargement of the European Union and the Netherlands' viewpoint: amongst others six policy documents between November 1999 and October 2002, prepared by the European Integration Department (DIE) of the Directorate-General for European co-operation (DGES).

2. *Bilateral and regional*

Letters and policy documents on regional policy, such as the 1999 accent policy document and 'New Accents in an Enlarged EU', drafted in 2002 by the regional department, currently the Directorate-General for European co-operation's Western and Central Europe Department (DWM), previously the Central Europe Department (DEU/ME) of the former Directorate-General for Regional and Country Policy (DGRB).

3. *Assistance*

Letters and policy documents on the progress of pre-accession programmes, often combined with progress reports on traditional transformation programmes, such as the Matra policy letter of 2000, and the progress report on the implementation of the Matra programme 1999-2001, 8 January 2002, drafted by the Directorate-General for Regional and Country Policy and Consular Affairs' Southeast and Eastern Europe and Matra Programme Department, which is responsible for Matra (formerly DEU/UM at the former DGRB).

4. *Individual ministries*

Letters and policy documents drawn up by the other ministries concerning their role in the enlargement of the EU. They refer to their part in the accession negotiations, bilateral relations with counterparts in the candidate countries and the pre-accession aid in which they have been involved.

The Ministry of Foreign Affairs bears official responsibility for co-ordinating the Dutch contribution to European decision-making. According to the Explanatory Memorandum, this includes inter-ministerial co-ordination on issues related to European integration. The European Integration Department (DIE) plays an important role in this. Since 1997 it has been responsible for co-ordinating the work of the individual ministries related to EU enlargement, and regularly chairs meetings of the Enlargement Task Force (TFU). Since 2000 the regional department (first DEU, later DWM) has co-chaired the Task Force. The Matra department (DZO/UM) regularly holds talks with the various ministries that have an advisory role in the different programmes running under Matra. Since 1999 DZO/UM has regularly convened meetings to discuss Matra pre-accession activities which are attended by the organisations implementing the programmes. Most of the ministries concerned have set up divisions that focus on enlargement and/or pre-accession assistance. Some have their own budget, but most of them are dependent on the Ministry of Foreign Affairs' and the Ministry of Economic Affairs' pre-accession programmes and the Community programmes.



## Pre-accession programmes

Since 1998 the Dutch government has supported candidate countries through a number of pre-accession programmes. They are intended primarily to support candidate Member States' efforts to adopt and implement the *acquis communautaire*. Their second objective is to enhance bilateral relations. These programmes are:

- **the Matra pre-accession instruments**, special programmes specifically geared towards accession under the Social Transformation Programme for the non-economic sectors (via the Ministry of Foreign Affairs, total expenditure 1999-2002 €31.7 million);<sup>20</sup>
- **the Eastern Europe Co-operation Programme (PSO) pre-accession instruments**, a continuation of the traditional economic transformation programme for the economic sectors geared specifically to accession (via the Ministry of Economic Affairs, total expenditure 1998-2002 €39.5 million).<sup>21</sup>

A number of Matra pre-accession programmes have a broader aim, in that they are intended to promote good governance as well as help prepare countries for accession.

Matra and PSO pre-accession programmes consist of the following:

Type of activity	Name of programme	Implementing agency	Expenditure 1998-2002 (in million €)
<b>Matra Pre-Accession:</b>			<b>31.7</b>
Projects (mainly technical assistance)	Matra Pre-Accession Project Programme (MPAP)	Senter	16.7
Training	Accession-oriented Dutch European Proficiency Training Programme (ADEPT)	Cross	6.9
Local authority co-operation	Local Authority Co-operation with Candidate Countries Programme (GST)	VNG (Association of Netherlands Municipalities)	3.3
Internships	Internships Matra for Pre-accession Training Programme (IMPACT)	NUFFIC	0.9
Secondment of Dutch former civil servants	Advisory Missions to Governments Programme (PUA)	NMCP	1.2
Partnerships	Partnership funds	Ministries and DWM	0.2
Departmental initiatives	Departmental Initiatives Programme (DIP)	Ministries and DWM	1.9
Various (including support desk, to promote and co-ordinate Dutch participation in Phare twinning programme)	Various	DGES/AP and others	0.6
<b>PSO Pre-Accession</b>			<b>39.5 *</b>
Projects (mainly technical assistance)	PSO Pre-Accession Programme (PSO PA)	Senter	33.2
Exchange of expertise through working visits, conferences etc.	PSO short	Senter	3.6
<b>TOTAL Pre-Accession</b>			<b>71.2</b>

\* Including €2.7 million for PSO PA in 1998.

<sup>20</sup> The Matra programme itself, which traditionally focuses on strengthening civil society, has also been continued in the candidate countries, with the exception of Slovenia.

<sup>21</sup> The PSO itself ceased operations in most candidate countries when the pre-accession PSO was launched, except in Romania and Bulgaria.

Most activities are very small-scale (such as internships lasting a few days or a week, a few days' training, secondment of a civil servant for a few weeks, a workshop etc.) and spread among eleven countries (i.e. the ten countries in Central Europe plus, since 2001, Turkey) and across eleven different sectors.<sup>22</sup> By way of comparison: the EU gave a total of some €13.6 billion in pre-accession aid to the candidate countries over the same period. It is therefore difficult to evaluate the Dutch effort in the light of the complex system of accession aid and the huge EU efforts in this area. The projects financed through MPAP and PSO PA and some ADEPT courses are larger in scale (with average expenditure of approx. € 350,000). A total of 70 MPAP projects and 81 PSO PA projects were undertaken in 1999-2002.

Alongside the bilateral instruments, there are also specific Community pre-accession programmes such as the Phare twinning programme (since 1998), ISPA (since 2000, structural instrument to help with preparations, particularly in the fields of transport and environment) and SAPARD (since 2000, to help with structural adjustment in the agricultural sector). The Phare twinning programme is a continuation of the Phare transformation programme in the form of pre-accession aid for the candidate countries. It involves institutional support to help them adopt and implement the *acquis communautaire*. National governments in the Member States can register for twinning projects, after which the candidate countries select partners. The Netherlands has been involved in the implementation of 88 of the 687 Phare twinning projects to date (as leading partner in 55, and co-operating partner in the other 33). Dutch efforts in the framework of the twinning programme are co-ordinated and supported by a support desk set up specially for the purpose at the Ministry of Foreign Affairs (DGES/AP).

From the moment they accede, the pre-accession programmes and transformation programmes for the first group of acceding countries will be phased out over three years. In other words, no new projects will be approved and existing projects will be implemented as stated in the contract. The EU is to make a Transition Facility available to the new Member States for the first three years after accession to help them tackle any final problems and to consolidate the institutional strengthening they have already achieved. The debate on a new form of bilateral 'post-accession' co-operation or a transitional fund is already under way, but no decisions have yet been made.

#### *Evaluation of pre-accession programmes*

The PSO and Matra pre-accession project programme (PSO PA and MPAP) are the subject of a joint, decentralised evaluation by the Ministry of Economic Affairs and the Ministry of Foreign Affairs. IOB is involved in an advisory capacity, as a member of the supervisory committee. Its remit is to safeguard standards in terms of the ToR, the tendering procedure, prior communication with those implementing the projects, and assessment of the inception report, interim reports and the final report. This evaluation has already been seriously delayed and the results are unlikely to become available in 2003.

IOB is evaluating the international activities of the Association of Netherlands Municipalities (VNG) and individual local authorities in the Netherlands funded through the Ministry of Foreign Affairs. The evaluation is also considering local

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<sup>22</sup> Cyprus and Malta do not receive Dutch support under the bilateral pre-accession programmes.

authority co-operation under the Matra pre-accession programme, and is expected to be complete before the end of 2003.

An evaluation of the secondment of civil servants under the PUA programme began in June 2003. IOB was involved in the design of the evaluation and is monitoring its quality. The results should be available well before the end of the year.

Fairly detailed self-evaluations of the Matra training programme ADEPT and internship programme IMPACT are available.

The Phare twinning programme was evaluated in 2000. The evaluation looked at a selection of projects approved in 1998, and focused on methodology and on the registration and implementation process. It looked to a lesser extent at the effectiveness of the programme. No new evaluation of this programme is planned.

### **3. Objective and key questions**

This evaluation is taking place at a strategic moment, just before ten new Member States join the EU in May 2004, and at a time when the existing Member States are in the process of ratifying the Treaty of Accession. Referendums approving accession have been held in most candidate countries. Further enlargement is likely in the future, when Romania and Bulgaria – with which negotiations continue – join the EU. Negotiations have not yet started with Turkey, and Croatia has submitted an application. The evaluation of the Dutch policy concerning the accession of Central European countries to the EU should allow us to draw important lessons for our relations with the new Member States, including any post-accession aid, and for any reorientation as regards ongoing and future accession processes. This can be regarded as the functional aim of this evaluation.

The following key questions will be addressed during this evaluation:

1. What coherence is there between the Dutch policy on the accession of Central European countries, our bilateral relations with those countries and the pre-accession aid supplied by the Netherlands?
2. How effective has the policy been? In other words, to what degree has the Netherlands helped the candidate countries adopt and implement the *acquis communautaire* and strengthened its relations with those countries?
3. How efficiently has the policy been implemented? In other words, how do the results relate to the costs and the resources deployed?

#### **1. Coherence**

The policy itself clearly states the need for coherence between the four channels of policy and the actors associated with them (multilateral and bilateral policy, policy on accession aid and the policy of individual ministries). A key element of this evaluation will therefore be the assessment of coherence in policy and its implementation. A number of indicators will be used. They have largely been drawn from the policy documents themselves, and concern:

- The number and substance of references to other policy channels in the policy documents.
- Information on decision-making in the EU regarding accession and changes to Dutch policy in response to these decisions.

- The form and frequency of consultations within and between ministries on matters related to enlargement.
- Co-ordination procedures and compliance with them.
- Ministry of Foreign Affairs co-ordination activities and the Ministry's actual input.
- Regular exchange of general information between the main Dutch actors concerned with accession.

## 2. Effectiveness

The assessment of the effectiveness of policy will focus mainly on bilateral policy on enlargement, including pre-accession aid, and will be concerned with the degree to which the results of activities have helped achieve the specified policy objectives. Appendix 1 contains an evaluation matrix of indicators for pre-accession activities and their outputs and effects. The decision-making on the accession of ten new Member States is more or less complete, a signal that a judgement has been made as to their ability to meet the requirement that they adopt and implement the *acquis* in 2004. However, the debate on the safeguard clauses continues, and this indicates the extent to which problems remain with the adoption and implementation of the *acquis*. It is no simple matter to determine in retrospect what contribution the Netherlands has made to the accession process with its support for pre-accession activities. After all, it is not easy to distinguish the Netherlands' efforts from those of the many other donors, particularly the EU itself. To assess the Netherlands' contribution to the adoption and implementation of the *acquis*, attention will first be focused on the effectiveness of the activities. In other words: were pre-accession activities geared to problems the European Commission (in the *avis* and progress reports) and/or the governments of the candidate countries (*National Plans for the Adoption of the Acquis*, and their response to the progress reports) regarded as priorities at that particular point in time? After the relevance of the activities has been assessed, the effects of the Dutch effort on the accession process can be evaluated (see evaluation matrix in Appendix 1).

The evaluation matrix also contains indicators of effects related to the second policy objective – the strengthening of bilateral relations.

The matrix does not include any indicators of impact, as it is too early to assess this. However, the study will consider whether impact indicators can be identified so that it can be measured in two or three years' time. The present evaluation could then serve as a baseline measurement.

## 3. Efficiency

The assessment of efficiency will focus on the degree to which the results achieved are proportionate to the costs of the resources chosen, and particularly the way in which they were deployed. It will consider the choice of pre-accession programmes, the management of these programmes, and co-ordination between them, and between bilateral and Community pre-accession programmes.

## 4. Scope and representativeness

The preliminary study showed that there is no shortage of written material about enlargement. This, and the plethora of information available, mean that the scope of the evaluation has to be clearly defined. Its added value must therefore lie in increasing knowledge and understanding, with a focus on the Dutch perspective.

There are various ways of defining the scope of an evaluation. The first explicit choice was *not* to restrict the evaluation to one area of policy, but in fact to study the multilateral and bilateral aspects of policy *in conjunction with* pre-accession aid. At the same time the choice has been made to study all four policy channels and their coherence, while *no* separate analysis will be made of the course of the negotiation process within the European Union and the Dutch position in these negotiations. After all, these negotiations take place in another arena - that of the current EU15, and these negotiations do not directly concern the Dutch relations with the new Member States. Yet, the key questions concerning coherence, effectiveness and efficiency can only be answered if they are placed within the wider context of the outcomes of the negotiations and the Dutch positions in these negotiations. In short, the outcomes of the negotiations will serve as the framework for the answering of the key questions, while the negotiation process itself within the European Union will be left out of consideration. The scope of the evaluation has furthermore been limited in other ways: time period, countries, sectors and pre-accession programmes.

### **Period**

Although the accession process officially began in 1993, when the Copenhagen criteria were laid down, it was not until 1997 that further steps were taken towards launching accession negotiations with a small number of candidate countries. The evaluation will therefore focus on the period from 1997 (when the Luxembourg European Council took the decision to start negotiations with six candidate countries) to 2002 (when the Copenhagen European Council decided that ten new Member States should accede in May 2004). Developments prior to 1997 and new developments in 2003 will of course be mentioned where relevant.

### **Countries**

The selection of countries for field studies was based on a number of considerations. Negotiations have been held with twelve countries in recent years – ten countries in Central Europe, Cyprus and Malta. Dutch policy on Cyprus and Malta has clearly been less intensive than that on Central Europe. Cyprus and Malta have received no bilateral pre-accession aid, for example. These two countries will not, therefore, be included in the evaluation. The two countries with which negotiations have not yet started (Turkey and Croatia) will also be excluded. The choice of countries in which to conduct a field study was made from the remaining ten, based on the following criteria:

- a balanced representation of countries with which negotiations were launched at different times – the Luxembourg six from 1997 and the Helsinki six from 1999. Without Cyprus and Malta, only five remain from each group;
- a balanced representation of countries with different economic backgrounds and performances (with per capita GNP, economic growth and unemployment as indicators);
- a balanced selection of small and large countries (with population as indicator);
- at least one country with which negotiations have started but which will not join in May 2004 (Romania or Bulgaria);
- a preference for countries with which the Netherlands has close co-operative ties in several areas and/or on specific themes (with partnerships, and number of MPAP, PSO-PA and Phare twinning projects as indicators) and/or where IOB has carried out previous evaluations;
- a balanced selection of countries with which negotiations progressed differently (with rate at which chapters opened and closed, and transitional arrangements as indicators);

- the opinion of stakeholders (policy departments and/or individual ministries).

The following four countries were selected on the basis of these criteria (see appendix 2):

- *Poland*, one of the Luxembourg six, the largest country acceding to the EU, mediocre economic performance, special co-operative ties with the Netherlands via the Utrecht Conference, fairly difficult negotiation process.
- *Hungary*, also one of the Luxembourg six, fairly good economic performance, medium-sized in relation to the other candidate countries, previous field study as part of the IOB Matra evaluation, smooth negotiation process.
- *Lithuania*, one of the Helsinki six, mediocre economic starting position, reasonably good progress with negotiations, most populous of the Baltic states, preferred by stakeholders.
- *Romania*, one of the Helsinki six, will not join in 2004, poorly performing economy, very difficult negotiation process, preferred by stakeholders.

Strangely enough, the 'close co-operative ties with the Netherlands' criterion had little bearing on the choice, except in the case of Poland, as a result of the Utrecht Conference. A number of projects are being carried out in all the countries, and there are no country priorities in the bilateral programmes. There is therefore little variation in the distribution of bilateral pre-accession activities among the ten countries. In several cases stakeholder preference and previous IOB evaluations therefore determined the choice between virtually equally eligible countries (Hungary or the Czech Republic, Lithuania or Latvia, Romania or Bulgaria).

### **Areas/sectors**

Given the huge range of subjects covered by the negotiations, as illustrated by the 31 chapters in the *acquis*, two areas or sectors have been selected for further analysis in the four country studies. These are the Common Agricultural Policy (CAP) and Justice and Home Affairs (JHA). The CAP is an important part of the *acquis* on which the Netherlands has very definite views, and has also been the subject of many pre-accession projects. JHA gained more and more importance during the negotiations, and new *acquis* has also been created in this area. Both agriculture and justice and home affairs are suitable for further analysis in each of the four countries selected. The possibility of adding one more sector to each of the country studies is being considered.

### **Pre-accession programmes**

The final narrowing down involves the selection of pre-accession programmes that can be evaluated separately and in more depth. Given the scale and diversity of these programmes (not so much in financial terms, more in terms of the number of activities in different countries and sectors), it will not be possible to examine them all in detail. The two biggest MPAP and PSO PA programmes are currently the subject of a joint evaluation under the direction of an independent supervisory committee on which IOB is represented. This initiative runs parallel to this IOB evaluation of the Netherlands' role in the enlargement of the EU, but could be effectively tied in with it. IOB will therefore use the findings of these programme evaluations. The two other evaluations of Matra programmes – PUA and GST – are not of immediate importance to the research questions, given the scale and significance of these programmes. The fact that both these evaluations were undertaken for other reasons does not, however, mean that they cannot provide input for the IOB evaluation. These three

programme evaluations together cover 85% of expenditure on bilateral pre-accession activities.

The Netherlands has also provided substantial input to the Phare twinning programme. For IOB to conduct a separate evaluation of the effectiveness and efficiency of this input would be problematic not only in methodological terms, it would also be beyond its mandate. However, it will be considered in the assessment of whether policy and policy implementation have been coherent.

### Representativeness

The area to be studied is huge, and the design of the study combines a broad-ranging consideration of policy with more in-depth field studies. It has been decided that the in-depth studies should be systematically narrowed down to a particular time (1997-2002), and to four countries, two sectors and a number of specific programmes. This combination of broad-ranging and in-depth studies, which will be examined in more detail in the next section, gives a sufficiently representative view of the object of the evaluation to be able to address the research questions.

## 5. Strategy and phasing

Three studies are planned, combining an analysis of policy and the negotiations with in-depth studies designed to provide an actual insight into the implementation of policy and the results achieved. The first will look at Dutch policy and the accession negotiations, outlining the context for the implementation of policy and providing hypotheses that will be examined further in the implementation studies. The other two studies will look at the implementation process from two different perspectives: the country and the programme. The table below shows which of the studies will address the key questions outlined above.

Study → Key issue ↓	Analysis of policy and negotiations	Country studies	Programme evaluations
1. Coherence	X	X	---
2. Effectiveness		X	X
3. Efficiency		X	X

The table shows that each of the key questions will be addressed on the basis of the findings of at least two studies. In only one case will a key issue explicitly be overlooked in one of the studies; the programme evaluations will not look at the issue of coherence. The table does not indicate the more indirect relationships between the studies and the key issues. For example, it will be possible to assess effectiveness and efficiency as part of the country studies only on the basis of the analysis of multilateral and bilateral policy. These links will become apparent when the studies are planned in more detail. The final report will of course elaborate on the links between the findings of the studies.

### Study 1: Analysis of policy and accession negotiations

This study consists of a policy analysis of the four policy channels described before. The main issue examined here will be coherence, though the study will also provide material for the assessment of effectiveness and efficiency in the country studies (study 2) and the programme evaluations (study 3).

The study will take the form of a retrospective process evaluation, examining the coherence between multilateral policy, bilateral policy, policy on accession aid and the policy of the individual ministries concerning accession. It will therefore look not only at the different elements of policy, but also, and more especially, at the methods applied, including the way in which the Ministry of Foreign Affairs played its co-ordinating role. The reconstruction of the policy will also set out the main assumptions underlying policy so that they can be verified in the country studies and, to some extent, in the programme evaluations. This study also involves a reconstruction of the intervention logic of the pre-accession instruments.

The methodology will be as follows:

- Analysis of bilateral policy on acceding countries, including priorities in terms of countries, themes and/or sectors and interaction between the ministries;
- Analysis of policy on pre-accession aid, with a reconstruction of the intervention logic;
- Analysis of multilateral policy and interaction between ministries.
- Institutional analysis;
- Compilation of a database on pre-accession activities for the selected countries and for the selected sectors or themes;
- Formulation of hypotheses to be tested in interviews conducted in the Netherlands and during field studies.

### **Study 2: Four country studies**

The table shows that the country studies are key to the study design, because they will provide a partial answer to the three main questions to be addressed in the evaluation. Each of the four studies – in Hungary, Lithuania, Poland and Romania – will follow roughly the same pattern. The country studies will focus particularly on coherence in the implementation of multilateral EU policy, bilateral relations and pre-accession aid policy. They will be based on insights and information acquired during the first, policy-oriented study and will test the hypotheses formulated. To this end, against the background of the outcomes of the negotiations, the process of policy implementation and interaction between the actors will be examined for each of the four selected countries. The focus will be on the candidate countries' perception of the Dutch position in the negotiations, the policy pursued by the Netherlands and pre-accession aid. There will be a more specific focus on agriculture, justice and home affairs and a third sector to be chosen specifically for each country. IOB will draw up specific terms of reference for each country study.

The four country studies will consider the following:

- Inventarisation of the outcomes of the accession negotiations and relevant European decision making. The focus will be on the system of opening and closing the various 'negotiation chapters', in general and for each of the four countries. There will also be made an inventory of specific Dutch positions concerning certain chapters, which can be derived from Dutch multilateral policy;
- The progress of the accession negotiations with the country in question, from the perspective of the candidate country;
- Bilateral contacts in connection with accession (e.g. reciprocal visits by ministers, conferences, regular meetings);
- Pre-accession activities with Dutch input (both bilateral projects and Phare twinning projects run by the Netherlands).



Given the diversity and generally limited scale of pre-accession activities, it will not be possible to fully assess their effectiveness in this study. They will therefore be examined from a thematic perspective (CAP, JHA and a third sector), which will limit the scope of the assessment of their effectiveness and efficiency. Particular attention will be given to typical bilateral activities such as partnerships (Utrecht Conference with Poland, thematic partnerships with Hungary). In terms of the effectiveness of policy, the focus will be on the extent to which the various activities have helped build up bilateral contacts that will benefit European decision-making and coalition-forming in the enlarged EU. The study will also look at the extent to which the activities really have helped the candidate countries adopt and implement the *acquis*. The evaluation matrix in appendix 1 contains indicators for measuring such effects. The third study will assess the overall effectiveness of selected pre-accession programmes.

### **Study 3: Programme evaluations**

The design of the country studies means it will not be possible to assess the effectiveness and efficiency of the various programmes for pre-accession aid in a sufficiently representative way. A separate programme evaluation would be desirable, certainly for the biggest of the pre-accession programmes (MPAP and PSO PA), to allow the issues of effectiveness (particularly their contribution to the adoption and implementation of the *acquis*, see evaluation matrix) and efficiency to be thoroughly addressed. Three separate programme evaluations are planned, covering five bilateral pre-accession programmes mentioned above:

- A joint decentralised evaluation of the Matra Pre-Accession Project programme (MPAP) and the PSO pre-accession instruments (PSO PA and PSO short).
- A decentralised evaluation of the Matra Advisory Missions to Governments programme (PUA).
- A central IOB evaluation of the GST programme.

IOB will be involved in the first two in an advisory capacity. This will allow it to coordinate the decentralised evaluations with its own policy evaluations. The programme evaluations will also be based on the evaluation matrix in appendix 1. One methodological complication lies in the fact that a number of Matra pre-accession programmes such as PUA and GST have a broad objective – to promote good governance and transformation (in both central and local government), including institutional capacity-building and the adoption and implementation of the *acquis communautaire*. The programme evaluations will be based on this broad objective, but this IOB evaluation will be limited to the objectives more specifically connected with pre-accession.

## **6. Organisation**

IOB-evaluator Anneke Slob will be responsible for designing the study, supervising its implementation and producing the final report. Together with Anneke Slob, IOB-evaluator Gerard van der Zwan and research assistants Merel Wielinga and Bas Limonard will form the core team for this evaluation.

Researchers from the selected countries will be taken on for the four country studies. Along with the Dutch researchers, they will bear joint responsibility for the analyses at country level.

A reference group of external experts and stakeholders, representing Ministry of Foreign Affairs policy departments and other ministries, will meet several times to monitor the progress of the evaluation and comment on the draft final report. The members have already provided comments on the draft terms of reference.

## 7. Products

The final report, incorporating the results of all the individual studies, will be submitted to parliament in accordance with the usual procedures.

The individual studies themselves will culminate in interim reports: policy analysis and four country studies, that might be published as an IOB working document.

If there is sufficient response to the publication of the report, IOB will organise a workshop to explain its findings.

## 8. Planning

IOB aims to publish the final report of this evaluation before the new members actually accede on 1 May 2004. This is a fairly ambitious target and whether it is achieved will depend to some extent on other actors. The third individual study is to comprise two decentral programme evaluations, whereby IOB will be responsible for monitoring quality. The most important of these – the evaluation of MPAP and PSO PA – has already been delayed, and it is unclear when the results will be available. If the programme evaluations experience further delay, and additional research becomes necessary to guarantee sufficient quality, IOB might consider producing a working document on policy analysis before May 2004. The publication of the full final report would then have to take place later in 2004 according to a revised timetable.

The current timetable is as follows:

	July 03	Aug. 03	Sept. 03	Oct. 03	Nov. 03	Dec. 03	Jan. 04	Feb. 04	Mar 04	April 04
ToR	X									
Study 1 Analysis of policy and negotiations	xxx	xxxX policy	xxxxx	xxxxx	xxxX					
Study 2 Poland			xx	xxxxx	X					
Study 2 Hungary		xx	xxxxx	X						
Study 2 Lithuania					xxxxx	xxX				
Study 2 Romania				xx	xxxxx	X				
Study 3 Programme evaluations	xxx	xxxxx	xxxxx	xxxX GST?	xxxX PUA?	xxxxx	X PSO and MPAP?			
Final report						xxxxx	xxxxxxx	X draft		X final
Reference group						x		x		

X Document: TOR, interim or final report  
x implementation of research activity



## Appendix 2. Indicators for choice of countries

	Bulgaria	Estonia	Hungary	Latvia	Lithuania
Inhabitants (millions) <sup>1</sup>	8.2	1.4	10.0	2.4	3.7
Per capita GNP 2000 <sup>1</sup>	€ 1600	€ 3800	€ 5000	€ 3300	€ 3300
Econ. Growth (% , 2001) <sup>2</sup>	4	5.4	3.2 (2002)	7.6	5.5 (2002)
Unemployment (% , 2001) <sup>2</sup>	17	12.6	5.8 (2002)	7.7	11 (2002)
Start of negotiations	Helsinki 1999	Luxembourg 1997	Luxembourg 1997	Helsinki 1999	Helsinki 1999
Accession	January 2007?	May 2004	May 2004	May 2004	May 2004
Progress of negotiations <sup>3</sup>	-	+	++	+	-/+
No. of MPAP projects <sup>4</sup>	8	6	9	3	6
No. of PSO-PA projects <sup>5</sup>	7 (+1)	9	7 (+1)	6 (+1)	7(+2)
Country study for evaluation of MPAP and PSO-PA	yes	yes	no	no	no
No. of Phare twinning projects with Dutch involvement <sup>6</sup>	8 (5)	5 (4)	12 ( 6)	2 (2)	4 (3)

	Poland	Romania	Slovenia	Slovakia	Czech Rep.
Inhabitants (millions) <sup>1</sup>	38.6	22.4	2.0	5.4	10.3
Per capita GNP 2000 <sup>1</sup>	€ 4400	€ 1800	€ 9800	€ 3900	€ 5400
Econ. Growth (% , 2001) <sup>2</sup>	1.1	4.4	3.1 (2002)	3.3	3.6
Unemployment (% , 2001) <sup>2</sup>	16	6.6	11.5 (2002)	18.6	8.5
Start of negotiations	Luxembourg 1997	Helsinki 1999	Luxembourg 1997	Helsinki 1999	Luxembourg 1997
Accession	May 2004	January 2007?	May 2004	May 2004	May 2004
Progress of negotiations <sup>3</sup>	+/-	-	++	-/+	+
No. of MPAP projects <sup>4</sup>	8	5	4	10	5
No. of PSO-PA projects <sup>5</sup>	11 (+1)	6 (+1)	8 (+2)	9 (+1)	7
Country study for evaluation of MPAP and PSO-PA	no	no	no	yes	no
No. of Phare twinning projects with Dutch involvement <sup>6</sup>	20 (11)	13 (6)	5 (3)	8 (6)	13 (9)

1 Data from WRR, *CEE Countries on the Way to the Eurozone*, 2002.

2 Data from Ministry of Foreign Affairs website, country files.

3 Preliminary IOB analysis based on quick scan of files.

4 Number of Matra pre-accession projects (MPAP) 1999-2002.

5 Number of PSO-PA projects 1999-2002, with number of Ministry of Housing, Spatial Planning and the Environment pre-accession projects developed in 2002 in brackets

6 Number of Phare twinning projects 1999-2002 with Dutch involvement, at 22 January 2003, with number of projects where the Netherlands is leading partner in brackets (no short-termers included).

## **ANNEX 3      TERMS OF REFERENCE POLAND**

# **IOB-evaluation of the Dutch policy on the accession of Central European countries to the European Union**

## **Terms of reference for the country study Poland September 2003**

### **Background**

The design for the overall evaluation is presented in the general Terms of Reference. Four country case studies are planned for which specific Terms of Reference will be drawn. This document contains the Terms of Reference for the country study Poland. The general Terms of Reference are attached in annex 1 and form an integral part of this document.

### **Design of the country study**

The country studies will seek to provide an answer to the three main research questions to be addressed on coherence, effectiveness and efficiency. Three sectors are selected in order to answer these research questions. In Poland the following sectors have been selected:

- Agriculture
- Justice and Home Affairs (JHA)
- Transport and Water Management

Next to the general overview of the Polish accession process and an overview of Dutch policy and the Dutch-Polish bilateral relations, for each sector the Dutch supported pre-accession activities in Poland will be listed and a selection of these activities will be assessed in detail. Also the activities undertaken within the framework of the Utrecht Conferences will be assessed. An overview of Dutch supported pre-accession activities is provided for in annex 2 and an overview of activities undertaken within the framework of the Utrecht Conferences is provided for in annex 3.

### **Approach**

A joint Dutch-Polish team of independent evaluators will carry out the evaluation. This team will consist of Anneke Slob (IOB), Gerard van der Zwan (IOB), Siemen van Berkum (LEI), Merel Wielinga (IOB), Jacek Kucharzyk (ISP), Jan Friedberg, Waldemar Guba and Piotr Kazmierkiewicz. The country case study will start with preparatory research in the Netherlands and in Poland. At the start of the field research all information will be put together, hypotheses for the field research will be formulated and the methodology will be elaborated in detail. On the basis of the preparatory reports and the results of the joint mission a concise case study report will be prepared and submitted for comments to the main stakeholders. During all phases of the research communication and interaction with the stakeholders are the key to a successful outcome of the evaluation.

## **Research activities**

### *Preparations in the Netherlands*

#### *IOB/Dutch researchers:*

- Provide a general overview of the Dutch policy concerning EU-enlargement including hypotheses to be tested during field research;
- Provide an overview of major developments in the bilateral relation (list important Dutch political visits to Poland and vice-versa during the period 1997-2002, Utrecht Conference, partnerships, etc.);
- Provide an overview of Dutch pre-accession activities and projects in Poland in the three selected sectors (see annex 2);
- Provide an overview of activities undertaken within the framework of the Utrecht Conferences (see annex 3);
- Make a preliminary analysis of selected activities to be included in the evaluation (project fiche for each of the selected activities);
- Hold interviews with main stakeholders in the Netherlands (Ministries, Polish Embassy);
- Hold interviews with pre-accession programme and project contractors.

### *Preparations in Poland*

#### *IOB:*

- Make a preparatory visit to select Polish researchers and to discuss the research with the Embassy.

#### *Polish researchers:*

- Provide an overview of the main issues in the Polish accession negotiations from the Polish perspective (approx. 5 pages);
- For each of the selected sectors: provide an overview of the main accession issues for Poland in the chapters concerned (approx. 5 pages for each sector);
- Provide an overview of general pre-accession support to Poland by the European Union and the most important EU Member States in order to assess the importance of the Dutch contribution;
- For each of the selected sectors: list the contribution of the EU and EU Member States to Poland's preparation for accession.

#### *Joint field research IOB/Dutch researchers and Polish researchers:*

- Hold a workshop for all researchers to discuss results of preparations and formulate hypotheses to be tested during final research; elaborate methodology in detail;
- Hold interviews with Dutch Embassy;
- Hold interviews with UKIE, Ministry of Foreign Affairs, Ministry of Justice, Ministry of the Interior, Ministry of Agriculture, Ministry of Transport;
- Hold interviews with PAA's a.o.;
- Hold interviews with delegation of the EU and representatives of other Member States;
- Hold interviews with research persons;
- Debriefing at the end of the mission at the Embassy.

**Report**

At the end of the research a country case study report for Poland (approx. 40 pages) will be made by the research team and submitted to the main stakeholders and the reference group for comments.

**Organisation and responsibilities**

IOB bears the overall responsibility for the evaluation. Anneke Slob, IOB-evaluator, co-ordinates the evaluation, including the Poland case study. The Dutch core team for the evaluation is involved in the preparations in the Netherlands. Dutch researchers for the sectors JHA and Agriculture will also contribute to the country case studies. The role of the Dutch researchers during the field research will be defined in a later stage. A number of Polish researchers are identified to participate in the research. They will cover the selected research sectors.

**Planning**

Preparations will take place during the period June-September 2002. The preparatory visit to Poland by Anneke Slob and Gerard van der Zwan, also IOB-evaluator, has taken place in the period June 17<sup>th</sup> to June 20<sup>th</sup> 2003. The joint field research is tentatively planned from November 3<sup>rd</sup> to November 14<sup>th</sup> 2003. The draft country case study report for Poland should be available December 1<sup>st</sup> 2003.





## ANNEX 4 SURVEY OF THE ACCESSION NEGOTIATIONS - POLAND

<i>Chapters</i>	<i>opened</i>	<i>closed</i>	<i>transitional arrangements</i>
<b>1. free movement of goods</b>	June 1999	December 2002 Prov. closed March 2001	- One until 31 December 2008, concerning the renewal of marketing authorisation for pharmaceuticals; - one concerning licences for medical devices issued under the current Polish legislation, which will remain valid until 31 December 2005.
<b>2. freedom of movement for persons</b>	May 2000	December 2002 Prov. closed December 2001	One, of 5 or 7 years, requested by the EU for all candidates except for Cyprus and Malta.
<b>3. freedom to provide services</b>	July 1999	December 2002 Prov. closed November 2000	Exclusion of credit unions and a specialised bank; lower level of investor compensation until end-2007.
<b>4. free movement of capital</b>	autumn 1999	December 2002 Prov. closed March 2002	- A 12-year transitional period for agricultural and forest land, excluding self employed farmers from EEA countries who have been leasing land for 3 or 7 years (depending on region) from the scope; - a 5-year transitional period on secondary residences, excluding EEA citizens who have resided at least 4 years in Poland from the scope.
<b>5. company law</b>	December 1998	December 2002 Prov. closed December 2001	Poland has accepted the EU's proposal on pharmaceutical products and Community Trademark.
<b>6. competition policy</b>	May 1999	December 2002	- Phase-out of incompatible fiscal aid for small enterprises by the end of 2011; - phase-out of incompatible fiscal aid for medium-sized enterprises by the end of 2010; - conversion of incompatible fiscal aid for large companies into regional investment aid; - with regard to state aid to environmental protection, transitional arrangement for investments that relate to standards for which a transitional period has been granted under the Chapter Environment and for the duration of that transitional period; - restructuring of the steel industry to be completed by 31 December 2006.
<b>7. agriculture</b>	June 2000	December 2002	Several transitional arrangements regarding the financial and market related aspects and the veterinary and phytosanitary aspects of agriculture.
<b>8. fisheries</b>	April 1999	December 2002 Prov. closed June 2002	Acceptance of inclusion of sprat ( <i>Sprattus sprattus</i> ) of the Baltic region in Annex IV of Regulation (EC) 140/2000. Poland has withdrawn all other requests, including a derogation regime in the entire Polish exclusive economic zone in the Baltic Sea.
<b>9. transport</b>	November 1999	December 2002 Prov. closed June 2002	- Gradual increase of axle-load limits on national road network; - access of non-resident hauliers to the national road transport market of other Member States to be phased in gradually; - access to Polish rail market to be phased in gradually.
<b>10. taxation</b>	November 1999	December 2002 Prov. closed March 2002	- Zero VAT rate on books until 31 December 2007; - reduced VAT rates on restaurants until 31 December 2007; - turnover threshold to exempt SMEs from VAT set at € 10 000;

			<ul style="list-style-type: none"> <li>- lower excise duty rate on cigarettes until 31 December 2008;</li> <li>- reduced excise duties on ecological fuels until one year after accession;</li> <li>- reduced VAT rate on construction until 31 December 2007;</li> <li>- super-reduced VAT rate on agriculture inputs, excluding machinery until 30 April 2008;</li> <li>- super-reduced VAT rate on foodstuffs until 30 April 2008;</li> <li>- VAT exemption on international passenger transport.</li> </ul>
<b>11. economic and monetary union</b>	first half of 1999	December 2002 Prov. closed end of 1999	none
<b>12. statistics</b>	March 1999	December 2002 Prov. closed June 1999	none
<b>13. employment and social policy</b>	September 1999	December 2002 Prov. closed March 2001	Directive 89/655/EEC (work equipment) until 31/12/05
<b>14. energy</b>	second half of 1999	December 2002 Prov. closed second half of 2001	Build up of oil stocks to required level, until the end of 2008
<b>15. industrial policy</b>	second half of 1998	December 2002 Prov. closed first half of 1999	none
<b>16. small and medium sized enterprises</b>	October 1998	December 2002 Prov. closed November 1998	none
<b>17. science and research</b>	second half of 1998	December 2002 Prov. closed October 1998	none
<b>18. education and training</b>	second half of 1998	December 2002 Prov. closed October 1998	none
<b>19. telecommunications , IT and postal services</b>	October 1998	December 2002 Prov. closed May 1999	Three years (until 31 December 2005) to implement the provisions of Directive 2002/39/EC, with respect to the limitation of the reserved area for postal service provision to 100 grams.
<b>20. culture and audiovisual policy</b>	November 1998	December 2002 Prov. closed December 2000	none
<b>21. regional policy and co-ordination of structural instruments</b>	April 2000	December 2002 Prov. closed October 2002	none
<b>22. environment</b>	December 1999	December 2002 Prov. closed October 2001	<ul style="list-style-type: none"> <li>- Sulphur content of liquid fuels until 2006;</li> <li>- emissions of volatile organic compounds from storage of petrol until 2005;</li> <li>- recovery and recycling of packaging waste until 2007;</li> <li>- waste landfills until 2012 (instead of 2009 for Member States)</li> <li>- shipment of waste until 2007;</li> <li>- treatment of urban waste water until 2015;</li> <li>- discharges of dangerous substances into surface water until 2007;</li> <li>- integrated pollution prevention and control until 2010 (instead of 2007 for Member States);</li> <li>- air pollution from large combustion plants until 2017;</li> <li>- health protection of individuals against ionising radiation in relation to medical exposure until 2006.</li> </ul>
<b>23. consumer protection</b>	April 1999	December 2002 Prov. closed May 1999	none
<b>24. justice and home affairs</b>	May 2000	December 2002 Prov. closed July 2002	none
<b>25. customs union</b>	May 1999	December 2002 Prov. closed first half of 2001	none
<b>26. external relations</b>	first half of 1999	December 2002 Prov. closed second half of	none

		1999	
<b>27. common foreign and security policy</b>	first half of 1998	December 2002 Prov. closed first half of 2000	none
<b>28. financial control</b>	first half of 2000	December 2002 Prov. closed first half of 2000	none
<b>29. finance and budgetary provisions</b>	first half of 2000	December 2002	-
<b>30. institutions</b>	first half of 2002	December 2002	Transitional arrangements relating to the Parliament and Council
<b>31. others</b>		December 2002	none

Source: European Commission, *Enlargement of the European Union – Guide to the Negotiations Chapter by Chapter*, December 2003



## ANNEX 5 OVERVIEW OF BILATERAL POLITICAL VISITS

### Bilateral political visits to and from Poland 1997-2003

<b>Date</b>	<b>Visit by</b>
02-07-1997	Dutch Minister of Foreign Affairs van Mierlo to Poland
02-07-1997	Dutch Queen Beatrix on a state visit to Poland
...-1997	Dutch Minister of Transport and Water management and Dutch Minister of Defence to Poland
12-11-1998	Polish Minister of Economy Steinhoff to the Netherlands
19-11-1998	Polish Secretary in the Chancellery of the Prime Minister Karasinska-Fendler to the Netherlands
19-01-1999	Polish Deputy Minister of Foreign Affairs Szlajfer to the Netherlands
03-02-1999	Dutch Minister of Foreign Affairs van Aartsen to Poland
14-03-1999	Dutch Minister of Foreign Affairs van Aartsen to Poland
26-03-1999	Polish Minister of Foreign Affairs Geremek to the Netherlands a.o. for first Utrecht Conference
12-05-1999	Dutch Prime Minister Kok and State secretary Benschop to Poland
27-06-1999	Dutch State Secretary of Economic Affairs Ybema and an economic mission to Poland
09-11-1999	Polish State Secretary of Foreign Affairs Ananicz to the Netherlands for third Utrecht Conference
19-10-2000	Polish State Secretary of Foreign Affairs Ananicz to the Netherlands
18-12-2000	Dutch Minister of Foreign Affairs van Aartsen to Poland for fifth Utrecht Conference and to his Polish colleague Bartoszewski
...-2001	Dutch Minister of Foreign Affairs van Aartsen to Poland
20-05-2001	Dutch State Secretary of Economic Affairs Ybema and a trade mission to Poland
..-05-2001	Dutch Minister of Finance Zalm to Poland
29-05-2001	Dutch State Secretary of European Affairs Benschop to Poland
02-07-2001	Polish Minister of Foreign Affairs Bartoszewski for seventh Utrecht Conference
06-09-2001	Polish Prime Minister Buzek to Dutch Prime Minister Kok
28-11-2001	Polish Secretary of the Committee for European Integration Huebner to the Netherlands
13-02-2002	Dutch Minister of Economic Affairs Jorritsma to Poland
26-03-2002	Polish Secretary of the Committee for European Integration Huebner to the Netherlands
08-04-2002	Dutch Minister of Agriculture Brinkhorst to Poland
04-06-2002	Dutch State Secretary of Economic Affairs Ybema to Poland
02-10-2002	Polish Secretary of the Committee for European Integration Huebner to the Netherlands
16-10-2002	Polish EU-negotiator Truszczyński to the Netherlands
20-10-2002	Dutch State Secretary of Foreign Trade Wijn on a trade mission to Poland
28-11-2002	Dutch Minister of Foreign Affairs De Hoop Scheffer to President Kwasniewski, Prime Minister Miller, and colleague Minister Cimoszewicz. Also to the tenth Utrecht Conference.
13-03-2003	Polish under-Secretary of State in the Ministry of Infrastructure Lesny to the Netherlands
02-07-2003	Polish under-Secretary of State in the Ministry of Foreign Affairs Truszczyński to the Netherlands
06-10-2003	Dutch Minister of Foreign Affairs De Hoop Scheffer to Poland
28-10-2003	Dutch Prime Minister Balkenende and Minister of Foreign Affairs De Hoop Scheffer to Poland



**ANNEX 6 Overview of MPAP and PSO PA project proposals 1998-2003**

**Project identification MPAP, 1999-2003**

	<i>Agriculture</i>	<i>Environment and Energy</i>	<i>Economic Affairs</i>	<i>Education</i>	<i>Justice</i>	<i>Interior</i>	<i>Health</i>	<i>Labour and Social Affairs</i>	<i>UKIE</i>	<i>Other</i>	<i>TOTAL</i>
<b>1999</b>											
proposals	-	-	-	-	-	-	-	-	2	3	5
accepted	-	-	-	-	-	-	-	-	2	-	2
rejected	-	-	-	-	-	-	-	-	-	3	3
<b>2000</b>											
proposals	1	2	-	2	-	-	-	-	-	1	6
accepted	-	1	-	-	-	-	-	-	-	1	2
rejected	1	1	-	2	-	-	-	-	-	-	4
<b>2001</b>											
proposals	2	1	-	-	1	-	-	3	1	3	11
accepted	-	-	-	-	-	-	-	-	-	1	1
rejected	2	1	-	-	1	-	-	3	1	2	10
<b>2002</b>											
proposals	-	1	2	1	-	1	2	3	-	-	10
accepted	-	-	1	1	-	-	-	1	-	-	3
rejected	-	1	1	-	-	1	2	2	-	-	7
<b>2003</b>											
Proposals	-	2	1	-	-	-	3	-	-	1	7
Accepted	-	1	-	-	-	-	1	-	-	1	3
Rejected	-	1	1	-	-	-	2	-	-	-	4
<b>TOTAL</b>											
Proposals	3	6	3	3	1	1	5	6	3	8	39
Accepted	-	2	1	1	-	-	1	1	2	3	11
Rejected	3	4	2	2	1	1	4	5	1	5	28

**Project identification PSO PA, 1998-2003**

	<i>Agriculture</i>	<i>Environment and Energy</i>	<i>Transport</i>	<i>Economic Affairs</i>	<i>Finance</i>	<i>Infra-structure</i>	<i>Other</i>	<i>TOTAL</i>
<b>1998</b>								
proposals	1	-	-	-	-	-	1	2
accepted	1	-	-	-	-	-	1	2
rejected	-	-	-	-	-	-	-	-
<b>1999</b>								
proposals	2	1	2	-	-	-	-	5
accepted	2	-	-	-	-	-	-	2
rejected	-	1	2	-	-	-	-	3
<b>2000</b>								
proposals	1	-	1	5	-	-	11	18
accepted	-	-	-	-	-	-	2	2
rejected	1	-	1	5	-	-	9	16
<b>2001</b>								
proposals	2	-	4	4	-	-	11	21
accepted	1	-	1	-	-	-	-	2
rejected	1	-	3	4	-	-	11	19
<b>2002</b>								
proposals	4	-	-	4	1	2	-	11
accepted	1	-	-	1	1	-	-	3
rejected	3	-	-	3	-	2	-	8
<b>2003</b>								
Proposals	3	1	-	2	-	-	-	6
Accepted	-	1	-	-	-	-	-	1
Rejected	3	-	-	2	-	-	-	5
<b>TOTAL</b>								
Proposals	13	2	7	15	1	2	23	63
Accepted	5	1	1	1	1	-	3	12
Rejected	8	1	6	14	-	2	20	51



**ANNEX 7 OVERVIEW OF PHARE TWINNING PROJECTS WITH DUTCH PARTICIPATION 1998-2003**

**Phare Twinning projects in Poland in all sectors with The Netherlands as leading / junior partner**

	Agriculture	Fisheries	Health and consumer protection	environment	Regional development	Justice and home affairs	Employment and social affairs	Taxation and customs	Internal market	Audit and control	Competition	Statistics	Public expenditure management projects	Enterprise	Telecommunication	Transport and energy	Public administrative reform	Miscellaneous	Total
<b>1998</b> leading junior	- -	- -	- -	- -	- -	- 2	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- 2
<b>1999</b> leading junior	1 1	- -	- -	1 -	- -	- 2	- -	- 1	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	2 4
<b>2000</b> leading junior	2 -	- -	- -	- -	- -	1 1	- -	- 1	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	3 2
<b>2001</b> leading junior	- -	- -	- -	- -	- -	- -	- -	1 -	- -	- -	- -	- -	- -	1 -	- -	- -	- -	- -	2 -
<b>2002</b> leading junior	2 -	- -	1 -	- 1	- -	- -	- -	- 1	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	3 2
<b>2003</b> leading junior	- -	- -	- -	1 -	- -	- -	- -	1 -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	2 -
<b>Total</b> leading junior	5 1	- -	1 -	2 1	- -	1 5	- -	2 3	- -	- -	- -	- -	- -	1 -	- -	- -	- -	- -	12 10



**ANNEX 8 UTRECHT CONFERENCES AND THEIR WORKING GROUPS 1999-2003**

Conferences	1. NL Utrecht	2. PL Warsaw	3. NL The Hague	4. PL Warsaw	5. PL Warsaw	6. NL The Hague	7. NL Utrecht	8. PL Warsaw	9. NL The Hague	10. PL Warsaw	11. NL Delft	12. PL Warsaw
Date	26-03-99	25-06-99	09-11-99	24-05-00	18-12-00	12-04-01	02-07-01	29-11-01	17-04-02	28-11-02	02-07-03	28-10-03
Level	Ministerial	Official	Ministerial	Official	Ministerial	Official	Ministerial	Official	Official	Ministerial	Official	Ministerial
<b>Working groups</b>	<b>3</b>	<b>7</b>	<b>8</b>	<b>5</b>	<b>12</b>	<b>11</b>	<b>8</b>	<b>6</b>	<b>8</b> <sup>23</sup>	<b>6</b>	<b>5</b> <sup>24</sup>	<b>2</b>
EU General	X <sup>25</sup>	X	X	X	X	X	X	X	X	X	X	X
Security		X	X	X	X	X	X	X	X	X	X	
Justice & Home Affairs		X	X	X	X	X	X		X	X	(X) <sup>26</sup>	
Agriculture (& Fisheries)	X	X	X	X	X	X	X		(X) <sup>27</sup>		(X) <sup>26</sup>	
Finances		X	X	X	X	X			X	X		
Environment		X	X		X	X	X	X				
Economic Affairs	X				X		X	X	X	X	X	X
Transport / Infrastructure			X		X	X	X	X		X	X	
Information & Communication					X	X	X					
Culture			X		X	X		X				
Health					X				X			
Social Affairs		X		X	X	X			X		X	
Science						X			X			

<sup>23</sup> The Agriculture working group took place separately.

<sup>24</sup> Both the Agriculture and the JHA working group took place separately.

<sup>25</sup> At this first Utrecht Conference, also the relations with neighbouring countries and police co-operation were discussed, but not in separate working groups.

<sup>26</sup> The working groups Justice and Home Affairs and Agriculture took place on 12-07-03 in Krakow, i.e. separately from the Utrecht Conference.

<sup>27</sup> This Agriculture working group took place on 09-04-02, i.e. separately from the Utrecht Conference and parallel to the Dutch Minister of Agriculture's visit to Poland.



## ANNEX 9 OVERVIEW OF ACTIVITIES IN THE SELECTED SECTORS – POLAND 1998-2003

*In italics: Activities not included in the evaluation of effectiveness and efficiency*

	<b>Agriculture</b>	<b>Justice and Home Affairs</b>	<b>Transport and Water Management</b>	<b>General</b>
<b>Phare Twinning and Horizontal NL leading partner</b>	<p><i>PL99/IB/AG-02</i> Phytosanitary administration capacity building and development phytosanitary protection of the future external EU borders <i>PL00/IB/AG-06</i> Phytosanitary administration <i>PL00/IB-AG-08 (b)</i> CAP common market organisations (Agricultural Market Agency) <i>PL02-AG-02</i> Implementation of a milk quota system in Poland <i>PL02-AG-03</i> Preparation of Agricultural Market Agency as paying agency <i>PL99/IB/AG-01</i> Preparation for the implementation of the Common Agricultural Policy (UK)</p>	<p><i>Phare Horizontal, Rule of Law</i> <i>Phare Technical Assistance project for Polish judges and prosecutors (2002)</i> <i>PL00/IB-JH-03</i> <i>Twinning for the police services</i></p>		
<b>Phare Twinning NL junior partner (between brackets: leading partner)</b>		<p><i>PL98/IB/JH-01</i> <i>Improving the efficiency of the court system and the public prosecutor's office (F)</i> <i>PL98/IB/JH-02</i> <i>Eastern border management and infrastructure (UK)</i> <i>PL99/IB/JH-01a</i> <i>Support for third pillar obligations (fight against organised crime (F)</i> <i>PL99/IB/JH-01b</i> <i>Support for third pillar</i></p>		

		<p><i>obligations (Border Guard questions and alignment of visa, migration and asylum policies) (D)</i>  <i>PL00/IB/JH-02</i>  <i>Border and visa policy (D)</i></p>			
<p><b>PSO PA</b></p>	<p>PPA01/PL/9/2  Full adjustment of regulations and procedures in Polish Air Traffic Management to comply with EU aviation Standards</p>		<p>PSO98/PL/9/2  Improvement of the Polish inspection for seed potatoes  PSO99/PL/9/1  Improvement of the Polish cattle breeding structure  PSO99/PL/9/2  Development of a milk quota system in Poland  PPA01/PL/9/1  Adjustment of law regulations and organisational structures to EU requirements regarding hog raising  PPA02/PL/9/1  <i>Concept of organisation and operation of a designing and executing unit to implement projects related to rural development in Poland (2 pilot voivodships)</i></p>		
<p><b>MPAP</b></p>	<p>MAT0/PL/9/1  River basin Management Plan for the Lower Vistula with a special emphasis on the supply of drinking water by the Brda sub-catchment</p>				<p>MAT99/PL/9/1  Strengthening the capacities of the Office of the Committee for European Integration (UKIE)</p>
<p><b>Special partnership: Utrecht Conference</b>  <b>PUA</b></p>	<p>Working group on Transport and/or Infrastructure</p>	<p>Working group on Justice and Home Affairs  1 mission to Voivodship Police headquarters (22465)</p>	<p>Working group on Agriculture and Fisheries  1 mission to Ministry of Agriculture &amp; Rural Development (16459);  2 missions to Regional Advisory Centre for Agricultural &amp; Rural</p>		<p>Working group on General Affairs</p>

<p><b>ADEPT</b></p>	<p>Development (20568 / 24160) 3 courses on environmental issues and European policies on agriculture (1999 / 2000 / 2001); 2 courses on chain management in agriculture (2001); 2 courses on food safety (2000 / 2001)</p>		<p>3 courses on water management (1999 / 2000 / 2001); 2 courses on river basin management (2001 / 2002)</p>	<p>courses on 'How to operate in Brussels' (2002 / 2003) (course organised in Poland, 82 out of 100 participants frequented the course) (organised by Institute Clingendael)</p>
<p><b>IMPACT</b></p>		<p>IMPACT for the police</p>	<p>internships to Ministry of Transports and Communication, (IMPACT 012/02); internships to the MPAP project River basin Management Plan MAT0/PL/9/1 (IMPACT 013/02)</p>	
<p><b>DIP</b></p>	<p>conference 'Preparing for EU membership' (2000); incoming mission land lease (2000); PHLO course for all candidate Member States 'European agricultural policy in transformation' (2001); conference for all candidate Member States 'EU-enlargement: The relation between agriculture and nature management' (2001)</p>	<p>preparation Phare Horizontal and Phare Twinning by Netherlands Helsinki Committee and Centre for International Legal Co-operation (2001); project 'Implementation of EU-acquis concerning the protection under criminal law of the Communities financial interests' (2001); introduction of Polish officials by ROI on Dutch polity (2001); meeting for police co-operation (within the framework of the Phare Twinning project) (2002); preparatory missions for police co-operation programme (2002)</p>		<p>Support UKIE in drafting the accession treaty (2002); Scientific conference on Polish-Dutch bilateral relations (2002)</p>
<p><b>Matra and PSO: economic and social transformation projects</b></p>	<p>PSO project Dairy cattle breeding</p>	<p>PL002201 Intensification and improvement of the involvement of and co-operation between civilians, NGOs and local government in the decision making processes</p>	<p>PL/98/10 Institutional reinforcement of employers' and employees' organisations in the transport sector: SPOET PSO projects:</p>	<p>PL/96/15, DEU/97/70 and PL002901 Polish-Dutch Postgraduate European Studies Program (phase I en II), RL, CFES</p>

	<p><i>Intermodal traffic flow; Chemical rail transport; Pilot project for tracking and tracing; Road border crossing post at the Ukrainian-Polish border; Improvement of road traffic flow at the Polish-Ukrainian border; Port Community System Gdansk; Combined transport; Developing possibilities of co-operation between different players in the market; Storage of agricultural goods; Activities in the Zulawy polder; Rehabilitation of Lake Jamno; Training Golf of Gdansk.</i></p>	<p><i>in voivodship Lublin</i></p>		
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## ANNEX 10 PROJECT EVALUATION METHODOLOGY AND PRE-ACCESSION PROJECT EVALUATIONS

### *Methodology*

#### *Selection of Pre-accession Activities and Projects*

For this country case study an overview of all pre-accession activities with Dutch involvement in the three selected policy sectors was compiled. This overview served three purposes:

1. Insight in the concentration of policy instrument deployment in various sectors for the purpose of coherence analysis;
2. Insight in the use of the different types of policy instruments in the various sectors;
3. Selection of activities to assess effectiveness and efficiency.

In order to select the pre-accession activities for the product evaluation, the following criteria have been applied:

- Countries

Only activities in the four countries selected according to the ToR.

- Sectors

Activities fitting the sectors selected in the ToR, as well as activities beyond these sectors and focused on bilateral co-operation and/or the accession process in a more general sense.

- Suitability for evaluation in relation to the sub-programme

Minor activities such as internships (IMPACT programme) or two week courses (ADEPT programme) have not been evaluated as measuring their effectiveness is virtually impossible. Phare Twinning projects with Dutch participation also have not been evaluated, because this falls outside the mandate of IOB. Three sub-programmes have been selected for the product evaluation: MPAP, PSO PA and Partnerships (for Romania only the first two).

- Finalised or nearly finalised activities

Activities just started or at their height of implementation did not qualify for selection.

In Poland five projects (three PSO PA and two MPAP) have been assessed in terms of effectiveness and efficiency.

	<i>Agriculture</i>	<i>JHA</i>	<i>Health</i>	<i>General</i>
<b>PSO PA</b>	3			
<b>MPAP</b>			2	

#### *Criteria and indicators*

Appendix 1 of the ToR for the general study contains an evaluation matrix with indicators to measure effects. These indicators are related to two policy objectives: contribution to the accession of candidate Member States and strengthening bilateral relations. This matrix also forms the basis for the product evaluation. In the assessment of the projects and partnerships, effectiveness of each policy objective

has been measured using a four-point scale. Two points on this scale qualify as 'sufficiently effective' and two as 'insufficiently effective'. Initially the criterion of pre-accession relevance was also assessed. However, this ex ante assessment partly coincided with the assessment of the policy objective concerning contribution to the accession process of the candidate Member State. Consequently, projects not relevant for accession were considered 'not effective' regarding the policy objective concerning contribution to the accession process, even when project objectives were realised.

Furthermore, for each project the demand and supply drivenness and possible overlap with other projects were checked. No scores were attached to these factors. Because of time and scale related problems it is not possible to assess the impact of the activities.

In the assessment of the activities the following definitions and scores were applied:

- **Effectiveness A Contribution to the accession process**

In the evaluation matrix attached to the ToR several indicators are defined to measure contribution to the adoption and implementation of the acquis. Score 1 activities have visibly contributed to the adoption (e.g. new legislation) and/or their implementation of the acquis (e.g. new institutions, better functioning of institutions). Score 2 activities have contributed to a lesser extent and follow up is necessary. Score 3 projects have contributed to the adoption and implementation of the acquis to a limited extent. Score 4 activities have not visibly contributed to this policy objective.

- **Effectiveness B Strengthening bilateral relations**

Score 1 activities have clearly contributed to strengthening bilateral relations at government level, and concrete examples of the intensified relations are given. Score 2 projects are characterised by intensive dialogue between professionals of the two countries supported to some extent by their central government organisations. In score 3 projects central government organisations are not involved, although exchange between professionals of both countries may be quite intensive during and after the finalisation of the project. Score 4 projects have not led to professional or government contacts after finalisation of the project. Exchange of views between professionals remained limited to the project period.

- **Efficiency**

Also here a four-point scale has been applied. Indicators for efficiency of activities relate to planning (time and finance), costs and changes in the project team. Score 1 projects have been very efficient, i.e. no time delays have occurred, the outcome is reasonable in relation to the costs, technical assistance has been used in a flexible way, intermediate project results were clear and the project was well planned. Score 2 projects do also well on these indicators, but to a lesser extent. In Score 3 projects, some important efficiency problems have occurred related to one or more of the mentioned indicators (e.g. either time delays, technical assistance was not perceived to be flexible, the absorption capacity of the recipient organisation was problematic, etc.). Score 4 projects show important problems on two or more efficiency indicators.

## ***Pre-accession project evaluations***

### **Improving the Polish inspection of seed potatoes**

#### **PSO PA, agricultural sector**

#### **PROJECT SYNOPSIS**

<b>Project title</b>	Improving the Polish inspection of seed potatoes
<b>Programme</b>	PSO PA
<b>Project number</b>	PSO98/PL/9/2
<b>Budget and expenditures</b>	€ 163,360.88
<b>PA-objective</b>	To improve the current organisational and technical infrastructure of seed potatoes to comply with EU requirements and common standards
<b>Counterpart</b>	Ministry of Agriculture
<b>Beneficiary</b>	Polish Seed Inspection Service (INI)
<b>Executing agencies</b>	Dutch General Inspection Service (NAK)
<b>Duration</b>	01-01-1999 / 31-12-2000
<b>Overall-term objective</b>	To improve the current organisational and technical infrastructure of seed potatoes to comply with EU requirements and common standards
<b>Short-term objectives</b>	
<b>Planned activities</b>	<ul style="list-style-type: none"> <li>• Report on developments of the restructuring of regional stations dealing with seed potatoes;</li> <li>• Analyse differences/bottlenecks between Polish and EU requirements for inspection of seed potatoes;</li> <li>• Make a working plan for organisational and technical improvements;</li> <li>• Create an independent, thorough, and accepted by all growers inspection;</li> <li>• Set up pilot projects to demonstrate technical and organisational improvements at the selected regional station;</li> <li>• Create a training strategy.</li> </ul>
<b>Realised activities</b>	All planned activities were realised.
<b>Planned outputs</b>	<p>The activities in this project had to result in:</p> <ul style="list-style-type: none"> <li>• a SWOT-analysis of the bottlenecks in Polish legislation and regulations concerning inspection of seed potatoes and required modifications to adopt the relevant EU-regulations;</li> <li>• a SWOT-analysis of present seed potato administration procedures in relation to legal (EU regulations) and secondary (plant breeders rights) obligations;</li> <li>• assessment of opportunities and bottlenecks in co-operation.</li> </ul> <p>Resulting in a presentation to interested parties of the findings as well as a formal working plan in which general recommendations and priorities are made. A selection is made of these general recommendations to be tackled in this project:</p> <ul style="list-style-type: none"> <li>• selection of a location and description of a pilot project;</li> <li>• the establishment of one laboratory which will be able to apply the Elisa-test;</li> <li>• a training strategy to inform relevant parties about (required) organisational and technical improvements;</li> <li>• a strategy to improve the administrative system including implementation of the first feasible improvements;</li> <li>• establish a good understanding of EU acceptable working practice in the inspection of seed potatoes;</li> <li>• a plan in which relevant project progress is made known to all relevant parties and linked to relevant established breeders, growers and companies in Poland;</li> <li>• encourage commercial relationships between Dutch and Polish companies dealing with potatoes.</li> </ul>
<b>Realised outputs</b>	Planned outputs have been realised, except for promotion of commercial relations between Dutch and Polish companies.

<b>EU-accession related effects</b>	The organisational infrastructure of the seed potato inspection has been adapted to EU requirements and an improved seed certification administration system has been set up.
<b>Effects related to strengthening of bilateral contacts</b>	Bilateral contacts have strengthened through various follow-up activities of agencies involved. It is not evident whether the project contributed to increasing commercial contacts.
<b>Bottlenecks during implementation</b>	EXPECTED: <ul style="list-style-type: none"> <li>• restructuring of the administrative structure;</li> <li>• possible rivalry between different regional centres;</li> <li>• isolation of the project and Polish project co-ordinator, which must be avoided. Outside INI interested parties will have to be convinced about the importance of conforming to EU standards.</li> </ul>
<b>Related project activities</b>	

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, inception report, progress reports 1, 2 and 3 and final report of the project.

### **Background of the project**

Poland is one of Europe's main potato producers, yet with relatively low yields and quality compared to European standards. To improve quality and increase the quantity of potatoes, the use of good quality seed potatoes is essential. The production of good quality seed will only increase if a properly functioning inspection of potato propagation is in place, guaranteeing breeders' royalties on certified seed potatoes.

In 1998 it was clear Poland did not meet the *acquis* requirements yet in sowing seed, plant and multiplication material. The Polish Seed Inspection Service (INI) was aware of the need to prepare the potato sector for EU-accession, both in terms of adherence to the EU *acquis* and in terms of becoming competitive on the internal market. Despite long tradition and practical knowledge, INI however did not have the organisational and technical infrastructure yet to comply with European norms and standards. This induced the Inspectorate to seek assistance. Staff from the Polish INI and Dutch experts from NAK knew each other from international conferences and had existing personal relations before the assistance plan project surfaced. After Dutch experts showed possibilities for funding through the PSO pre-accession programme, INI drafted a project proposal to support restructuring of the inspection system in seed potatoes. INI explicitly asked for technical assistance from NAK as it had a good reputation.

The project was selected for funding through the PSO pre-accession programme. It focused on the provision of expert knowledge of EU-regulations in sowing seed, plant and multiplication material. As such the Polish inspection service should also be better able to comply with the UPOV treaty requirements (an international agreement on the registration of plant varieties), which Poland had signed in the 1970s. Although it was the first project on the organisational structure of seed potato inspection, there was a link with an earlier PSO project (the 'Potato Demonstration Project'), in which Dutch experts co-operated with the regional extension service. The PSO pre-accession project on seed inspection was followed up by a number of Phare Twinning projects, led by the Dutch (e.g. Phare projects on phytosanitary issues,

border inspections and administration – e.g. proper regulation of plant breeders' rights).

#### **Effectiveness A: support to Poland's accession**

The project was successful in terms of output: all planned activities were realised satisfactorily. The project thus supported the Polish accession process. At its end MARD, NIVAA and NAK organised a seminar to present the results and disseminate the outcomes to a wider public. The results were accepted with general assent.

#### **Effectiveness B: strengthening bilateral relations**

The impact of the project on Dutch-Polish relations in professional organisations is significant. Co-operation between the Seed Inspection Service and NAK for crops other than potatoes continued after the seed potato project. The project also established working relations between the NIVAA and COBORU (Research Centre for Varieties of Cultivated Plants). An additional result was that NIVAA provided practical training in breeding and cultivation techniques on behalf of the Dutch potato processor Farm Frites to potato growers in the North West of the country. The Polish extension service moreover made use of NIVAA expertise on a regular basis in 2000-2003. Indirectly, the project also led to co-operation between Polish and Dutch organisations in a number of international pre-accession support projects, such as the Phare Twinning projects on phytosanitary issues. Because of the successful experiences with Dutch expertise, Poland selected the Netherlands as leading partner in these projects. It should be noted that relations developed due to the PSO PA project did so at a professional level and only to a limited degree at governmental level.

#### **Efficiency**

The project ran smoothly and without delay. However, due to the late start of the project (mainly caused by reorganisation of the INI in 1999), the original finish date of 31 December 1999 was shifted back to 31 December 2000. Furthermore, an extra € 50,000 was commissioned for training activities. Polish interlocutors indicated that the parties sometimes had different views on the priorities and needs assessments (for instance concerning laboratorial equipment). Yet, communication within the team was good and a satisfactory solution was found. The intermediate role of the Dutch Embassy - more specifically by the Dutch agricultural attaché - was appreciated by the Poles.

## Improvement of the Polish cattle breeding structure

### PSO PA, agricultural sector

#### PROJECT SYNOPSIS

<b>Project title</b>	Improvement of the Polish cattle breeding structure
<b>Programme</b>	PSO PA
<b>Project number</b>	PSO99/PL/9/1
<b>Budget</b>	€ 319.740,80
<b>PA-objective</b>	
<b>Counterpart</b>	Ministry of Agriculture
<b>Beneficiary</b>	Central Animal Breeding Office
<b>Executing agencies</b>	IDC – International Dairy Consultants B.V.
<b>Duration</b>	01-01-2000 / 31-01-2003
<b>Overall objective</b>	<ul style="list-style-type: none"> <li>• A strengthened institutional Polish infrastructure of the cattle breeding system to improve cattle breeding and milk quality in compliance with relevant European requirements and policy;</li> <li>• A strengthened institutional Polish infrastructure related to the to be developed Identification &amp; Registration system by using the institutional cattle breeding structure to execute regional and local technical and administrative aspects of the I &amp; R system.</li> </ul>
<b>Short-term objectives</b>	Improvement of the Polish cattle breeding structure, registration (I&R and herd book), performance recording (quantity and quality), AI and the database system, in compliance with EU requirements
<b>Planned activities (project TOR)</b>	<ol style="list-style-type: none"> <li>1. analyse and assess the current situation, and make recommendations regarding the organisational, technical and legal adaptations of the Polish cattle breeding structure, its activities, the database (Symlek) and laboratory activities for milk analyses. Beside the legal aspects it should be thoroughly studied how participation of dairy farmers and plants can be optimised.</li> <li>2. facilitate the implementation of animal health and zoo-technical EU regulations in national regulation.</li> <li>3. strengthen the breeding structure and its activities based on the result of point 1. For this purpose:             <ol style="list-style-type: none"> <li>a. an organisation/institution should be established, responsible for carrying out national breeding regulations, approve breeding organisations, and supervise activities;</li> <li>b. the to be restructured national cattle breeding organisation (CABO) will deal with legal aspects, finances etc.;</li> <li>c. laboratories for milk analyses will carry out the analyses for milk recording and dairy plants.</li> </ol> </li> <li>4. develop the new cattle breeding database system. For this purpose the following activities should be carried out:             <ol style="list-style-type: none"> <li>a. study the internal and external requirements of the database;</li> <li>b. make a comparison between the requirements (a) and the Polish system Symlek with the upgraded version IRIS 3.0, including applications of the database system as a management tool to improve the milk quantity and quality;</li> <li>c. make a decision, based on time and finances, which system to use, depending on the results of b, future upgrades and exploitation;</li> <li>d. plan implementation of the decision under point c;</li> <li>e. start implementation.</li> </ol> </li> <li>5. ensure personnel is capable of executing the I&amp;R system, herd book registration, performance recording and use of the database. To do so members of Dutch staff, zoo-technicians and AI technicians in Poland should be given relevant training.</li> <li>6. make farmers use the management and breeding tools of the cattle breeding database system through dissemination of the activities under the finished cattle breeding project (PSO96/PL/4/2). Disseminate the use of the IRIS system to farmers in other Polish regions (the Warsaw region and the Olsztyn region). Farmers should also be instructed in the I&amp;R system.</li> <li>7. In order to have at least one regional cattle breeding organisation carry out the I&amp;R system activities, the region should prepare and execute a pilot, analyse its results and prepare recommendations.             <ol style="list-style-type: none"> <li>a. To attain sustainable co-operation between Dutch and Polish organisations in</li> </ol> </li> </ol>

	cattle breeding and identification & registration, contacts between relevant organisations should be established and the Polish stakeholders should be informed on EU policy, regulations and procedures.
<b>Realised activities</b>	All planned activities on institutional strengthening were executed. The project also supported defining requirements for a cattle breeding database. Polish experts however implemented the development of a new system. Training was organised to make Polish stakeholders capable of using the database properly. Activity number 7 has been skipped as it was also part of a Phare project.
<b>Planned outputs</b>	<ol style="list-style-type: none"> <li>1. the required organisational, technical and legal adaptations of the Polish cattle breeding structure, its activities, the database (Symlek) and the activities of the laboratories for milk analyses will be based on European requirements including ICAR;</li> <li>2. EU zoo-technical regulations are implemented in Poland;</li> <li>3. strengthened breeding structure and its activities based on the recommendations mentioned in point 1;</li> <li>4. development of a new cattle breeding database system;</li> <li>5. the personnel is capable to carry out the I&amp;R system, herd book registration, performance recording, and the use of the database;</li> <li>6. the farmers use the management and breeding tools of the cattle breeding database system;</li> <li>7. at least one regional cattle breeding organisation carries out the pilot activities of the I &amp; R system to be done at regional and farm level;</li> <li>8. sustainable co-operation between Dutch and Polish organisations working within the field of cattle breeding, and identification and registration.</li> </ol>
<b>Realised outputs</b>	All planned outputs in institutional strengthening and development of the cattle breeding database have been realised, except for output number 7
<b>EU-accession related effects</b>	Poland has adopted all EU regulations on cattle breeding
<b>Effects related to strengthening of bilateral contacts</b>	Co-operation between Polish and Dutch organisations already had a long history. The project made it possible to intensify existing relations.
<b>Bottlenecks during implementation</b>	Restructuring of the MARD and the animal breeders' organisations
<b>Related project activities</b>	

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, inception report, progress reports, minutes of meetings of the Project Advisory Committee and final report of the project.

### **Background of the project**

Due to the 1997 Animal Breeding Act the Polish Ministry of Agriculture and Rural Development was urged to hand over government activities and responsibilities concerning the cattle breeding system to private farmers' associations. These activities mainly related to cattle registration, and milk and performance recording. However, the private organisations were not ready yet to take over these responsibilities. In the course of the privatisation process the animal breeding structure in Poland changed. AI stations were privatised and restructured to improve the efficiency of insemination programmes. Regional animal breeding organisations were restructured as well to improve their efficiency, increase their 'professional' performance and enable the central animal breeding office (CABO) to initiate and develop other activities in the field of animal breeding.

Due to the good relations with the Netherlands and the possibility of Dutch finance under the PSO pre-accession programme, the Polish Ministry of Agriculture

submitted a project proposal requesting support for strengthening the cattle breeding system infrastructure. The Terms of Reference of the project, written by the Dutch, however emphasised a strong link between improvement of the cattle breeding system and introduction of an I&R system for cattle. According to the ToR “the introduction of the latter system would have a large input to the breeding activities and would significantly determine the use and organisation of the computer data system”. Exchange of data between the two systems (i.e. the I&R system and the database system for cattle breeding) would be necessary to ensure that the two systems function properly. However, the Dutch ToR created a possible overlap with an EU Phare Twinning project, which would be implemented simultaneously. This led to discussion between the Polish counterpart and beneficiary (MARD and NABC) and the Dutch programme co-ordinator and consultant (Senter and IDC) on whether the aspects concerning I&R should be included in the project or not. After the inception phase of the PSO PA project and a first meeting of the steering committee it was decided to leave most of the activities with respect to the I&R system out and leave those to the Phare project. Project partners agreed the project should focus on institutional strengthening of cattle breeding and the development of a new cattle breeding database.

The currently evaluated PSO PA project thus aimed at stimulating and guiding the described privatisation process, focusing on animal registration and improvement of milk quality in compliance with EU requirements. Technical assistance was given to evaluate the present Polish system Symlek and establish a modern information system operating similarly to EU systems and becoming available to breeders and relevant organisations in Poland. An operational Cattle Breeding system and I&R system are conditions for Poland to meet requirements related to free trade in the European Union.

The PSO pre-accession project ‘Restructuring Polish pig breeding’ (PPA01/PL/9/1), which started in 2002, had many similarities with the current project (see project evaluation).

#### **Effectiveness A: support to Poland’s accession**

The project is considered successful in attaining the objective of strengthening the institutional infrastructure related to the cattle breeding system. The project hence supported the Polish accession process. Most activities planned were realised and the Dutch support was appreciated by the Polish side. The organisational, technical and legal adaptations of the Polish cattle breeding structure and the activities of the laboratories for milk analysis were all based on EU requirements. According to the objectives set at the start of the project, a new cattle breeding database system should be developed. However, as development of a new system turned out to be very costly, it was decided to adapt the existing system. The released funds were used for CABO support, such as training of personnel of the national cattle breeding organisation, zoo-technicians and AI technicians, in order to use the database properly. Part of the project was to have hardware transferred to NABC in order to access the database system. As a follow-up, the equipment and the database were modernised with the help of Dutch expertise.

#### **Effectiveness B: strengthening bilateral relations**

As both countries already maintained long-lasting contacts (e.g. in the field of trade - Poland imports heifers and semen from the Netherlands) it is difficult to assess to what degree the PSO PA project contributed to strengthening of bilateral relations.



However, thanks to the project both the Polish and the Dutch representative in the EU SANCO Commission (on veterinary and animal welfare issues) in Brussels know each other well and have regular contacts and (informal) consultations on veterinary issues, animal welfare and related issues. Whether this will result in strategic alliances between the two countries later on in the Brussels arena remains to be seen, as this also depends on both countries' interests. Poland and the Netherlands have some similar interests, but definitely also divergent ones.

### **Efficiency**

In the first stage of the project there were some differences of opinion on the need to include activities concerning the introduction of the I&R system in Poland. It caused much discussion and some delay in the implementation of activities. More important causes for the delay however were restructuring processes of institutions involved (MARD and CABO), changes in the Act on Animal Breeding, and the Foot-and-Mouth-Disease outbreak, which caused study tours and training to be postponed. Furthermore, procedures necessary to arrange the re-allocation of funds to other activities than originally planned proved time-consuming. On the other hand, the Polish side was satisfied with the flexibility to re-allocate funds demonstrated by Dutch assistance. Polish interlocutors also praised the expertise and preparedness of Dutch experts and efficiency of provided training.

## Development of a milk quota system in Poland

### PSO PA, agricultural sector

#### PROJECT SYNOPSIS

<b>Project title</b>	Development of a milk quota system in Poland
<b>Programme</b>	PSO PA
<b>Project number</b>	PSO99/PL/9/2
<b>Budget and expenditures</b>	€ 319,405.91
<b>PA-objective</b>	Contribute to the implementation of an EU based milk quota system in Poland
<b>Counterpart</b>	Ministry of Agriculture and Food Economy
<b>Beneficiary</b>	Agricultural Market Agency (ARR)
<b>Executing agencies</b>	IDC – International Dairy Consultants B.V.
<b>Duration</b>	01-01-2000 / 01-06-2002
<b>Overall-term objective</b>	<ul style="list-style-type: none"> <li>to strengthen the institutional structure related to the milk quota system and enlarge knowledge of the relevant European requirements and policy in this field;</li> <li>to implement an EU based milk quota system adapted to Polish circumstances, on a national scale.</li> </ul>
<b>Short-term objectives</b>	<ul style="list-style-type: none"> <li>to realise a strengthened structure in relation to the <i>acquis communautaire</i> through implementation of a pilot project to apply the milk quota system in a relatively poor and a successful Polish dairy region;</li> <li>to achieve demonstrated repeatable organisational and technical improvements within the institutional and relational structure to implement the milk quota system on a national scale.</li> </ul>
<b>Planned activities</b>	<ul style="list-style-type: none"> <li>study the feasibility of the application of the milk quota system in Poland;</li> <li>overview of the required adaptations in Polish law(s) and organisational adaptations of the relevant organisations responsible for realisation;</li> <li>advise the Polish Ministry of Agriculture and Food Economy on details of the milk quota system;</li> <li>exchange of experts (twinning). The tasks of these experts comprise the following:</li> </ul> <p>Dutch input: cover all aspects relevant to the implementation of the milk quota system. The Dutch Commodity Board for Dairy (PZ – COS) will collaborate with the beneficiary (ARR) of the project in the following tasks:</p> <ul style="list-style-type: none"> <li>set up an organisational &amp; administrative system for collection &amp; processing of data;</li> <li>advise in legislative implications of the milk quota system;</li> <li>assist in installing and maintaining an automation system (software);</li> <li>assist in the set up of control mechanism;</li> <li>assist relevant Polish organisations in dealing with EU-procedures in Brussels especially with regard to adaptations of present and future EU intervention policies.</li> </ul> <p>Next to these tasks Dutch experts will be involved in:</p> <ul style="list-style-type: none"> <li>organisation of meetings and an introductory study tour to The Netherlands;</li> <li>technical assistance to farmers and advisors in dairy farm management techniques related to the milk quota system;</li> <li>assessing and monitoring the impact of the milk quota system in practical terms (and giving feedback to PZ - COS), with specific reference to legislative matters. This task is specifically related to feedback from field level with regard to gaps and flaws in legislation, organisation and technical aspects of the milk quota system.</li> </ul> <p>An overview of the tasks per phase:</p> <ul style="list-style-type: none"> <li>normal inception activities such as preparation of agreements and documents, decision on detailed planning and organisation of informative meetings with all participants should be organised;</li> <li>data collection of milk deliveries in 1998 and 1999 (kg and fat) at both dairy plants;</li> <li>selection of direct sellers, who could determine the consumer quota;</li> <li>installation of the automation system;</li> <li>design of a Regulation super levy;</li> </ul>

	<ul style="list-style-type: none"> <li>• preparation of forms and documents necessary for the milk quota system;</li> <li>• training and technical assistance for all project participants;</li> <li>• work out a system in which quota transfers &amp; the imposition of super levies can take place;</li> <li>• regular processing and control of data;</li> <li>• practising and testing all situations relevant to the milk quota system;</li> <li>• dissemination of information to all participants (ARR farmers, dairy plants);</li> <li>• mid-term evaluation in mid-October;</li> <li>• actual implementation of the milk quota system should be carefully planned and prepared.</li> </ul>
<b>Realised activities</b>	All planned activities have been executed
<b>Planned outputs</b>	<ul style="list-style-type: none"> <li>• practical experience with the milk quota system in two regions;</li> <li>• sustainable co-operation between Dutch and Polish organisations working in the dairy sector.</li> </ul>
<b>Realised outputs</b>	All planned outputs have been realised.
<b>EU-accession related effects</b>	Poland enlarged its knowledge of EU requirements and policy with respect to the dairy quota mechanism as part of the EU dairy market regime.
<b>Effects related to strengthening of bilateral contacts</b>	Many and frequent relations between dairy experts.
<b>Bottlenecks during implementation</b>	<p>EXPECTED:</p> <p>The Polish counterparts do not have much experience with implementation of a milk quota system. ARR is informed about the aspects of the system, but has not been involved in any such activities.</p> <p>During preparation and implementation of the project, the assignee can meet the following constraints:</p> <ul style="list-style-type: none"> <li>• poor administration of data by farmers;</li> <li>• serious doubts about the reliability of certain data, such as the number of direct sellers and production figures;</li> <li>• the number of dairy farms in Poland is enormous when compared to The Netherlands;</li> <li>• out of a total of 1,300,000 farmers, about 723,000 sell their milk to dairy plants. It is unknown what happens with the milk produced by other farmers;</li> <li>• from the figures obtained from MAFE, it is understood that some 26 percent of the milk in Poland is used on the farm (not leaving the farm premises). Milk not leaving farm premises is not taken into account when determining milk quota rights;</li> <li>• the dairy sector, as a whole, is in a turmoil. It is difficult to predict how the sector will develop in a number of years. Especially local dairy co-operatives are faced with serious cash flow problems. As a result, farmers selling their milk to these plants have similar problems.</li> </ul>
<b>Related project activities</b>	Continuation of the pilot in a Phare Twinning project to implement the dairy quota mechanism on a national scale

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, progress reports (2, 4 and 9), final report, Letter of Satisfaction

### **Background of the project**

The Polish Ministry of Agriculture and Regional Development recognised at the end of the 1990s that the Polish dairy sector - one of the key sectors of the Polish agri-food production - still needed severe restructuring to become a more efficient, more competitive and more profitable sector. Moreover, although the Polish MARD had

expressed its intention to introduce the milk quota system at the beginning of 2002, relevant EU requirements related to dairy intervention policy had not yet been implemented. In view of Poland's EU-accession this formed a pressing issue.

According to Dutch interlocutors it was mainly a Dutch initiative to insert the issue of the milk quota system in the 1999 bilateral working programme. The project proposal was then developed by MARD, in consultation with Dutch consultants. The project, funded by the PSO pre-accession programme, aimed at meeting acquis requirements in the common dairy policy of the European Union, of which an important component is the milk quota system. In particular, the project focused on adopting the requirements included in Council Regulation EEC no. 1255/1999 concerning the EU-arrangement for milk and dairy sector markets. This regulation includes the extension of the milk quota system with another 8 years, starting 1 April 2000, and gives notice of price cuts with the simultaneous introduction of a milk premium from 2005. The present super levy system is laid down in the Regulation EEC no. 3950/92, with small alterations followed up by Regulation EEC no. 1256/1999 of the EU Council, describing the prolongation of the milk quota system. In the Regulation EEC no. 536/93 more details of the system are worked out. Both regulations compel EU Member States to apply the system nationally.

The project's objective was to contribute to the implementation of the EU based milk quota system in Poland through a pilot project. Afterwards, work continued in a Phare Twinning project to implement the system on a national scale. This Phare Twinning project was led by the same Dutch project leader who executed the PSO PA project.

#### **Effectiveness A: support to Poland's accession**

Having fulfilled the objectives stated at the start of the project, the project was evaluated as successful. The project was a pilot, meant to introduce basic elements of the EU milk quota system in Poland. A main task was to discuss and find agreement on different options of implementing the milk quota system in the country with policy makers and experts. Two dairy factories were selected for a pilot in the registration of milk deliverances from farmers. Recommendations on application of the system countrywide were made. In addition, direct sellers (farmers selling milk at street markets) were identified and options to include this production flow were discussed. The system introduced at the two pilot dairies is still in operation and recommendations on the registration of milk of direct sellers were at the time of writing subject to discussions in Brussels, aimed at drafting a Directive on the subject.

#### **Effectiveness B: strengthening bilateral relations**

Concerning the second policy objective, strengthening of bilateral relations, it was assessed that the project encouraged professional contacts between Dutch (from semi-government institutions and consultants) and Polish experts of the AMA (market intervention agency ARR). Workshops were organised to discuss the most important aspects of the implementation of the quota system in Poland among experts. Results of the project were disseminated to main stakeholders through conferences and the dissemination of leaflets to farmers. At some stages of the project, there were contacts with policy makers of the working group on dairy of the Polish Ministry of Agriculture, but most developed between experts. An additional result of the project was that the Dutch consortium was selected to implement a Phare Twinning project on the implementation of the milk quota system on a national scale, mainly because of previous positive experiences of the PSO PA project.

**Efficiency**

Development of the project went smoothly. There was no change of the work plan and all planned activities were delivered. The project was extended for six months, until June 2002, as the budget had not been depleted yet and procedures for the re-allocation of funds (from fees to hardware) took some time.

## Adjustment of law regulations and organisational structures to European Union requirements regarding hog raising

### PSO PA, agricultural sector

#### PROJECT SYNOPSIS

<b>Project title</b>	Adjustment of institutional and organisational structures of the Polish pig breeding sector in line with European Union requirements
<b>Programme</b>	PSO PA
<b>Project number</b>	PPA01/PL/9/1
<b>Budget and expenditures</b>	€ 385,713.18
<b>PA-objective</b>	Restructuring the Polish pig-breeding sector in line with European Union requirements.
<b>Counterpart</b>	Ministry of Agriculture and Rural Development (MARD)
<b>Beneficiary</b>	<ul style="list-style-type: none"> <li>• National Research Institute of Animal Production (NRI)</li> <li>• National Animal Breeding Centre (NABC)</li> <li>• Pig Breeders and Producers Association (POLSUS)</li> <li>• Agricultural Academy in Poznan (AAP)</li> </ul>
<b>Executing agencies</b>	Vrian Projects B.V.
<b>Duration</b>	01-01-2002 / 31-12-2003
<b>Long-term objective</b>	To enhance and adapt the Polish institutional and organisational structure for pig breeding in conformity with EU requirements
<b>Short-term objectives</b>	
<b>Planned activities</b>	<ul style="list-style-type: none"> <li>• analyse legislation and regulations with regard to pig breeding in EU and Poland;</li> <li>• collect and analyse information on legislation regarding pig breeding in the Netherlands and Germany;</li> <li>• organise a working visit for Polish law and policy makers to study alternative solutions;</li> <li>• document and report information collected and analysed;</li> <li>• compare Polish with EU, Dutch and German legislation to identify possible gaps in Polish legislation;</li> <li>• provide the Polish Government with advice on legal provisions aimed at the full harmonisation of Polish legislation with relevant EU requirements;</li> <li>• review and analyse the pig breeding structure in Poland;</li> <li>• organise a working visit for Polish project participant to the Netherlands and Germany to study breeding structures;</li> <li>• document, report and present the analysis of the existing situation and examples of alternative structures in a workshop;</li> <li>• develop alternative structures based on existing conditions in Poland and EU legislation and requirements;</li> <li>• organise a workshop to discuss the new structure with all project partners;</li> <li>• design a pilot structure;</li> <li>• implement the pilot structure;</li> <li>• evaluate and analyse the pilot structure;</li> <li>• propose recommendations for national structure of the pig-breeding sector to be discussed at a seminar;</li> <li>• conduct organisational assessments of organisations involved in the pilot pig breeding structure, including an analysis of the existing situation and examples of alternative structures;</li> <li>• organise a working visit to similar organisations in the Netherlands and Germany;</li> <li>• elaborate organisational development plans based on the assessments;</li> <li>• organise a workshop to present new roles, responsibilities and tasks of organisations involved in the pilot structure;</li> <li>• identify additional resources needed by the different organisations to perform their new roles;</li> <li>• facilitate the implementation of organisational development plans;</li> <li>• evaluate organisational performances;</li> <li>• conduct a training needs assessment;</li> </ul>

	<ul style="list-style-type: none"> <li>• provide training on monitoring and evaluation techniques and methodologies;</li> <li>• organise a working visit to supervisory bodies in the Netherlands and Germany.</li> <li>• assist in establishing and implementing procedures for controlling and assessing performance of organisations in the breeding sector;</li> <li>• develop systems and procedures for enforcement of laws and regulations set by Government;</li> <li>• assist the supervisory body with the provision of advice to the Ministry of Agriculture and Rural Development concerning herd book recognition;</li> <li>• provide training to associations about extension methodologies;</li> <li>• develop appropriate extension material and curricula;</li> <li>• develop systems and procedures through, which associations will be able to receive feedback from pig producers on breeding activities.</li> </ul>
<b>Realised activities</b>	At the time of writing the project had not finished yet. Most activities however were realised. Activities with respect to extension methodologies and material still had to start.
<b>Planned outputs</b>	<ol style="list-style-type: none"> <li>1. Polish legislation with regard to the pig breeding sector assessed, gaps identified and alternatives proposed;</li> <li>2. revised organisational structure for the pig breeding sector developed and tested;</li> <li>3. enhanced capability of organisations related to the new breeding structure;</li> <li>4. enhanced capacity of the supervisory institution appointed to perform overall control and surveillance tasks in the new breeding structure;</li> <li>5. improved communication and information flow between the pig breeding and production sectors.</li> </ol>
<b>Realised outputs</b>	At the time of writing the project had not finished yet. In order to realise planned outputs some activities still had to be carried out.
<b>EU-accession related effects</b>	Adoption by Poland of legislation regarding the pig breeding sector
<b>Effects related to strengthening of bilateral contacts</b>	No signs of strengthened bilateral contacts (yet).
<b>Bottlenecks during implementation</b>	No major bottlenecks during implementation identified
<b>Related project activities</b>	

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, progress reports (the latest progress report covers the period April-June 2003)

### **Background of the project**

The Polish pig-breeding sector had to embark on a transition process from a fully state controlled breeding structure to one organised in accordance with EU requirements. In 1997 the Act on Organisation of Livestock Breeding and Husbandry was adopted in Poland. This act regulates breeding and maintenance of genetic resources, appraisal of breeding and marketable value, keeping herd books and registers of breeding animals as well supervision of breeding and husbandry of livestock. The law implied government tasks had to be handed over to private breeding associations. Pig breeders' associations however were not ready for this yet. To properly implement the Act (and others that followed in the same field) and anticipate EU requirements in pig breeding, which Poland had to adopt, it was necessary to strengthen the institutional and organisational framework of the sector.

With these requirements in mind, the Department of Animal Production and Veterinary Issues of the Polish Ministry of Agriculture and Rural Development

submitted a proposal for PSO PA funding. The purpose of the project was to enhance and adapt the institutional and organisational structure for pig breeding in conformity with EU requirements and to assess and report possible gaps needing addressing to comply with these requirements.

There are many similarities between the PSO pre-accession project 'Improvement of the cattle breeding structure' (PSO99/PL/9/1) and this project. The cattle breeding project was already implemented when this project had to start. Only few projects were implemented in the pig husbandry sector. One Phare Twinning project (1998) focused on animal identification and a second Phare project (2001) focused on classification of carcasses. With regard to breeding structure, no other projects ran simultaneously or as a follow up to this PSO PA project. Before the project was submitted to PSO PA, the Polish MARD submitted a project proposal to EU Phare to re-organise the whole livestock breeding structure. However, this Phare proposal was not accepted, as it was considered over-ambitious.

#### **Effectiveness A: support to Poland's accession**

Planned activities as formulated in the ToR had not all been realised at evaluation, as the project had not finished yet. Stakeholders however trusted planned activities would be realised and objectives achieved. Many breeders were for example trained in better selecting animals and in using AI. POLSUS – the national wide operational private association, which acts as an umbrella organisation for regional and local associations – was restructured successfully, which was a major aim of the project. Some activities were, however, not realised, because as time went by needs changed. Originally, the project scheduled pilots to train organisations about the new structure. However, due to the rapid success of POLSUS pilots were no longer necessary.

#### **Effectiveness B: strengthening bilateral relations**

Whether this project strengthened bilateral contacts between private breeding associations from both countries was difficult to assess at the time of writing. POLSUS could possibly consider Dutch breeding products as competition and not be inclined to co-operate with Dutch suppliers. On the other hand however, they were aware that co-operation might be a better strategy than competition. Further, it was expected that after implementation of the project, Poland would have the possibility to consult Dutch experts on issues concerning the marketing of pig meat.

#### **Efficiency**

The project suffered delay, as POLSUS needed more time to prepare animal registration. Furthermore, due to organisational restructuring, POLSUS was not ready to organise the pilot on the possible organisational and institutional structure. Communication was a significant problem during project implementation, especially because of language barriers. Emphasis was mainly put on training of breeders (farmers), zoo-technicians and other stakeholders, and this target group did not or hardly spoke English.



## Full adjustment of regulations and procedures in Polish Air Traffic Management to comply with EU aviation standards

### PSO PA, transport & water management sector

#### PROJECT SYNOPSIS

<b>Project title</b>	Full adjustment of regulations and procedures in Polish Air Traffic Management to comply with EU aviation standards
<b>Programme</b>	PSO PA
<b>Project number</b>	PPA01/PL/9/2
<b>Budget and expenditures</b>	€ 385.713,18
<b>PA-objective</b>	Adjustment of regulations and procedures of the Polish Air Traffic Agency in order to comply with EU aviation standards
<b>Counterpart</b>	Ministry of Transport and Maritime Economy
<b>Beneficiary</b>	Polish Air Traffic Agency (PATA)
<b>Executing agencies</b>	Dutch Air Traffic Control (LVNL)
<b>Duration</b>	01-01-2002 / 31-12-2003
<b>Long-term objective</b>	To enhance functioning of the Polish Air Traffic Agency by establishing, improving and implementing procedures for Air Traffic Management in accordance with the rules and regulations of EUROCONTROL.
<b>Short-term objectives</b>	<ul style="list-style-type: none"> <li>• Giving access to recent information on air traffic management to allow the Polish party to meet EUROCONTROL requirements and join the Single European Sky (SES) concept;</li> <li>• Train practical ability to meet requirements and spread this to other Polish professionals</li> </ul>
<b>Planned activities</b>	<ul style="list-style-type: none"> <li>• Study visits and relevant training by Dutch experts to Polish managers, supervisors and AFISOs;</li> <li>• Investigate the current situation of production and maintenance of documents and procedures, and assess available equipment and methods;</li> <li>• Analyse how advanced approach procedures are implemented in other countries;</li> <li>• Analyse the organisation and procedures of the existing Airspace management department of PATA;</li> <li>• Analyse the organisation and procedures in order to set up a Quality assurance system (ISO9000) and assist in setting up and implementing this system.</li> </ul>
<b>Realised activities</b>	All according to plan (see above).
<b>Planned outputs</b>	<ol style="list-style-type: none"> <li>1. Trained and qualified managers, supervisors and 'aerodrome flight information service officers' (AFISOs) for the Operations Department of PATA;</li> <li>2. equipped and trained personnel of the Operational Planning Department of PATA, with regard to production, maintenance and implementation of aeronautical documents and procedures;</li> <li>3. contribution to the implementation of "advanced approach procedures" for the Operations and Operational Planning Departments of PATA;</li> <li>4. contribution to the establishment of a management system for Aeronautical Obstacles;</li> <li>5. trained and qualified personnel of the Air Space Management Department of PATA in airspace management;</li> <li>6. contribution to the establishment of a Quality Assurance system (ISO9000) within PATA.</li> </ol>
<b>Realised outputs</b>	All according to plan (see above). An additional result was that PATA used the opportunity to train their experts to provide internal training for other managers and operators.
<b>EU-accession related effects</b>	<ul style="list-style-type: none"> <li>• As Poland faces some difficulties with meeting international civil aviation standards (legislation and its practical implementation, training staff) – the effects on training with recent EU standards and experience is of critical importance</li> <li>• Poland still faces the necessity of splitting the air traffic management organisation from the airport enterprise – the project allows Polish personnel to prepare for future form of organisation by demonstrating the Dutch case (as a leading one in Europe)</li> </ul>
<b>Effects related to strengthening of bilateral contacts</b>	<ul style="list-style-type: none"> <li>• Preparation for future new organisation of EU SES</li> <li>• Strengthening inter-institutional links</li> </ul>

<b>Bottlenecks during implementation</b>	<ul style="list-style-type: none"> <li>• Changing legal framework (two approaches to new Civil Aviation Act in the Parliament)</li> <li>• Organisational changes within PPL (Airport Enterprise, where PATA is one of the departments)</li> <li>• Evolution of civil / military aviation organisation</li> <li>• Language and terminology skills</li> </ul>
<b>Related project activities</b>	<ul style="list-style-type: none"> <li>• Phare 94, PL 9406 – Civil Aviation legislation in accordance to EU law – concept of the new Civil Aviation Act</li> <li>• Phare 97, PL 9707 – Harmonisation of the Polish legal framework; the programme was led by UKIE. Transport was one of the sectors and civil aviation a sub-sector</li> </ul>

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, inception report, progress reports, final report

### **Background of the project**

The adjustment of Polish civil aviation services had to take place before Poland's accession to the EU. To meet EU (EUROCONTROL) standards, Poland required improvement of personnel qualifications. At the same time a number of ICAO requirements had to be met. In the NPAA the adjustment of civil aviation laws was mentioned. This PSO PA project, a result of consultation between Poland and the Netherlands, is part of the practical implementation of the adjustment of civil aviation law. Due to the delay of legal adjustments (the first Parliament Act on Civil Aviation, voted on in August 2001, was vetoed by the President. The new version was adopted in June 2002 and went into power beginning of 2003), the project was already running before any adjustments had taken place.

At evaluation no related projects were in place. In the past, two related Phare projects were executed, but these did not overlap with the project.

### **Effectiveness A: support to Poland's accession**

The project outputs and objectives were realised according to plan. The project enhanced the capacity to implement the acquis related to aviation standards. Furthermore, it had an indirect impact on the implementation of Commission reports (by practical knowledge of detailed regulations and practices foreseen for secondary legislation to be implemented by state administration) and the improvement of a new Civil Aviation Administration office. It also strengthened PATA as a professional organisation. In addition, PATA used the opportunity to train their own experts to provide internal training for other managers and operators.

### **Effectiveness B: strengthening bilateral relations**

The project stimulated contacts between (non-governmental) agencies involved in the project (PATA and LVNL). The agencies considered future co-operation to be of importance.

### **Efficiency**

Efficiency of this PSO PA project was satisfactory.

## River basin management plan for the lower Vistula

### MPAP, transport & water management sector

#### PROJECT SYNOPSIS

<b>Project title</b>	Introduction of the Water framework Directive (WFD) in Poland with emphasis on the Brda catchment's area
<b>Programme</b>	MPAP
<b>Project number</b>	MAT0/PL/9/1
<b>Budget and expenditures</b>	€ 428.370,79
<b>PA-objective</b>	Restructure Polish water management policy in accordance with EU requirements
<b>Counterpart</b>	Ministry of Environmental Protection, Natural Resources and Forestry
<b>Beneficiary</b>	Regional Board of Water Management of Gdansk
<b>Executing agencies</b>	WL/Delft Hydraulics
<b>Duration</b>	01-01-2001 / 31-12-2003
<b>Long-term objective</b>	<ul style="list-style-type: none"> <li>• Support Poland in the implementation of the WFD through a demonstration project in the Brda catchment's area to further develop expertise in integral water management</li> <li>• Increased co-operation between professionals, increased public participation and improved planning and management capacities of water management and land use planning institutions in Poland with emphasis on the Brda river basin.</li> </ul>
<b>Short-term objectives</b>	<ul style="list-style-type: none"> <li>• Installation of a structural platform in which all water management and land use planning related parties in the Brda river basin are gathered and co-operate according to the river basin management approach as required by the WFD;</li> <li>• Improved financial and operational management and planning capacity within water management organisations operating in the Brda river basin.</li> </ul>
<b>Planned activities</b>	<ul style="list-style-type: none"> <li>• Produce a river basin management plan for the Brda river following a series of steps;</li> <li>• Transfer of knowledge and skills to Polish experts of the Gdansk Water Board according to the principle of 'learning by doing';</li> <li>• Introduce and implement knowledge and experience on financial and operational management and planning to strengthen technical and financial planning and management skills of the Gdansk Water Board by training and study visits;</li> <li>• Involve stakeholders through the open planning process and seminars;</li> <li>• Set up information exchange with the related Phare Twinning project (these projects should interact);</li> <li>• Present publications to increase public awareness;</li> <li>• Identify issues that cannot be dealt with at Polish national level and which may form (structural, institutional and financial) constraints.</li> </ul>
<b>Realised activities</b>	<ul style="list-style-type: none"> <li>• Preparation of the Brda River Basin Management Plan (to be completed by the end of 2003) as a formal document to be approved by relevant authorities and taken into account in related sectors (e.g. land use plans)</li> <li>• Practical training and execution of new procedures, in particular public access to environmental and land use information, and public hearings.</li> <li>• Co-operation of professionals, administration and local and regional politicians</li> <li>• Involvement of professionals from other than directly involved water management administration units (they were invited to take part in the whole process and actively participated)</li> </ul>
<b>Planned outputs</b>	<ol style="list-style-type: none"> <li>1. River basin management plan for the Brda river basin produced in accordance with the Water Framework Directive;</li> <li>2. Fully trained Regional Board of Water Management of Gdansk capable of implementing, monitoring and enforcing the EU-Water Framework Directive;</li> <li>3. Improved knowledge of EU-legislation in general and the WFD in particular and its implementation by the institutions dealing with integrated river basin management and land use planning;</li> <li>4. Practical implementation of the new Polish Water Management Act (2001), fully in line with the WFD, with regard to identification and remediation of shortcomings in Polish secondary legislation, practical use and the institutional structure in water management, which hamper smooth implementation of the WFD.</li> </ol>
<b>Realised outputs</b>	The plan for the Brda river was prepared and will be treated as part of a future Vistula river basin plan, to be approved by the relevant authorities under Polish law.

	As an accompanying output for Poland one should notice there were other than Gdansk water management administration units involved as observers. This spread the experience to all Polish water management units.
<b>EU-accession related effects</b>	<ol style="list-style-type: none"> <li>1. Introduction of elements of the WFD into water management in Poland;</li> <li>2. Demonstration on the practical use of the WFD and methodology in ongoing projects;</li> <li>3. Spreading practical effects of the project to other than directly involved Polish professionals.</li> </ol>
<b>Effects related to strengthening of bilateral contacts</b>	<ol style="list-style-type: none"> <li>1. Practical demonstration of Dutch experience on river catchment's water management approach, together with public information and land use planning;</li> <li>2. Presentation of Dutch consultancy capabilities;</li> <li>3. Presentation of Polish water management institutions organisation and capabilities.</li> </ol>
<b>Bottlenecks during implementation</b>	<p>EXPECTED:</p> <ul style="list-style-type: none"> <li>• Lack of commitment from Polish ministries (regarded implementation of the WFD not as a priority);</li> <li>• One or more parties unwilling to co-operate/participate (risk of the Open Plan Process);</li> <li>• Implementation of the new Polish Water Act may influence the outcome of the project;</li> <li>• If the Polish project manager and project assistant are too strongly attached to a certain party, they could be caught in a conflict of interest, which could influence the development and outcome of the project.</li> </ul> <p>DURING IMPLEMENTATION:</p> <ul style="list-style-type: none"> <li>• Theoretical and methodological driven tendencies of the Dutch consultant , while expectations were purely practical; ToR too general – there was a need to amend the working plan towards practical results in terms of understanding particular wording;</li> <li>• Knowledge of new legislation on the Polish side;</li> <li>• Information flow between parties, understanding of (new Polish) procedures, especially between administration and public.</li> </ul>
<b>Related project activities</b>	<p>Phare Twinning project PL/98/IB-EN-01, led by France.</p> <p>It is said in the project ToR that the two projects should interact. It is however also said the MPAP project "competes" with the Phare Twinning project. Polish counterparts intended to compare approach and results of the two projects to choose the best approach to introduce the WFD to the whole of Poland.</p>

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, inception report, progress reports, final report

### **Background of the project**

In 1991 the catchment water management and administration approach was introduced in Poland. Simultaneously some important changes related to administration, the planning system and public participation were introduced. These new solutions were not in line with day-to-day practices within the water management sector. As post-communist countries were organised in an hierarchical, vertical way, co-operation with natural partners - land use planners and local/regional authorities - was not developed in Poland. The introduction of horizontal, decentralised mechanisms proved to be difficult for Polish administration, professionals and politicians.

The currently evaluated MPAP project on the introduction of the WFD in the Brda catchment area was considered to be a practical presentation of the use of the EU Directive for water management. The basis was a comprehensive planning and management undertaking, with regard to public access to information and participation in decision making. The MPAP project was intended as an introduction for a wide river basin planning approach. The Polish Ministry of Environment regarded the project as a pilot for the plans for catchments areas of two main Polish rivers (the Vistura and Oder), covering 98% of Poland. The project proposal was developed in close co-operation between Polish and Dutch parties.

Main elements of the project were:

- support development of a river basin management plan in line with EU requirements and according to Polish conditions and practices;
- involve public opinion in the planning and decision making process;
- expand professional know-how and practices.

The project ToR points out that the MPAP project is supposed to interact and “compete” with a Phare Twinning project on a similar issue (PL/98/IB-EN-01), led by France. Polish counterparts intended to compare the approach and results of the two projects in order to choose the best strategy to introduce the WFD for the whole of Poland.

### **Effectiveness A: support to Poland’s accession**

The project was effective in supporting Poland’s accession process. The draft plan had an important impact on Polish water management, as it demonstrated a new methodological approach, including a new ways of decision making, and its feasibility under Polish conditions. One of the key new measures used in the project was the ‘open planning’ approach – open in terms of spreading information, using multilateral contacts and debate, and presenting drafts for discussion. Furthermore, the project demonstrated key elements for the case (methodology, professional background, ability to co-operate – especially between professionals and authorities and general public).

The Polish Minister of Environment saw the example set by the MPAP project as an important contribution to the work on future river basins management plans. As a final product the draft management plan was prepared as a result of the joint work of the Polish water administration and Dutch consultants. The plan was agreed upon by local and regional authorities, and the Polish Ministry of Environment. The project was seen as a pilot case for two major plans for Polish river basins to be prepared and adopted by the Government in coming years (this process should be completed by 2012).

### **Effectiveness B: strengthening bilateral relations**

As regards strengthening of bilateral relations, during the project intensive professional contacts existed between the Dutch-Polish consultants and experts. Several sources and reports in the project file however point out that these contacts will possibly remain limited to this project, since certain issues troubled co-operation. One of these issues was the Dutch government’s position on the agriculture negotiation chapter, which was not appreciated by Poland and caused problems in Dutch-Polish co-operation. According to the project reports these problems however were dealt with in a professional manner.

### **Efficiency**

The majority of all planned activities was executed. After the start of the project – methodology and data collection – the detailed working plan was reformulated. This was necessary because Dutch experts were generally prepared for overall assistance (concentrated on methodological issues), while Poland expected a more practical approach. The Poles wanted to gain experience in real planning processes and implementation procedures. At the first evaluation the Dutch probably presumed that Poland was not prepared for implementation of the WFD. In reality however the Polish side (the Gdansk office, nominated for the Project) was quite familiar with the

approach and requested assistance for technical and proceeding elements. These differences led to some tensions and delay, but they were successfully resolved after some debate.

Polish experts participating in the project were water management administration officers and consultants. Poland took the opportunity to involve professionals from other areas of Poland to sessions during which the water management plan was drafted. This stimulated the distribution of know-how and practical elements to all regions and thus positively influenced efficiency.

## Strengthening capacities of the Office of the Committee for European Integration

MPAP, general

### PROJECT SYNOPSIS

<b>Project title</b>	Strengthening capacities of the Office of the Committee for European Integration (UKIE)
<b>Programme</b>	MPAP
<b>Project number</b>	MAT99/PL/9/1
<b>Budget and expenditures</b>	€ 426.513,02
<b>PA-objective</b>	To strengthen the institutional framework for the implementation of EU-related policies.
<b>Counterpart</b>	Office of the Committee for European Integration
<b>Beneficiary</b>	Office of the Committee for European Integration
<b>Executing agencies</b>	DHV Consultants B.V.
<b>Duration</b>	01-01-2000 / 01-07-2001
<b>Long-term objective</b>	The establishment and consolidation of the role of UKIE within Polish administration as the principle centre of information with respect to all European integration (EI) related activities at central and regional administrative levels.
<b>Short-term objectives</b>	<ul style="list-style-type: none"> <li>• Improve the provision of information and define the responsibilities of three departments within the Committee for European Integration (KIE);</li> <li>• Set up inter-ministerial consultation structures;</li> <li>• Improve the administrative column central-regional-local.</li> </ul>
<b>Planned activities</b>	<ul style="list-style-type: none"> <li>• Strengthen internal communication and information exchange;</li> <li>• Advise the Director-General of the UKIE on the improvement of internal communication flows;</li> <li>• Provide direct support to directors of the DCMFA, DIBP and DIEE in the organisation of their departments;</li> <li>• Provide hands-on advice to staff of departments involved in monitoring and co-ordination of EI related programmes and projects;</li> <li>• Human resources development;</li> <li>• Provide technical assistance to the DIEE to upgrade the dissemination of EU-accession information;</li> <li>• Strengthen UKIE's monitoring and co-ordination of EI related ministerial activities;</li> <li>• Advise the Director DCMFA on improvement of external communication flows;</li> <li>• Strengthen UKIE's monitoring and co-ordination of EI related regional activities in pilot regions;</li> <li>• Improve communication and information flows from UKIE to Marshall Offices and vice-versa.</li> </ul>
<b>Realised activities</b>	See planned activities
<b>Planned outputs</b>	<ol style="list-style-type: none"> <li>1. To improve data flows within UKIE</li> <li>2. To improve communication between UKIE and the departments of European Integration within the line ministries</li> <li>3. To improve communication between UKIE and the regions;</li> <li>4. To strengthen the capacities of UKIE-staff</li> </ol>
<b>Realised outputs</b>	<ol style="list-style-type: none"> <li>1. No clear results have been reported</li> <li>2. Only two departments of European Integration of the originally planned six line ministries were interested and did participate</li> <li>3. Two pilot regions participated in the project and results were promising</li> <li>4. No clear results could be reported</li> </ol>
<b>EU-accession related effects</b>	No clear effects
<b>Effects related to strengthening of bilateral contacts</b>	No clear effects
<b>Bottlenecks during</b>	<ul style="list-style-type: none"> <li>• Reported 'training fatigue' within UKIE</li> <li>• Miscommunication between the executing agency and beneficiary/counterpart at the</li> </ul>

<b>implementation</b>	start <ul style="list-style-type: none"> <li>• Lack of project ownership at the Polish side</li> </ul>
<b>Related project activities</b>	Some overlap with Phare Twinning project

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

**Main documents:** Terms of Reference of the project, inception report, progress reports, final report

### **Background of the project**

The MPAP project on institutional strengthening of the Polish Office of the Committee for European Integration (UKIE) addressed one of the most difficult accession related needs. Strengthening the institutional framework for EU-related policy implementation - the objective of the project - concerned one of the most crucial problems during Polish accession.

UKIE wrote the initial project proposal for the MPAP project. The Dutch implementing agency Senter then prepared the ToR and selected consultants for implementation (project formulation was mainly a Dutch affair). During implementation it became clear that demand was limited to one UKIE department and did not extend to UKIE leadership or other relevant ministries, which were also to benefit from the project and whose commitment proved indispensable for its effective implementation. Clearly, this commitment lacked and hence the UKIE Director General and the line ministries were not identified as project beneficiaries in the design of the ToR. Due to the lack of project ownership in the ministries as well as the fact that UKIE has no power to discipline other ministries, only two out of six European Integration Units remained involved in the project. For this to change, intervention at the highest political level was necessary, but did not occur.

Both the inception and final report of the MPAP project acknowledged the risk of overlap with other bilateral or EU assistance projects, but without assessing the degree of actual overlap. The reports also indicated countermeasures in the form of information exchange with the EU Delegation Office. The project inception report furthermore identified the risks of both the political situation as well as insufficient commitment on the part of the beneficiary. Nevertheless, it has to be concluded that project risks were grossly underestimated. Donors generally see UKIE as one of the “worst recipients of assistance” – “vague by definition because it is a co-ordinating body”. Moreover, UKIE was said to be “too busy with getting on with the job” to commit itself to institutional capacity building. Therefore, the project faced serious obstacles from its inception.

### **Effectiveness A: support to Poland’s accession**

Most project objectives were not realised. The most successful component was the pilot approach, which was not the intended core of the MPAP project. Hence, the project did not visibly contribute to strengthening of UKIE’s capacities.

A number of causes for the project’s low effectiveness can be identified, amongst others the previously described political situation and lack of commitment. Moreover, the chosen project set-up and strategy were not adequate to realise project objectives. Main problems were the outsourcing of implementation to a private consultancy firm that failed to devote enough time and attention to the political, social



and institutional context in which the project's objectives were to be realised, and the lack of ownership at the Polish side. At the same time it has to be observed that Polish institutional problems concerned politics and as such had to be tackled at political level. In other words, the purely technical approach (focused on office procedures and staff training) could only be expected to bring a minor improvement of UKIE's institutional performance.

The final report mentioned four interim reports and supporting documentation were sent to the contractor (i.e. Senter) without any response whatsoever. No clear effort was made by Senter, the Dutch embassy and Ministry of Foreign Affairs to exert pressure on the beneficiary. One cannot but agree with one of the recommendations of the final report that the donor organisation should have followed project implementation in "a more direct and active way".

#### **Effectiveness B: strengthening bilateral relations**

As a result of the project, bilateral relations (at government level) were not strengthened. This was the case because the policy objective did not receive attention during the development of the project and because it was outsourced to professional consultants.

#### **Efficiency**

The efficiency of this project is assessed negatively. Consultancy costs were substantial, ownership problems and training fatigue caused delays in project implementation, and final results were meagre. Hence, the cost-benefit relation was not positive.

## **ANNEX 11 List of interviewees**

Amberg, J., Minister-Counsellor, Royal Swedish Embassy, Warsaw, Republic of Poland

Ark, M. van, police liaison officer, Royal Netherlands Embassy, Warsaw, Republic of Poland

Batycki, A., adviser, European Integration and International Co-operation Department, Ministry of Infrastructure, Republic of Poland

Bauris, J., Third Secretary, Polish Embassy, The Hague, The Netherlands

Bijlsmit, L., co-ordinator ADEPT programme, Cross, The Netherlands

Bliek, H. de, policy officer, Department of Western and Central Europe, Ministry of Foreign Affairs, The Netherlands

Boender, J., First Secretary, Royal Netherlands Embassy, Warsaw, Republic of Poland

Bojko, J., Netherlands Management co-operation Programme, Republic of Poland

Bouwmeester, E., Ministry of Transport, Public Works and Water Management, the Netherlands

Bovee, A., agricultural attaché, Royal Netherlands Embassy, Warsaw, Republic of Poland

Breimer, M., Centre for International Legal Co-operation, The Netherlands

Bruinsma, D., desk manager, Enlargement Unit, Ministry of Agriculture, Nature and Food Quality, Laser, The Netherlands

Brussaard, A.B., Office of International Affairs, Ministry of Justice, The Netherlands

Castelein, J., pre-accession advisor, Phare Twinning project 'Introduction of a milk quota system', Agricultural Market Agency, Republic of Poland

Chavtempowicz, A., policy staff member, Department of Animal Production and Veterinary Affairs, Polish Ministry of Agriculture and Rural Development, Republic of Poland

Craanen, J.E., CdP Royal Netherlands Embassy, Warsaw, Republic of Poland

Czyż, M., deputy director, Department of European Integration, Ministry of Foreign Affairs, Republic of Poland

Dool, H.G.C. van den, General Council, Royal Netherlands Embassy, Warsaw, Republic of Poland

Douma, J., director, Department of Western and Central Europe, Ministry of Foreign Affairs, The Netherlands

Drop, A., Ministry of Foreign Affairs, Republic of Poland

Dziadosz, R., local pre-accession co-ordinator, Office of the Committee for European Integration (UKIE), Republic of Poland

Dzialuk, I., deputy director, Department of Judicial Assistance and European Law, Ministry of Justice, Republic of Poland

Elgersma, M., policy officer, Department of Western and Central Europe, Ministry of Foreign Affairs, The Netherlands

Ende, C. van den, pre-accession co-ordinator, Senter, Ministry of Economic Affairs, The Netherlands

Geel, L.P.M. van, deputy director, Department of Southeast and Eastern Europe, head of the Matra programme, Ministry of Foreign Affairs, The Netherlands

Gobbel, M., Ministry of Transport, Public Works and Water Management, The Netherlands

Gojski, B., project co-ordinator officer of INI, Inspection of Seed Potatoes, Polish Ministry of Agriculture and Rural Development, Republic of Poland

Gooijer, P. de, director, Department of European Integration, Ministry of Foreign Affairs, The Netherlands

Haar, D. ter, staff member ADEPT programme, The Netherlands

Holst, F. van, Ministry of Agriculture, Nature and Food Quality, Dienst Landelijk Gebied, The Netherlands

Hoogeveen, H., director, Department of International Affairs, Ministry of Agriculture, Nature and Food Quality, The Netherlands

Jackson, A., agriculture counsellor, Royal British Embassy, Warsaw, Republic of Poland

Jakubowski, P., deputy director, Department of Animal production and Veterinary Affairs, Ministry of Agriculture and Rural Development, Republic of Poland

Kolodziej, T., project co-ordinator, Department for Co-ordination and Monitoring of Foreign Assistance, Monitoring and Information Unit, Office of the Committee for European Integration (UKIE), Republic of Poland

Kondraciuk, P., deputy director, European Integration Office, Agricultural Market Agency, Republic of Poland

Koza, Z., deputy director, Water Resources Department, Ministry of Environment, Republic of Poland

Kozek, T., Committee for European Integration (KIE), Republic of Poland

Kryzanowski, J., director, Department of European Integration, Ministry of Agriculture and Rural Development, Republic of Poland

Kuipers, S.A., Department of International Affairs, Ministry of Justice, The Netherlands

Kusina-Pycińska, M., deputy director, Department for Co-ordination and Monitoring of Pre-Accession Programmes, Republic of Poland

Kutyla, M., head, Department of European Integration and International Co-operation, Ministry for Interior and Administration, Republic of Poland

Lambrechts, V., co-ordinator IMPACT programme, Nuffic, The Netherlands

Lok W., Commercial Counsellor, Royal Netherlands Embassy, Warsaw, Republic of Poland

Martens, J.J.L., Economic Department, Royal Netherlands Embassy Warsaw, Republic of Poland

Meier, T., Agriculture Counsellor, German Embassy, Warsaw, Republic of Poland

Meijknecht, P., consultant, Commission for the Codification of Civil Law, Ministry of Justice, Republic of Poland

Mikaelsen, L., CdP, Royal Danish Embassy, Warsaw, Republic of Poland

Mohammed, S., co-ordinator pre-accession team, Department of the Cabinet, Ministry of Agriculture, Nature and Food Quality, The Netherlands

Nowak, K., Department of European Integration, Ministry of Foreign Affairs, Republic of Poland

Ommen, W. van, policy officer, International Department, Ministry of Transport, Public Works and Water Management, The Netherlands

Oostra, A., Director-General Agriculture, Ministry of Agriculture, Nature and Food Quality, The Netherlands

O'Rourke, J., First Counsellor, European Delegation, Warsaw, Republic of Poland

Pantelic, S., policy officer, Department of Western and Central Europe, Ministry of Foreign Affairs, The Netherlands

Pest, T., deputy director, International Co-operation and European Integration Bureau, Border Guard Headquarters, Warsaw, Republic of Poland

Pietras, State Secretary, Office of the Committee for European Integration (UKIE), Republic of Poland

Rutkiewicz, P., deputy director, Water Resources Department, Ministry of Environment, Republic of Poland

Schilt, S. van, policy officer, International Policy Co-ordination Department, Ministry of the Interior and Kingdom Relations, The Netherlands

Sidorkiewicz, E., co-ordinator, European Section, Department of European Integration and International Co-operation, Ministry for Interior and Administration, Republic of Poland

Skoczek, J., Section of Pre-Accession Programmes, Ministry of Justice, Republic of Poland

Skonieczny, M., director, Cabinet of the Commander-in-Chief of the Police, Warsaw, Republic of Poland

Slis, T., senior expert International affairs, Ministry of Transport, Public Works and Water Management, The Netherlands

Snel, G., Ministry of Transport, Public Works and Water Management, The Netherlands

Soporowski, S., First Secretary, Polish Embassy, The Hague, The Netherlands

Spek, L. van der, policy officer, International Policy Co-ordination Department, Ministry of the Interior and Kingdom Relations, The Netherlands

Spychalska, D., head of section, Department for European Integration and International Co-operation, Office for Repatriation and Aliens, Republic of Poland

Styczeń, M., fileholder of the Netherlands, Ministry of Foreign Affairs, Republic of Poland

Szonert, M., director, Department for European Integration and International Co-operation, Office for Repatriation and Aliens, Republic of Poland

Terpstra, G., Second Secretary, Royal Netherlands Embassy, Warsaw, Republic of Poland

Topiłko, J., project co-manager, Regional Board of Water Management, Gdańsk, Republic of Poland

Veer, R. van der, deputy director, International Criminal & Drugs Policy Department, Ministry of Justice, The Netherlands

Verhey, A.W., Agricultural Council, Royal Netherlands Embassy, Warsaw, Republic of Poland

Wawrzeńczyk, J., director, ATS Operations Department, Polish Air Traffic Agency, Republic of Poland

Wojtyra, W., director, Department of Animal Production and Veterinary Affairs, Polish Ministry of Agriculture and Rural Development, Republic of Poland

Zalewska, V., head, Department of European Integration and International Co-operation, Cabinet of the Commander-in-Chief of the Police, Warsaw, Republic of Poland

Zegadlo, R., Secretary of the Commission for the Codification of Civil Law, Ministry of Justice, Republic of Poland

Zelst, J. van, pre-accession advisor, Phare Twinning project on Market Organisation, Agricultural Market Agency, Republic of Poland

Zygmunt, T., deputy director, Cabinet of the Commander-in-Chief of the Police, Warsaw, Republic of Poland

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Ministry of Foreign Affairs  
P.O. Box 20061  
2500 EB The Hague  
The Netherlands

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