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**National Coordination of EU Policy:  
Is Poland following the French path?**

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I hereby certify having written this thesis myself and not having used any other sources than the ones quoted.

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## Abbreviations

CFSP	Common Foreign and Security Policy
COREPER	Committee of Permanent Representatives
ISPA	Instruments for Structural Policies for Pre-Accession
JHA	Justice and Home Affairs
KERM	Komitet Europejski Rady Ministrów- European Committee of the Council of Ministers
KIE	Komitet Integracji Europejskiej- Committee for European Integration
MEA	Ministry of European Affairs
MEP	Member of the European Parliament
MFA	Ministry of Foreign Affairs
PHARE	Poland and Hungary Action for Restructuring of the Economy
PM	Prime minister
PR	Permanent Representation
SAPARD	Special Accession Programme for Agriculture and Rural Development
SGC	Secrétariat Général du Gouvernement
SGCI	Secrétariat Général du Comité Interministériel pour les questions de Coopération Economique Européenne Interministérielle des questions économiques européennes
UKIE	Urząd Komitetu Integracji Europejskiej- Office of the Committee for European Integration

## I. Introduction

National structures for the coordination of European policy play a strategic role in the formulation of a Member State's interests and positions regarding European process of negotiations. Structures like the French SGCI (Secrétariat Général du Comité Interministériel pour les questions de Coopération Economique Européenne) coordinate the actions of ministries in European affairs, define French priorities, transmit information and instruction to the permanent Representation in Brussels and ensure the information of the Parliament.

Therefore, the national organisation of structures dealing with EU-related issues can impact the ability of a country to represent and defend its positions at a European level. Countries like Great Britain, Germany or France have developed their own strategic organisational models to adapt national systems to the challenges of European integration. A set of demands and pressures confronting them can indeed be identified, such as the necessity to ensure that policy outcomes are congruent with national preferences, the rigorous demands of the six-month presidency of the Council of the European Union, tactical preparation for the Intergovernmental Conferences, the protection of national interest with respect to issues that have a high salience on the national agenda, etc. However, if the need to coordinate policy in response to EU membership may be a common stimulus, the member countries have responded differently. Some have assigned rather low priority to this objective, while others pursue it actively.

This institutional challenge is also relevant for the new Member States: already before the enlargement, national governments have found themselves under pressure to adapt administrative and political structures to fulfil EU requirements.

In this regard, it can be interesting to look at the way new member countries have created national co-ordination structures, and how much they converge or differ from equivalent structures in 'old Europe', and if their approaches efficiently cope with European issues. This analysis may clarify whether these countries are going to be "full players", "sub-standard" or "failed players".<sup>1</sup> Therefore, I would like to compare national systems of co-

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<sup>1</sup> Lippert/Umbach (2005: 171)

ordination in France and Poland in a neo-institutionalist approach<sup>2</sup>. UKIE (Urząd Komitetu Integracja Europejskiej/ Office of the Committee for European Integration) was founded in 1996 partly on the model of the French SGCI, being notably under EU pressure for having a steady interlocutor and most of all to tackle all issues linked to the membership preparation. The creation of an entity distinct from the Ministry of Foreign Affairs indicates it proceeds in the same direction like the French SGCI, and this set up is to situate in the context of exchanges of experts and civil servants between France and Poland (TWINNING and TAIEX) Therefore, I intend to investigate further how far similarities are effective, how possible it is or even profitable for Poland to follow this path, since it was founded in a totally different context and the French system is itself under pressure for adaptation. This could be an attempt to answer the controversial question of how extensively the EU-related administration system of a Member State can be transposed to another. Comparing both systems should help us to bring a qualified answer to the question of whether Poland has reached a “hierarchical coordination” (This means the transfer of all or part of the power from the multiple decision centres among which it was shared, to only one of them, whose pre-eminence is thus established<sup>3</sup>. This is not to say the French model is the way: it is just one of them and it has its limits. “The question of effectiveness- what it means in an EU context and whether there is a recipe for success in the form of a particular national strategy- though undoubtedly an important concern- is extremely problematic.<sup>4</sup>” On the other hand, the convergence of two administrations could be interpreted as part of a global convergence of national EU-related administrations.

Indeed, as pointed out by Kassim/Peters/Wright, the growing importance of the EU, the interactions with Brussels and the need for well co-ordinated policy positions are common stimuli for the member countries, so “a substantial degree of convergence in the salience of European Union policy making and in the structural and procedural means of implementing it might well be expected<sup>5</sup>.” This is to be seen in the perspective of Europeanization, as a

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<sup>2</sup> Neo-institutionalism emphasises the importance of institutions for shaping the work of political and administrative actors and their efficiency and therefore, their capacity to tackle European issues and act as multi-level actors

<sup>3</sup> Lucien Nizard 1973 : Administration et société : planification et régulation bureaucratiques, Revue française de sciences politiques, 23 (2) p 216, quoted in Lequesne (1993 : 97)

La coordination non hiérarchisée « se borne à imposer à propos d’un problème commun l’échange des informations entre administrations » La coordination hiérarchisée opère « le transfert de tout ou partie du pouvoir des multiples centres de décision entre lesquels il se partageait, à un seul d’entre eux dont la prééminence est ainsi affirmée. »

<sup>4</sup> Kassim/ Peters/ Wright (2000: 254)

<sup>5</sup> Kassim/ Peters/ Wright (2000: 10)

background this work. New EU Member States have been 'Europeanized', as evidenced by a shift of attention and resources<sup>6</sup>. In this sense, the Polish administration hasn't escaped the phenomenon and one might expect it to get closer to West European systems- especially to the French one because it chose to follow a similar path. However, there is a great diversity in this phenomenon: countries react in diverse ways and national distinctiveness persists. EU-15 has no unique model to offer, and the EU has put no pressure on the CEEC countries to adopt a particular system. Therefore, the inspiration CEE countries could have found among EU-15 systems was more often described as a "pick-and-choose approach."<sup>7</sup>

Moreover, national coordination in the new Member States has not been studied much yet. According to Lippert and Umbach, studies in this domain are underdeveloped, especially comparisons<sup>8</sup>. One difficulty in this case is of course the language barrier, which restricts access to documents about UKIE and coordination issues in Poland. Moreover, many documents about UKIE and coordination in Poland have not been translated yet. Therefore, I tried to compensate through interviews.

After explaining how these structures each developed in a separate historical and political context and exchanges between France and Poland took place (II), I will analyse the main aspect of their organisations (III) and interaction with other EU-related institutions (IV). The opportunity I had to discuss with Polish senior officials has on the other hand brought a complementary light on this research work, namely the insistence on the novelty UKIE represents in Poland. Finally, I will highlight the results of this work: if Poland and France both think that there is a need for coordination, Poland has developed an original set up, following only partly the French path, because the French system has been only partially transposable in Poland and the consensus about the structure is definitely not yet established there. (V)

## **II. SGCI and UKIE developed in different contexts**

The two systems stem from different contexts. SGCI was created even before the European Community, while the UKIE was only created under Europeanisation pressure on candidate countries in the 90s. They are however linked: there were during these years exchanges of

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<sup>6</sup> Wessels/Maurer/Mittag (2003:

<sup>7</sup> Lippert/Umbach (2005: 109)

<sup>8</sup> Lippert/Umbach (2005: 17) : « In the above mentioned context of system change, research on the institutional development of the central state administration of post-communist countries is quite underdeveloped in transformation and integration studies »



knowledge and experience about EU-related administration systems, and the setup of a system similar to the French one was an open option for Poland.

### ***A. Main models of national EU-related co-ordination: the German, the French and the British models***

As W. Wessels underlines<sup>9</sup>, there is not a single model of EU administration. Generally, three main European models of public administration<sup>10</sup> can be distinguished: the Prussian-German one, the French one and the British one. First, the Prussian-German model is characterised by hierarchical structures, administrative decentralisation and the vertical and horizontal fragmentation of public administration. Second, the French model, inherited from the Napoleonic State, is centred around strong administrative centralism, the principle of legality, a centralised, unitary government and public administration and a hierarchical administrative structure. Thirdly, the Anglo-Saxon model is influenced by unitary, centralist political and administrative structures, civil culture and individualist tradition.

The Polish administration is situated between the Germanic and the French one. Given the historical links with Russia, Prussia and Austria, these three countries strongly influenced the Polish political and administrative system. According to Lippert, “Germanic tradition to a certain extent ‘impressed’ onto the Polish public administration during the 19<sup>th</sup> century” but then the Polish administration “tended at some point towards the French model, too.”<sup>11</sup>

The models for EU-related coordination are to situate in these traditions. According to Maurer/Mittags/Wessels<sup>12</sup>, two dimensions can help in characterising them: “the degree of functional decentralisation and horizontal coordination within a government, in particular between ministries. Horizontal coordination is defined in qualitative terms by a hierarchy that is to be measured by existing ‘chains of command’ (subordination, etc.) To the contrary, functional decentralisation is defined in quantitative terms by focusing on a proliferation of actors and can be measured by the involvement of ministries, departments, agencies and at an intra-ministerial dimension.” This way, EU-related system in Germany is characterised by a low horizontal coordination but a high functional decentralisation: we have here a pluralist fragmented type without a single centre of decision-making, which reflects the degree of

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<sup>9</sup> Institut für Europäische Politik/Jean-Monnet-Lehrstuhl für Politikwissenschaft-Universität zu Köln/College of Europe (2002)

<sup>10</sup> Lippert/Umbach (2005:63) based on Peters, Guy B. (2000): Administrative Traditions

<sup>11</sup> Lippert/Umbach (2005: 68)

<sup>12</sup> Maurer/ Mittags/ Wessels 2003: National Systems Adaptations to the EU system : Trends, Offers and constraints, in : Kohler-Koch, Beate (ed), Linking EU and National Governance, pp 53-81 quoted in Lippert/Umbach (2005:111)

decentralisation of the country itself. Regional ministers can participate in the Council of Minister's decision making and their positions sometimes are "not free of contradictions" in Brussels<sup>13</sup>. Moreover, the German constitution guarantees the autonomy of each minister towards the *Kanzler*. These features never made it possible to establish a structure similar to the SGCI or the British European Secretariat.

France and UK are, in contrast, centralised types with a strong "hierarchy based on a central agency which is permanently supported by political leadership."<sup>14</sup> Politicians of national governments have a strong grasp of EU affairs and EU related bureaucracy is directly linked to the government (SGCI in France). In the UK, the creation in 1973 of a "European Secretariat" in the Cabinet Office had been preceded by missions to study the SGCI system<sup>15</sup>. This choice is logical: the same tendency towards political-administrative centralisation around the Prime minister existed in France as well as in the United-Kingdom. However, the British system is less formalised and is organised somewhat differently.<sup>16</sup> The main difference with the French system is to be seen in the involvement of the parliament and in the lobby culture. Both systems have a reputation for administrative efficiency, and "there is little question that France has suffered less from the appearance of contradictory national positions within the Council than have some of its partners."<sup>17</sup>

So there are several models of the EU-related system in the EU. These three are the main ones and can be a source of inspiration for new entrants in the EU. However, national EU-related systems are 'path dependent', rooted in national traditions.

## ***B. The French and the Polish systems developed in very different circumstances***

### **1. The SGCI is rooted in an old tradition of centralisation and inter-ministerial coordination**

The SGCI is an 'old' structure, created after World War II, and is therefore shaped by the political and administrative traditions of the IVth and the Vth Republics.

According to Lesquesne<sup>18</sup>, it was originally created to manage the use of the Marshall Plan funds in France. In order to do so, France had to enter the European Organisation for Economic Cooperation. As OECE mainly dealt with economic issues, the question in Paris

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<sup>13</sup> Maurer/Mittags/Wessels (2003 :424)

<sup>14</sup> Lippert/Umbach 112 Mittags/Wessels (2003 :427)

<sup>15</sup> Lequesne (1993 : 109)

<sup>16</sup> Kassim/ Peters/ Wright (2000: 244)

<sup>17</sup> Menon (2000: 85)

<sup>18</sup> Lequesne (1993: 98-109)

was to decide which ministry would coordinate the positions of the French Delegation. The MFA considered international relations and therefore wanted to handle it. The ministry of Economics emphasised the economic impact of the Marshall Plan on France, justifying its control on the French delegation. The government of Robert Schumann eventually found a compromise which would favour neither ministry. The preparation of the French positions was given to an inter-ministerial committee for European economic cooperation, directly dependent on the President of the Council (under the IVth Republic, he was the equivalent of the future Prime minister). The ministries of Finances, of Foreign Affairs and of the concerned ministries would assist the meetings under the presidency of the council president<sup>19</sup>.

A permanent secretariat was established to assist this committee: the SGCI (Secrétariat Général du Comité Interministériel pour les questions de Coopération Economique Européenne), whose task was to prepare deliberations and decisions related to the concerned administrations and to watch over their execution. It is one of the first “administrations de mission françaises”<sup>20</sup>, which are horizontal structures created to deal with a specific problem. With the Treaty on Coal and Steel, the Treaty of Rome and Euratom, the SGCI was then charged in the fifties to monitor all questions related to the relations between the French government and the three organs of the European communities. The SGCI got a real impulse during this period under influent general secretaries. Moreover, the direct link to the Presidency of the Council gives to this administration prestige and power.

Later on, under the Vth Republic, the system was very much appreciated by President De Gaulle who would never have accepted French ministers and civil servants to negotiate directly with their foreign homologues. The SGCI was always supporting a stricter inter-ministerial coordination. According to Lequesne, the SGCI also had a tendency in this period of hardening French European politics into an “administration d’état-major”, a political relay of the President of the Republic and of the government.

Until 1977, the general secretary of SGCI had to be selected from the ministry of Finances. This was changed, enabling the Prime minister to name one of his closest advisors General secretary, which constitutes a central feature of the French system.

The arrival of the leftist government in 1981 meant a period of change for the SGCI, which was placed under the authority of the new minister delegated to European Affairs, which diminished its influence in the political-administrative machine. As this operation was not a

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<sup>19</sup> Decree of the 25th of June 1948, Lequesne (1993: 99)

<sup>20</sup> Lequesne (1993: 99)

success, SGCI was placed back under the authority of the Prime minister by 1984. An interesting parallel here is the Polish experience of the European Secretariat between 2001 and 2004, which also placed the UKIE under the authority of the MFA and which will be detailed later on.

Therefore, the SGCI can rely on 50 years of experience, benefits of a strategic position between the political and the administrative level and can root its legitimacy and authority in a long tradition.

## **2. The creation of UKIE was part of the preparation of the Polish membership in the EU**

On the contrary, UKIE is a very young structure, whose creation is part of the 'Europeanization' of Poland. Its apparition is to be seen in the context of the negotiations and preparation for membership in the 90s. The Europeanization process pressured the candidates to adapt their administrative structures before obtaining membership<sup>21</sup>. Five sequences have been observed by Lippert/Umbach for the period, during which the influence of the Union and the concretisation of its demands rose. The first one (1989/91) is linked to the PHARE-Project: the EU became committed to transformations in CEE and gave them incentives to establish cooperation structures as an interface. By 1990, Poland already opened a delegation to the European Community.

In the second phase, (1992/95), common institutions were created with the European Agreements: the cooperation was institutionalised through regular meetings. Central ministries of the CEE countries started to be regularly involved- especially the ministries for Economy and Finances. It is in this context that Poland asked to become a member (1994). At the Madrid summit (1995), the EU insisted on the necessity of the adaptation of the administrative structures of the candidates, which added an administrative dimension to the Copenhagen criteria. However, still according to Lippert, it did not mean that the EU had foreseen a complete design for the administrative reforms in the CEE: it was rather to describe an open target zone, so that they had to develop their own national solutions.<sup>22</sup>

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<sup>21</sup> Lippert (2004: 113): «Demnach ist unsere zentrale Ausgangsnahme (...)dass die Union auf die Kandidatenländer bereits vor der Mitgliedschaft einen beträchtlichen Druck zur Anpassung ihrer Verwaltungsstrukturen ausübt und die MOE-5 die Reform der administrativen Strukturen mit dem Beitrittsprozess und der späteren Mitgliedschaft verbinden»

<sup>22</sup> Lippert (2004: 114): "Diese administrative Dimension bedeutete jedoch nicht, dass die Union ein Gesamtdesign für die administrativen Reformen der MOE-5 vorgegeben hätte, eher ist von einer offenen Zielzone zu sprechen, sodass die MOE-5 etwa im Vergleich zur Rechtsharmonisierung eigenständige nationale Lösungen entwickeln mussten.

In the third phase (1996/98), the EU developed the Pre-Accession Strategy through PHARE, partnerships, and the National Programme for the Adoption of the Acquis. It also called for the creation of EU cells in almost all ministries as well as control and implementation authorities. From this moment, the development of administrative capacities in candidate countries was crucial. Instruments for it included TAEIX and TWINNING. This strategy increased the pressure for inter- and intra-ministerial coordination.

Phase four (1998/02) was related to the accession negotiations. It was also time to prepare the transposition of EU law, which had institutional consequences. (agencies for implementation ISPA, SAPARD). The building of implementation capacities and the centralisation and rationalisation of decision making processes were also characteristics of the period. National ‘core executives’<sup>23</sup> decided on the direction of the membership process and constituted networks of actors involved in EU decisions.

The fifth phase started in 2003 with the signature of the membership agreement: candidates became active observers. Further adaptations and modifications were enacted until membership to improve administrative capacities. Delegations in Brussels became permanent representations.

So it was during phase three, in 1996 that KIE, the Committee for European Integration, and UKIE, its office, were created, forming “the leading coordination structure<sup>24</sup>” in Poland. KIE was established by Polish law on 8 August 1996. It is “a supreme governmental administration body competent for programming and coordination of policy relating to Poland’s integration with the EU, programming and coordination of Poland’s actions adjusting Poland to European standards as well as for coordination of state administration actions in the field of foreign assistance obtained.”<sup>25</sup> It reunites the ministers for Foreign Affairs, Home Affairs, Finances, Economy, Labour and Social, Agriculture and Justice. The creation of UKIE to assist KIE distinguished Poland from other candidates since it was bigger and had broader tasks than in other EU decision making systems<sup>26</sup>. Later on, KERM was created, the European Integration Committee of the Council of Ministers, in order to facilitate the work of KIE and have a smoother decision making system.

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<sup>23</sup> Dyson, Kenneth 1999: Economic and Monetary Union in Europe: A Transformation of Governance, in: Kohler Koch, beate/Eising, Roland 2003: The transformation of governance in the EU, Opladen, quoted in Lippert (2004: 116

<sup>24</sup> Lippert/Umbach (2005: 125)

<sup>25</sup> Law of the 08.08.96, article 1

<sup>26</sup> Lippert /Umbach (2005: 125)

Through the creation of these entities, Poland gave itself means to deal with EU issues and meet the expectation of the EU to see structures set up in the candidate countries which could act as interface in the country, deal with PHARE funds, and be responsible for implementation.

Therefore, by creating an entity separate from the ministries for coordination of positions and implementation, Poland chose to go in the French direction. However, UKIE and SGCI were created in a very different context. Poland was under pressure for accession. It had the choice of its set up though: there was no model designed by the EU, rather an ‘open target zone’.

### ***C. Exchanges and influences***

The fact Poland developed a structure similar to the SGCI is no coincidence. Administrative exchanges between France and Poland have been particularly intense in the last decade.

#### **1. France and the ‘coopération technique’: reinforcing its presence in new EU countries?**

Twinning was an important instrument for preparing accession, launched as we just saw in ‘phase three’. Between 1998 and 2002, the EU sent 700 ‘twinners’ as long term advisers and mobilised 20000 experts a year through TAIEX<sup>27</sup>. Twinning was an offer of the EU Member States to give the candidates access to a ‘market of possibilities’ concerning administrative systems inside the Union, and to propose a selection of different administrative models. Poland, Hungary, Estonia, Czech Republic and Slovenia took advantage of this offer through 614 partnerships projects between 1998 and 2003. The presence of administrative expertise in CEE was concentrated in the biggest EU countries, except Italy. France has the most twinning partnerships with Poland, second only to Germany, and followed by UK, Spain and the Netherlands<sup>28</sup>. The French minister of Foreign Affairs even indicates on its website<sup>29</sup> that France had the most PHARE partnerships between 1998 and 2002 (44 twinning partnerships in the period and among them, 32 as leader country, which meant that France participated in one third of the partnerships). It is worth noticing that France has been intervening beyond its traditional domains, especially in technical ones. The ministry of Agriculture has been particularly involved<sup>30</sup>.

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<sup>27</sup> Lippert (2004: 121)

<sup>28</sup> Information by the European Commission, Twinning Coordination Team, April 2003: Poland (D:43, F:41, UK:30, E/NL:20/20), quoted in Lippert/Umbach (2005:104)

<sup>29</sup> Ministère des Affaires Etrangères (2005) Ministère des Affaires Etrangères (2005)

<sup>30</sup> Egide (2000)

Is this involvement a French strategy to gain influence in Eastern Europe? According to Claude Cornuau<sup>31</sup>, advisor at the European Commission for administrative cooperation with the candidate countries, the partnership system is a very interesting opportunity for the Member States to reinforce their influence in new countries. The vote of the new entrants at the Council could be influenced by the countries which helped them in. The other interest of these partnerships is to prepare the ground for enterprises to take place in CEE countries.

Moreover, it is also especially important for France in an enlarged Union to try to compensate its loss of influence and one way to do it is to create links, as upstream in the process as possible with new partners, whose support is necessary in an enlarged Union. According to Florence Deloche, the French administration is aware of this, despite that fact that it costs time and that others might not systematically accept French ideas<sup>32</sup>.

## **2. Poland: choosing to go in the French direction**

There might be different reasons for choosing one or the other model, or at least leaning in one or the other direction. Traditional zones of influence are not necessarily the determining choice, as CEE countries often choose Spain, a young democracy stemming from dictatorship. However, an advantage for France, in comparison with Germany, is that it is not a federal state. Jean-Yves Potel, in charge of international cooperation for the French DATAR,<sup>33</sup> observes that the French system is attractive because it combines a pre-eminent role of the State with decisional power of territorial authorities through a system of permanent negotiation ('contrats de plan'), which is confirmed through interviews: "the model of 'collectivités territoriales' [is] also a bit copied on the French model, copied in the sense imitated."<sup>34</sup> Moreover, according to the Commission<sup>35</sup>, French experts have the advantage that public administration is their domain of predilection, whereas the UK and

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<sup>31</sup> Egide (2000)

<sup>32</sup> Deloche (1998 : 41) : « Un autre problème soulevé par l'élargissement, étonnamment passé sous silence par nos interlocuteurs, est celui de l'influence de la France dans une Union élargie. Il semble que la diminution de son poids relatif puisse être compensée par la systématisation d'une attitude d'anticipation, de coopération et d'argumentation encore trop peu répandue dans l'administration française. La France a déjà la chance d'avoir en la structure du SGCI une entité performante de coordination des positions nationales (...) La France doit également veiller à établir des liens, toujours le plus en amont possible, avec ses partenaires ou futurs partenaires, dont le soutien est indispensable dans une Europe élargie pour peser sur les décisions communes. Elle doit à chaque fois chercher à convaincre en développant des arguments précis. Il semble qu'il y ait à ce sujet une certaine prise de conscience dans l'administration française mais que la mise en pratique de tels préceptes dépende encore trop d'initiatives isolées. Il est vrai que cela exige du temps et que la mise en pratique de tels préceptes dépende encore trop d'initiatives isolées. Il est vrai que cela exige du temps et de la ténacité. Il faut aussi être prêt à communiquer le fruit de ses travaux internes et à admettre que les autres ne soient pas forcément séduits par les idées françaises... »

<sup>33</sup> Egide (2000)

<sup>34</sup> Polish senior official

<sup>35</sup> Egide (2000)

Scandinavian experts are disadvantaged by the system since they have reduced their public administrations, so that they are not so 'plethoric' like the French one.

These factors can explain why Poland chose to follow the French path; the system of pre-eminent central state with a strong Prime minister assisted by a structure for coordination seemed to be taken up by Poland with the creation of UKIE.

It is allegedly under the impulse of Jacek Saryusz-Wolski<sup>36</sup>, currently member of the Committee for European Integration (KIE) that the decision was taken to adopt a system close to the French one. He was government plenipotentiary for European Integration and Foreign Assistance, chief negotiator of the Association Agreement between Poland and the European communities and chairman of the Poland-European Union Association Committee between 1991 and 1996. "He always wanted his office to function according to these principles" and "was always determined to reflect the SGCI achievements in the frame of this office. But technically and legally, the first idea could only be arranged in 1996 as that was when KIE was organised. And this office was, not formally, but as much as possible, created according to the SGCI principles."<sup>37</sup>

It is worth noting that J.Saryusz-Wolski completed postgraduate European studies at the University in Nancy and obtained scholarships at the Institute of Political Sciences in Paris and at the Universities of Lyon and Grenoble in France<sup>38</sup>. Indeed, studies abroad and exchanges between Polish and French civil servants have contributed an exchange of information regarding their different systems, making Polish civil servants especially well aware of the specificities of the French model. Some senior officials of UKIE have studied at the ENA, others had training formation there or studied in France. The fact that they had this opportunity reflects an attention to the French system that developed in the 90's, partially explaining the direction taken.

Interviews reflect different attitudes regarding the relationship between the SGCI and the creation of UKIE. Sometimes it was enthusiastic: "His personal view [J.Saryusz-Wolski] was to take on the French example because he knew it and regarded it as the best in Europe. So it was wise to take the best example. [We did] not really discussed about it. We all shared his view"; sometimes it was to maintain distance with it, insisting on the idea it is not about copying a model but looking for instruments. For example, the KSAP, the school for national administration was an important element picked up from the French ENA. . It has the same

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<sup>36</sup> Polish senior official

<sup>37</sup> Polish senior official

<sup>38</sup> UKIE (2005)



functioning like the French ENA, Ecole Nationale d'Administration (post-graduate formation, high level selection at the entry, students automatically getting a job at the end - management positions in the Polish administration).

Even if one considers the intention is not to imitate the French system, should it be considered a 'pick-and-choose approach'? It is not a few superficial elements being picked up and transposed on the Polish system, rather it's the global idea concerning the design of the system, the necessity of a centralising structure independent from ministries, then adapted. "[It was about finding] a coordination institution not only to coordinate but also to supervise the work in our ministries, since after the changes in the nineties, there were political changes and ministries had become extremely autonomous. I guess it was difficult to find a way to get them involved quickly in European issues and find a mechanism for coordination. As we decided to set up this office, we did research to see how it is organised in different countries and we found that the SGCI in France is a unique solution. We thought, if there is something like that in France we can set it up in Poland.<sup>39</sup>"

Finally, observe that this choice is still controversial. There are often discussions about the opportunity to change the current organisation, abolish UKIE and distribute its tasks between the ministries. The debate about its existence persists from time to time back in newspapers, creating an uncomfortable situation for UKIE civil servants. This is a big contrast with the SGCI, rooted in a long tradition and whose existence is not at all in question.

➤ *Conclusion of part I:*

The SGCI is an "old" structure, entirely part of the French political-administrative system, whereas the UKIE is a totally new set up created in the context of Europeanization and therefore cannot rely on the same tradition. By doing this, Poland chose to go in the French direction, since coordination is assigned to a specific structure and not to a ministry. It also adopted other French solutions for decentralisation or formation with a national school for administration. Exchanges between the French and Polish administrations have been particularly numerous and active in the pre-accession phase. However, similarities have to be explored further, since the system was not merely just transposed.

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<sup>39</sup> Polish senior official

### **III. Organisation of the two systems: a common will to centralise and coordinate**

This part aims to compare the organisation and tasks assigned to both structures as well as the features of inter-ministerial coordination, showing that the will to centralise and coordinate is at the heart of preoccupation in both cases, even if it is not to the same extent.

#### ***A. Tasks assigned to these structures***

##### **1. Tasks assigned to the SGCI**

Tasks can be divided between those related to the formulation of policies and those related to implementation.

On the policy formulation side, the first task assigned to SGCI is to coordinate and define the French positions on European topics<sup>40</sup>, ensuring the unity of positions that France defends in Brussels: France must ‘speak with one voice’. As quoted by Menon<sup>41</sup>, a Prime ministerial circular puts it this way: “French positions in all the institutions of the European Union must be expressed with clarity and the greatest possible coherence... the unity of the French positions is a necessary condition of the efficiency of our action... [the] requirement of coherence in the French positions imposes the need for a strict respect of the procedures for inter-ministerial consultation.” This unity in this expression of the French positions has proved to be effective. It is apparently perceived as an advantage by UKIE civil servants too<sup>42</sup>. However, one can argue there is a wide discrepancy between these ambitions and the difficulties faced in achieving effective coordination<sup>43</sup>.

The second task is about centralising and diffusing information towards ministries and Parliament, informing French MEPs about the French positions, and being the link with the Permanent Representation in Brussels. This last aspect is crucial as we will see in part III.

SGCI also has to provide expertise on European issues, since it is supposed to be able to offer a global and synthetic vision of problems. Moreover, it also aims to reinforce the French presence in Brussels.

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<sup>40</sup> Sources d’Europe (2005)

<sup>41</sup> Prime minister 1994, circulaire du 21 mars 1994 relative aux relations entre les administrations françaises et les institutions de l’Union Européenne, quoted in Menon (2000 : 79)

<sup>42</sup> Polish senior official « Everybody is aware of what Paris decided », « They [French civil servants] always simply say the French position”

<sup>43</sup> Menon (2000 : 235)

The implementation side has long been underdeveloped. As Lequesne<sup>44</sup> puts it, there was hardly any action concerning implementation at SGCI during the 60's and 70's, since the French political-administrative culture favoured the preparation of negotiations, seen as “noble” and depreciated the execution of decisions. Since implementation was not working satisfactorily in France, and the Commission began to increase control, France decided to pay more attention to implementation. From 1987, the SGCI increased control of implementation, acting as a pedagogue and a mediator towards the ministries. The debate about the high level of infractions at the end of the 80's led to the conclusion that problems had to be treated upstream, from the formulation stage, for example through meetings of ministries representatives to evaluate the difficulties of transposition. Formulation and implementation started to be considered as linked and SGCI exerted an administrative coordination in both cases. Today, the SGCI is in charge of making ministries aware of internal legislative and legal consequences of EU law proposals, monitoring transposition delays and taking part in controlling the use of funds France receives. This way, it diminishes risks of having dispositions adopted whose transposition in internal law would be too difficult.<sup>45</sup>

Even if the importance of implementation control is today fully recognised, this shows the preparation of negotiations and the care given to the unity of French positions are really central for the SGCI.

## **2. Tasks assigned to UKIE**

As Lippert<sup>46</sup> writes, the tasks of KIE and its office UKIE “were located within the general framework of EU integration, including the adoption and implementation of the EU acquis and the control of legal approximation. Furthermore the committee was in charge of the management and distribution of foreign aid, strategic planning and evaluation as well as the EU related public information campaign.” So it seems that UKIE has broader tasks than SGCI does since it is an extension of structures aiming at making Poland able to enter the EU like the government plenipotentiary for European integration and foreign assistance (91-96), whose task “emanated mainly from managing the PHARE programme but also comprised “initiating, organising and coordinating measures related to the process of adaptation and

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<sup>44</sup> Lequesne (1993 : 123)

<sup>45</sup> Sauron (2000: 89) : « Cette mesure est essentielle [l'étude d'impact juridique] car elle diminue les risques de voir retenue, dans le texte négocié, des dispositions dont la transposition pourrait causer, en droit interne, de sérieuses difficultés »

<sup>46</sup> Lippert/Umbach (2005: 125)

integration with the EU”<sup>47</sup> Therefore it focuses especially on implementation. As said in an interview, “UKIE is not only UKIE, it is also the implementing agency.”<sup>48</sup>

Its current tasks today, according to the detailed list provided on the internet<sup>49</sup> can be distributed into several groups.

First, those related to the preparation of negotiations are task 2 (“preparing Poland’s official positions for presentation in the course of the works of EU institutions and bodies”), task 4 (“participation in the creation and implementation of EU law”), and task 7 (“preparation of analytical studies for the purpose of decision making in the scope of formulating Poland’s European policy”). The next range is about ensuring the respect of EU membership commitments: task 1 (“ensuring that the policy pursued by the Polish government is consistent with EU membership commitments”), task 6 (“monitoring the state of adjustment to EU membership”), task 8 (“monitoring Poland’s participation in EU funds and programmes and supervising the execution of projects aimed at strengthening the national administration”) and especially implementation: task 4 (“participating in the creation and implementation of EU law”), task 5 (“notifying the EU about the state of implementation of the *acquis communautaire*), task 12 (“translation of the *acquis communautaire*”) . Task 9 is about cooperation with the Parliament. The reinforcement of the Polish presence in Brussels, equivalent of “*Présence française*” policy is also taken into account: task 11 (“monitoring the preparation of the employees of ministries and central offices to service EU memberships commitments and monitoring the representation of Polish nationals in EU institutions”) Finally, national communication is also covered by UKIE (task 10 “informing the public about the implications of EU membership.”)

The following comments can be made about it:

First, the fulfilment of EU commitments is a priority and implementation tasks have a central importance. This has to do with the large amount of work necessary to manage PHARE funds: whole procedure with *ex ante* control of the Commission and now that there are accredited agencies, *ex post* control. UKIE is involved in general issues as well as in cases of problems.

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<sup>47</sup> Lippert/Umabch (2005: 121)

<sup>48</sup> Polish senior official

<sup>49</sup> UKIE (2005)

Secondly, there is also the important function of ‘preparation of negotiations’ like in France but there is no insistence about Poland having to speak with one voice. These two remarks can lead one to think that maybe UKIE has been until now more reactive than active- but of course this statement is must be qualified since Poland just became a member one year ago. There is a similar function of maintaining a ‘national presence in Brussels’ and the cooperation with the Parliament is clearly mentioned. There is also a strategic function that is not ensured in France by SGCI: the national communication about EU issues.

So UKIE is in charge of a broad range of tasks, which makes it special in CEE countries: “the UKIE stood out in terms of (...) assigned competences”<sup>50</sup>, but also compared to the SGCI.

## ***B. Internal organisation***

### **1. Internal organisation of the SGCI**

The internal organisation of the SGCI reflects the will to have a small, flexible structure able to concentrate the information and coordinate policies.

Since its creation, SGCI has been organised in sectors, which does not mean however that each of them corresponds to a ministry<sup>51</sup>. Each sector is indeed in charge of several policies and is supposed to communicate with several ministries. Their number is increasing: there are 20 of them<sup>52</sup> today whereas they were only 15 in 1992<sup>53</sup>, and still growing with EU competences. The division of the dossiers between sectors depends above all on management criteria, and notably on the amount of work they represent. Moreover, putting several files in a same sector can also be a way to respond to the growing interdependency of community policies. For example, industry, research and environment are together in the sector ITEC, while regional policy and transports are in TREG. (See graphic “Internal organisation of the SGCI” in appendix.)

As an administration “d’état-major” (political relay), the SGCI has a deliberately limited amount of employees, in order to ensure the flexibility of the organ. It has today 200 agents stemming from different administrations<sup>54</sup> (143 in 1992), which is as we will see much less than UKIE. The Secretary General, his two deputies and the chiefs of sectors stem from the

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<sup>50</sup> Lippert/Umbach (2005: 125)

<sup>51</sup> Lequesne (1993: 101)

<sup>52</sup> SGCI (2005)

<sup>53</sup> Lequesne (1993 : 101)

<sup>54</sup> Sources d’Europe (2005)

main ministries and the 'grands corps de l'Etat'. Other employees stem mostly from the ministries of Economics and Finances.

It was already mentioned that from 1977 the post of general secretary could be given to any high civil servant in the Council of Ministers. A very important element of the system is that secretaries general have been in most cases since this date political advisors to the Prime minister or President. This situation has reinforced a lot of the legitimacy and the authority of the SGCI, making it a real interface between the administrative and political spheres. However, with the creation of a Ministry for European Affairs in 1981, the system acquired a different organisation. Jean-Claude Prével, nominated general secretary in 1982, was at the time not an adviser to the Prime minister. The SGCI was at the moment perceived as an instrument solely in charge of administrative coordination, whereas the cabinet of the Prime minister was the political relay of the government<sup>55</sup>. This was partly due to the lack of trust by the Mauroy government towards high civil servants: he thought they would not be willing to implement new socialist policies. However this situation did not last and Elizabeth Guigou, nominated the head of SGCI in November 1985, was also political adviser and played an important role for Mitterand during the first cohabitation period. Questions of personalities have of course played a role in the capacity of SGCI to impose itself towards ministries and the presidency, but the link to the Prime minister was a central element.

## **2. Internal organisation of UKIE**

UKIE is organised in departments created according to their function. The departments dealing with specific missions are the National Aid Coordinator Department (Monitoring PHARE funds and so on), the Integration Policy Department in charge of coordination, the European Union Law Department (transposition of the *acquis* in Polish law), the one for Analyses and Strategies, which prepares negotiations and deals with the Lisbon Strategy and EU budget issues, the department in charge of Institution building, charged with European Information and lastly another one for Documentation and Publication. There is also KERM. With the departments dealing with 'logistics', there are 13 total. Hence, there are less Polish Departments than French sectors, and they are not mainly organised according policy areas but rather according to missions, which again underlines the focus is less on policy formulation and more on implementation.

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<sup>55</sup> Lequesne (2005 : 104)

One can distinguish the ‘core departments’ among them: the department of coordination (Integration Policy Department), the EU law department, the department of the committee of the Council of ministers, and the one for analyses, which remained in spite of changes like ‘islands of stability’. “From the point of view of coordination of European policy these were core departments and more or less they have been the same throughout the years.”<sup>56</sup>

Concerning the staff, UKIE, with 500 employees, is much larger than SGCI,<sup>57</sup> which only has 200. “UKIE stood out in terms of the number of employed staff”<sup>58</sup> It was also stated that “it works better since there are more employees “now we have reached the best working system (...) [before] because there were not enough people we could not work efficiently. It was not only our view (...) It was the Commission’s idea to make more people work on such issues.” The Commission indeed called to improve the efficiency of civil service in Poland, and a reform of civil service began with the Civil Service Act of December 1998 and the Public Service Act<sup>59</sup>. It made in 2002 the following statement: “as to the transformation and modernisation of public administration the key role of human resources and training of staff became evident (...) Even though Poland started very early to train its civil servants in EU-matters, the problem of insufficiently qualified middle management still remains albeit those gaps become increasingly filled.”<sup>60</sup> This was however written three years ago and about the Polish administration in general. UKIE staff is specific, being younger and having benefited from more experiences abroad than the staff of most line ministries.

According to the status of UKIE<sup>61</sup>, it “shall be managed by the Chairman of the committee, assisted by the Secretary of the committee, the Secretary of State, the Director General and Directors of organisational units.” The scope of activity of these persons, except the director general, shall be determined by the chairman of the committee. He can authorise them to manage specific matters on his behalf. If the chairman is the Prime minister, UKIE is headed by the Secretary of the Committee.

UKIE is currently chaired by Minister Jaroslaw Pietras, who is simultaneously Secretary of State, Secretary of the Committee for European Integration (KIE), and deputy chairman of

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<sup>56</sup> Polish senior official

<sup>57</sup> Lippert/Umbach (2005: 125)

<sup>58</sup> Lippert/Umbach (2005 : 125)

<sup>59</sup> Lippert (2005: 79) Lippert (2005: 79)

<sup>60</sup> Institut für Europäische Politik/Jean-Monnet-Lehrstuhl für Politikwissenschaft-Universität zu Köln/College of Europe (2002: 16)

<sup>61</sup> Status of UKIE, 02.10.1996, based on the law of the 08.08.1996, Journal of Laws n°106, item 494

the European Committee of the Council of ministers (KERM). This triple function ensures the link with KIE and with KERM, but unlike in France, there is no such proximity to the Prime minister (see part III). Furthermore, he is assisted by three undersecretaries of State and the Director General of the Office of the Committee for European Integration. (See graphic “UKIE, KIE and KERM” in appendix.)

### **C. External organisation**

#### **1. SGCI is situated in “le triangle vertueux”<sup>62</sup>:**

According to JL Sauron, the effectiveness of EU-related coordination in France is notably due to the interactive work between the following actors: the Prime minister and his adviser for European Affairs – who is also general secretary of SGCI – , the minister for European Affairs or delegated minister, being de facto part of the Ministry of Foreign Affairs<sup>63</sup> and the SGCI civil servants, the latter ones bringing their expertise and competence to answer the demands of the first ones. The fact that SGCI is placed under the authority of the Prime minister is a central feature of the French coordination system, distinguishing it from most other organisation types where the MFA has authority over coordination<sup>64</sup>.

The other strategic relationship is the dialog between the SGCI and the Permanent Relation in Brussels, which is absolutely crucial for centralisation and coordination, as will be detailed in part III.

The system balance was different between 1981 and 1984, as the SGCI was placed under the new ministry for European Affairs, an experience which did not last. Apart from this period, SGCI has known quite a steady place in the ‘power triangle’ and its effectiveness has been reinforced by the attention Prime ministers and Presidents have given to European affairs since the beginning<sup>65</sup>.

#### **2. External organisation of UKIE**

UKIE was created under the law of the 8<sup>th</sup> of August 1996, which was not modified.

It has known several organisation models, giving it more or less importance in relationship to the other actors of European integration in Poland: the one before 2001, the one from 2001 until 2004 and the current one. This can be seen as reflecting tensions about the roles of the

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<sup>62</sup> Sauron (2000: 85)

<sup>63</sup> The Ministry for European Affairs is situated in the offices of the MFA. Only E. Cresson tried to move out her ministry from the MFA. “Le ministre n’a pas de services propres, mais à sa disposition les fonctionnaires de la direction de la Coopération Européenne au ministère des Affaires Etrangères et (“en tant que de besoin” dit le décret d’attribution) les agents du SGCI” Sauron (2000 :83)

<sup>64</sup> Lequesne (1993:109)

<sup>65</sup> Sauron (2000 : 85)



three main actors of European Integration: the Prime minister, the foreign minister and the plenipotentiary for European Integration and foreign assistance, which was replaced in 1996 by KIE and UKIE. “During the 1990’s, political shifts within the power triangle containing the Prime minister, the foreign minister and the special EU office were a characteristic feature of the evolving EU decision-making system.”<sup>66</sup> This situation is said to have generated tensions.<sup>67</sup> However, it can also be seen as a temporary adaptation to the negotiation context.

Until 2001, the Polish EU decision making system was characterised by the strong coordinating role of the Prime minister and his increasing role as a key person concerning European integration. Prime minister Buzek started to chair KIE,<sup>68</sup> with his deputy being the foreign minister. The importance of UKIE increased during the period, becoming “a quasi-ministry<sup>69</sup>” along with the Foreign Ministry and the Prime minister’s chancellery. It was headed by a state secretary appointed by the Prime minister. According to Lippert/Umbach, its main tasks were the planning and coordination of Poland’s integration policy and the coordination of others organs of state administration in the field of foreign assistance. There were overlaps with the MFA and “tensions and quarrels over competencies continued within the above mentioned power triangle between the Foreign minister, the Prime minister and the UKIE respectively.”<sup>70</sup>

For a global view of the system before 2001, see the table “EU decision-making/accession negotiations in Poland before the 2001 reforms: the executive” by Lippert/Umbach in the annex.<sup>71</sup>

After the general elections in 2001, Leszek Miller became Prime minister and engaged a reform of the system so that the Polish EU decision-making system would shift more towards the Foreign ministry. (See the graphic “EU decision-making in Poland 2001-2004” in appendix<sup>72</sup>) The negotiation department was transferred from the Prime minister’s office to the MFA as well as some units in the UKIE dealing with the negotiation process. The UKIE

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<sup>66</sup> Lippert/Umbach (2005 : 121)

<sup>67</sup> Lippert (2004: 124): « Es kam zu erheblichen Spannungen und Auseinandersetzungen über die Kompetenzverteilung zwischen Aussenminister, Premierminister und dem Büro für Europäische Integration als den drei teilweise konkurrierenden Zentren der EU-Entscheidungsfindung in Polen“

<sup>68</sup> According to the stature of KIE, it has to be chaired by a member of the council of ministers- not necessarily the Prime minister.

<sup>69</sup> Lippert/Umbach (2005 : 122)

<sup>70</sup> Lippert/Umbach (2005 : 122)

remained the main unit responsible for the coordination of foreign assistance and the Prime minister continued to be the chairman of KIE. However, it seemed as if it could have been the end of UKIE: “There were a moment three years ago when UKIE was just about to be closed down and its responsibilities spread around line ministries.”<sup>73</sup>

According to Lippert, “the competences between decision-making centre were clarified. Thus, in Poland, the foreign minister gained in importance and weight while the Prime minister secured essential competences as far as decisions on key personnel was concerned. The UKIE was still a relatively strong structure alongside the foreign minister.” It is questionable however whether this situation was really beneficial, since more weight for the MFA could make it more difficulties to find agreements, because the MFA is still a ministry and therefore ‘judge and jury’ and unable to act as an impartial arbiter. It is interesting to see that it has not engendered the feeling of a real change for the civil servants of UKIE. The system of the “European Secretariat” is considered “an artificial issue”, “a formal set up”.<sup>74</sup> Further integration between UKIE and MFA could have happened, as was believed by the main researchers of EU-related Polish administration<sup>75</sup>: “the MFA and the UKIE should –as a reflection of the present experience with the present personal union of the Deputy Minister of Foreign Affairs/Secretary of the Committee for European Integration Ms Danuta Hübner be interlinked further. For the future set up an amalgamation of the MFA and the Committee of European Integration therefore seems to be likely.” According to civil servants, this is to be seen as a practical adaptation to the demands of accession negotiations: it was just most convenient for the period.

However, the system of the European Secretariat ended in 2004, the system now being more similar to the one before 2001 since it is still under the law of 1996. UKIE is back under the authority of the Prime minister: it is chaired by Marek Belka. Minister Pietras, being at the same time secretary of KIE, deputy chairman of KERM and chairman of UKIE plays a sort of link role.

Generally, civil servants minimise the impact of these organisational changes on their work: “there were no differences, the only problem was that we had to deliver the drafts for signing of Danuta Hubner to the MFA instead to our office. But it was the only difference.”<sup>76</sup>

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<sup>73</sup> Polish senior official

<sup>74</sup> Polish senior official

<sup>75</sup> Institut für Europäische Politik/Jean-Monnet-Lehrstuhl für Politikwissenschaft-Universität zu Köln/College of Europe (2002: 13)

<sup>76</sup> Polish senior official

Here, there is an important difference between the two systems. The SGCI has reached a balance between poles of EU integration and its competences are not really discussed. The situation is different for UKIE which has to find its place between moving power poles. This situation is linked to the features of the Polish political system: “Poland and Estonia can count as examples of comparatively weak governments with frequent changes<sup>77</sup>, and these changes have also affected UKIE.

## ***D. Inter-ministerial coordination and centralisation***

### **1. Steps of inter-ministerial coordination**

#### **a) Steps of inter-ministerial coordination in France**

All proposals and official correspondence addressed by the Commission to the French government go through the Permanent Representation which sends it to the SGCI. This extreme centralisation of the system, dating back to the Gaullist period, was never contested.<sup>78</sup> On the contrary, all of them reaffirmed it was the best way to guarantee coherence and efficiency.

Once at the SGCI, the propositions are dispatched in the different sectors who send them to the competent ministries. When a ministry has reacted to the proposal of the Commission, it has to transmit its written observations to the competent chief of sector of the SGCI, the so-called “étude d’impact juridique” (legal assessment) who evaluates the legal consequences, and issues an opinion on the text and compares national and community disposals in a span of one month<sup>79</sup>. Most of the meetings of the SGCI aim to constrain ministries to produce such a decision- and there are such meetings only when several ministries are concerned (which is the most frequent case). Moreover, all proposals being submitted to a gradual negotiation process in the Council, the chief of the sector often let pass one or two meetings of the relevant working group before raising a meeting. It is indeed easier to define an inter-ministerial position after the PR has done a debriefing of the discussions with the Commission and the other Member States administrations.

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<sup>77</sup> Lippert/Umbach (2005: 53)

<sup>78</sup> Lequesne (1993: 110)

<sup>79</sup> Sauron (2000 : 88): les ministères doivent fournir “dans le délai d’un mois à partir de la communication de la proposition de directive, la liste des textes de droit interne don’t l’élaboration ou la notification seront nécessaires en cas d’adoption de la directive. Cette étude d’impact juridique comprendra également un avis sur le principe du texte, un tableau comparatif des dispositions communautaires et nationales ainsi que, si les informations nécessaires sont disponibles, une note de droit comparé.» Circulaire du Premier ministre du 9 novembre 1998 relative à la procédure de suivi de la transposition des directives communautaires en droit interne, JO 10 novembre 1998

Meetings at the SGCI are essentially ad hoc: they aim at examining a specific dossier from the council agenda. The representation of ministries at these meetings is quite eclectic, but most ministries are represented by agents from vertical directions. Starting from the positions they express, the chief of sector tries to find a minimal consensus which will be the base for the French inter-ministerial position. Each protagonist follow its logic: the civil servant from the MFA situates the debate in the global negotiation frame, appreciating diplomatic constraints and opportunities; the civil servant from the MEF emphasizes the budgetary dimension at stake, other civil servants defend sectoral interests. Most of the meetings end with an agreement.<sup>80</sup>

The SGCI also plays a role of coordination concerning implementation, controlling the transposition of directives, as already mentioned by the tasks assigned to it.

An important feature of coordination is that the French delegation expresses itself during the entire process based on French instructions defined in the inter-ministerial coordination in SGCI: at the working group, at COREPER, at the Council<sup>81</sup>. However, this would have to be qualified. “In France, the SGCI may be the central actor, but its monopoly is not absolute. In matters concerning the CFSP, monetary policy, and the CAP, the ministries for foreign affairs, finance and agriculture have their own lines of communication and expertise and can act with considerable autonomy.<sup>82</sup>” Moreover, all cabinets and ministry services do not necessarily inform the SGCI about exchanges it had with the Commission- SGCI is too concentrated on the formulation of positions for the Council and does not coordinate that much upstream.<sup>83</sup>

### **b) Steps of inter-ministerial coordination in Poland**

The coordination process looks quite similar to the French one: It is the department of coordination at UKIE<sup>84</sup> which receives the new pieces of legislation sent by the secretary general of the council. The department of coordination sends it to the ministry/ies responsible, with a letter asking them for their positions. Every new piece of legislation is also sent electronically to the Parliament. The minister has two weeks<sup>85</sup> to produce an

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<sup>80</sup> Lequesne (1993: 114) : only 10% without an agreement

<sup>81</sup> Sauron (2000 : 92)

<sup>82</sup> Kassim/ Peters/ Wright (2000: 248)

<sup>83</sup> Lequesne 1993: 119)

<sup>84</sup> Polish senior official

<sup>85</sup> Law of the 11.03.04: the government has two weeks after having received the new piece of legislation to prepare the government position including assessment.

assessment (which seems to be the equivalent of the French “étude d impact juridique”<sup>86</sup>) about the economic, financial and social consequences that the legislation would have in Poland. The position of this draft is sent to ministries and discussed in KERM (European integration committee of the Council of ministers) on the last day before the two week deadline. On the same day, KERM also discusses the position sent by Parliament.

However, not everything goes through UKIE: ministries are in direct contact with the permanent representation concerning mono-sectoral issues and also concerning instructions for working groups. “Therefore ministries have here a certain autonomy, especially the MFA which is also the chief of the permanent representation.”<sup>87</sup>

Concerning the preparation of COREPER I, the routine is the following: the dept of coordination gets the agenda on Friday, sends it to ministries who reply by Monday, instructions are prepared and discussed on Tuesday (meeting of the directors of European integration departments followed by meeting of KERM). At about 8 pm on Tuesday, instructions are sent to the mission in Brussels.<sup>88</sup> Instructions for COREPER II are prepared by the ministry of Foreign Affairs according to a similar procedure (See part III 2)

So the general process looks quite similar concerning for example the way ministries are involved with impact assessment. However, the law proposal does not go in UKIE through the sectors and then to the ministries, rather only to the European Integration policy department and then direct to the ministries. That means on this stage only one department is involved at UKIE while at SGCI all the ‘sectors’ are involved- perhaps meaning that the SGCI has a more detailed expertise in relation to the ministries and is therefore able to exert more pressure on them. SGCI has a more global control on the preparation of instructions and the centralisation of information. Coordination at UKIE does not reach the same extent. (See part III, especially relation to the Permanent Representation)

## **2. Coordination and administrative culture**

### **a) Culture of coordination in France**

We know sectorization is powerful in France: France is said to be characterised by “a strong sense of departmentalism, frequently associated with entrenched interests (l’Etat dans l’Etat)

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<sup>86</sup> Sauron (2000: 88)

<sup>87</sup> Polish senior official

<sup>88</sup> Polish senior official

and manifested in inter-ministerial squabbles.”<sup>89</sup> Ministries have become especially strong under the Vth Republic. The transformation of the regime to a presidential system indeed contributed to enhancing the administrative role of ministers, diminishing their political participation to the government as a collective instance.<sup>90</sup> So how to explain SGCI finally reaching effectiveness in inter-ministerial coordination? First, there is a tradition of administrative coordination being subordinate to the governmental one since the IVth Republic with the firsts ‘comités interministériel’. Then, there is the weight of the French political-administrative culture on behaviours: generally, French ministers obey inter-ministerial demands, because the French political-administrative culture has conditioned them to accept the Prime minister’s decision given on a vertical/hierarchical mode.<sup>91</sup> This can even create a tendency to resolve problems through conflict to have the Prime minister to finally decide. However, the submission to the Prime minister does not mean ministers always act in a collegial way. They can try to favour the logic of their sector in an EU negotiation, forgetting about inter-ministerial demands. It happened this way that two contradictory positions were expressed by French representatives in two different council formations, but the problem happens less often than in other countries, notably Germany.<sup>92</sup> Moreover, “France’s system of coordination reflects its statist and impositional policy style. Interest groups remain policy outsiders, at least until the implementation stage, and lobbying by private interests is regarded as barely legitimate by state officials.”<sup>93</sup> Finally, coordination is also affected by the traditional primacy accorded to the preparation of negotiations over the execution<sup>94</sup>.

### **b) Culture of coordination in Poland**

The context of post- communist countries is of course particular, although communist legacies should not be overestimated. “In communist times the public administration was perceived as an arm of the government and the government as arm of the communist party. Certain reflexes from this perception still remain until today”<sup>95</sup> and can impact coordination.

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<sup>89</sup> Menon (2000 : 79)

<sup>90</sup> Jean- Louis Quermonne 1987, *Le gouvernement de la France sous la Ve République*, Paris, Dalloz, p.259 in Lequesne (1993 : 27)

<sup>91</sup> Lequesne (1993 : 27): “Dans l’ensemble, les ministres français se conforment aux exigences interministérielles, car la culture politico-administrative française les a habitués à accepter la décision rendue par le Premier ministre sur le mode vertical/hierarchique »

<sup>92</sup> Lequesne (1993: 28) Lequesne (1993: 28)

<sup>93</sup> Kassim/ Peters/ Wright (2000: 250)

<sup>94</sup> Lequesne (1993: 48)

<sup>95</sup> Institut für Europäische Politik/Jean-Monnet-Lehrstuhl für Politikwissenschaft-Universität zu Köln/College of Europe (2002: 15)

As said in an interview<sup>96</sup>, it would be part of “Polish national characteristics” not to share the government views and develop private opinions among civil servants. Beyond this, considerations about the hierarchy in Polish public administration are maybe more relevant. According to Lippert<sup>97</sup>, especially in Poland, the particularly strong hierarchy in public administration makes inter and intra-coordination difficult and the readiness to take up responsibilities and make its own decisions is very underdeveloped at the middle of the hierarchical ladder. The intra- and inter-ministerial coordination between civil servants is to be considered the “Achilles heels of the Polish coordination structure, potentially deriving from its communist tradition of public administration, where communications channels were largely unused and underdeveloped.”<sup>98</sup>

Moreover, UKIE is now under the authority of the Prime minister, but this one is not that strong: “up to 1997, the Prime minister was essentially a ‘primus inter pares’”. He has reinforced its prerogatives since the 1997 constitution, but there is not the same tradition of coordination under his authority there is in France.

Generally, because of the Polish tradition, administrative culture and political situation, UKIE is not as powerful as SGCI<sup>99</sup>. “The SGCI can solve problems, can take decision, we can not do this. In our case we are equals, formally speaking we have a position of primus inter pares. We have a slightly stronger position on my experience than the ministries” because of the fact that the deputy chairman of KERM and secretary of KIE is the head of UKIE ,“so that gives us a legal knowledge of what is happening during the meetings. So everybody knows that if we are completing the notes, then we have a way of bringing up the problem higher and we have a way of influencing the final position. So in that sense we are listened to very carefully. ”UKIE is however not in a position to decide when there is a conflict: “when there is a dispute between colleagues from ministries, we cannot say ‘he is right or wrong, we are going this way’. But what we always do is first trying to mediate, find a solution.” UKIE has more of an informal power, trying to find solutions so that issues will not have to be discussed at a higher level: “So, frankly speaking, it is up to us to suggest to ministers what should be said and what should be the concluding comments. In that sense, we are aware that it is much more useful to come to an agreement during a meeting in this room, than have ministers to discuss the problem. Because ministers with all due respect do not know all the technical elements (...) So we have to try to find a solution in meetings so we do

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<sup>96</sup> Polish senior official

<sup>97</sup> Lippert/Umbach (2005 : 121)

<sup>98</sup> Lippert/Umbach (2005 : 125)

<sup>99</sup> Polish senior official

not have ministers to discuss (...) Our power is very informal.” This reminds one of Max Weber’s explanation that politicians are amateurs and civil servants are professionals within the political process.

An obstacle to this informal power being formalised is the weight of ministries, who became “very autonomous” in the 90’s and were afraid of the potential creation of a coordination structure that was situated above them.<sup>100</sup> The creation of UKIE as such, in spite of its position of ‘primus inter pares,’ provoked reactions.

➤ *Conclusion of part II:*

UKIE has been assigned broader tasks and also has more employees than SGCI: it focuses less than the French SGCI on the preparation of negotiations, rather it has had the central mission to make Poland fit for EU membership. It has been going through organisational changes, which however does not seem to have impacted the practice of its work. Moreover, sectorization exists in both the French and Polish cases, but the French tradition of inter-ministerial coordination under the authority of the Prime ministers has helped to overcome it, whereas ministries in Poland are not yet ready to accept a coordinating structure above them. UKIE is restrained to its role of ‘primus inter pares’ and plays a considerable informal role but does not benefit from the same power like the SGCI.

#### **IV. They however carry a different weight in the institutional system**

The treatment of European affairs covers different functions: negotiation, Parliamentary control, transposition, jurisdictional control: in each of them, SGCI plays a central role so that it can be called “une officine administrative au rôle inconnu et à l’importance considérable”<sup>101</sup>

These different functions are accomplished in relationship to different actors. Whereas the SGCI has gained a steady place in this environment favourable to its coordination work, the extent of the powers of UKIE is limited by other actors of EU integration.

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<sup>100</sup> Polish senior official

<sup>101</sup> Les Echos, 18th of August 1997, quoted in Sauron (2000: 85)



## **A. The role of the Prime minister**

### **1. The French Prime minister is directly involved**

The role of the Prime minister services is central<sup>102</sup> and as already mentioned, the direct link between him and the SGCI is established through the nomination as the head of the SGCI one of his closest advisers. This direct proximity to the political power explains why agreements are reached in most cases. Actually, the positions of the Prime minister's cabinet have influenced upstream the thesis that SGCI defends in discussions<sup>103</sup>. Deputy secretaries also play a role in this phenomenon: the more experience and legitimacy they have to propose arbitrages, the less it is necessary to go up to the Prime minister. However, if coordination at the administrative level is unsuccessful, the SGCI sends it to the Prime minister's office and an inter-ministerial meeting will be arranged.

EU-related competences are shared between the Prime minister and the President of the Republic. In a general way, one can say the great orientations are decided by the President, with the help of his advisers and the minister of Foreign Affairs, whereas the Prime minister gives arbitrage on dossiers that could not be finalised by the SGCI. Basically, the cabinet of the Prime minister is the "siège du pouvoir immédiat",<sup>104</sup> bringing daily, practical answers to the problems in France. However the separation of roles between both is not that clear, depending on their personalities and interests: the President might intervene in arbitrages, and the Prime minister might take part in the definition of French initiatives. This cohabitation has sometimes neutralised the power of the President to give political directions, instead making him use indirect intervention strategies<sup>105</sup>..

However, Szukala<sup>106</sup> observes a diminution in the role of the President in the 90's. Cleavages between the Prime minister and the President were surmounted thanks to a common concern for the preservation of France's rank and influence among its European partners. The diminution of the President's role would be notably explained by his minor role in economic policy, whereas the Prime minister and the ministers of Finance and Economy would have gained importance. Moreover, the Elysée's information tools would be too antiquated to deal with the complexities of modern governance.

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<sup>102</sup> Sauron (2000 : 79)

<sup>103</sup> Sauron (2000 : 80)

<sup>104</sup> Michel Jobert 1981 : Le partage du pouvoir exécutif, Pouvoirs, 4, p11 quoted in Lequesne (1993 : 135)

<sup>105</sup> Lequesne (1993 : 133)

<sup>106</sup> Szukala (2003 : 221)

Therefore, even if the President plays an important role in giving impulses and providing directions for European issues, the Prime minister is the authority for inter-ministerial coordination.

## **2. Committee meetings act as a filter between UKIE and the Prime minister**

The question of the role of the Prime minister is to be seen in the perspective of the numerous changes characterizing the Polish political system in the 90s' (three constitutional regimes in one decade). It has evolved from a presidential regime under the 1952 constitution through semi –presidentialism under the 1992 interim constitution to a Parliamentary system with some elements of semi-presidentialism under the current 1997 constitution<sup>107</sup>. According to Zubek, the Polish executive has overcome communist legacies “but its capacity to shape policy remains checked by significant systemic, political and organizational constraints” like the domination of supporting parties of the government, the limited political and organizational resources available to the Chancellery and the weakly developed instruments for coordination. Both the Polish president and the Sejm have seen their powers reduced.. Both however still exert significant restraint on the core executive. The constitution of 1997 has strengthened the Prime minister but the political and organizational resources available to him remained limited. “Besides limitations resulting from the duality of the executive and the strength of the legislature, Prime ministers have been reined in by coalition dynamics and relatively weak political stature.<sup>108</sup>” This had consequences on EU-related Polish policy: “Shortcomings in streamlining and establishing clear chains of command through hierarchisation were mostly due to the specific constellations of the coalition government under Olesky and Buzek.<sup>109</sup>”

Contrary to the French case, the Polish Prime minister is not directly involved in the resolution of inter-ministerial conflicts: committees were set up to take up unresolved dossiers at a UKIE level. KIE was created in 1996 to enable meetings of the Prime minister with ministries related to European affairs. It used to meet quite often and took the most important decisions concerning the preparation of Polish membership. It was more a forum of discussion than of decision because they always had to be adopted by the Council of ministers. With the intensification of the relations of Poland with the EU, especially with the

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<sup>107</sup> Zubek (2001 : 914)

<sup>108</sup> Zubek (2001 :914)

<sup>109</sup> Lippert/Umbach (2005: 53)

accession negotiations, this committee was considered too formal and not technical enough: that is why KERM was set up as a forum where undersecretaries of state responsible for European affairs meet twice a week and discussed very technical issues. KIE only meets every four months to discuss about horizontal issues (strategy concerning financial negotiations, Lisbon strategy)<sup>110</sup>.

In this manner, KERM has a double function: it works as a forum for discussion and adoption of the Polish positions on European issues, and it reconciles differences of view and inter-ministerial conflicts<sup>111</sup>. If the ministries cannot find a common position, KERM forwards the draft document to the Council of ministers, which makes the final decision. It meets twice a week. Its decision-making powers concern areas which do not fall under the exclusive competence of the Council of Ministers (positions for meetings of the EU Council and COREPER, positions on EU reforms, timetable of legislative work relating to the transposition of EU law into the Polish legal order...) KERM is chaired by the Minister for Foreign Affairs and the deputy is the Secretary of State of UKIE, currently Minister Pietras.

So the Polish Prime minister is not directly involved like the French one: KERM works as filter between him and UKIE. Its role also illustrates UKIE does not have the same decision making power- even informal- like the SGCI: the role of KERM is important for the adoption of Polish position. However, as already mentioned about coordination and administrative culture in Poland, civil servants try to retain dossiers at a UKIE level and avoid the involvement of ministers, thereby resolving conflicts internally and increasing the informal power of UKIE.

### ***B. The coordination with the Ministry of Foreign Affairs***

Coordination with the Ministry of Foreign Affairs is important for the delimitation of powers of inter-ministerial coordination structures. In most others countries, it is the MFA which deals primarily with EU issues since it enjoys a horizontal view on EU issues. However, this can be problematic: the MFA is still a ministry with sectoral interest and can enhance rivalries, being at the same time judge and jury. Moreover, there can be overlaps of competencies.

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<sup>110</sup> Polish senior official

<sup>111</sup> Order issued by the chairman of the Council of ministers 23.03.2004 UKIE (2005)

## **1. The French Quai d'Orsay's role is limited to Common and Foreign Security Policy formulation**

There are domains that partly or completely escape the control of SGCI. Traditionally, the French Ministry of Foreign Affairs benefits from a traditional competency over external relations.<sup>112</sup> Indeed, “the SGCI does not perform all the work in coordinating European policy-making. (...) The coordination of French negotiating positions within the CFSP and JHA ‘pillars’ are primarily the work of the foreign affairs and Interior ministries, although the SGCI is kept closely informed.<sup>113</sup>” Generally, even when coordination is not necessary, instructions to the Permanent Representation can only be sent via the SGCI, whose Secretary General or deputies must sign such instructions. The sole exception to this is the CFSP, for which the Coreu telegram system, based within the Quai d'Orsay, is utilized<sup>114</sup>.

However, the independence of the MFA is limited, since inter-ministerial coordination has been extended to the second and third pillar of the EU<sup>115</sup>. The MFA must consult the competent ministries when the implementation of a common action implies the adoption of national measures of a financial character. When common actions call upon community instruments or policies, it is up to the SGCI to assure inter-ministerial coordination. There is a frequent need for close cooperation with the defence ministry. To sum up, if policy formulation is the business of the MFA, implementation requires inter-ministerial treatment within the SGCI.

The French system is also characterised by the creation of a Ministry of European Affairs, established in 1981. Its role was first limited to follow questions related to the application of EC Treaties<sup>116</sup> and while it did not have its own office, it had the SGCI under its authority till 1984, which was perceived as a control of inter-ministerial coordination by the MFA. This system ended in 1984. The role of the Minister – generally delegated Minister<sup>117</sup> – for European Affairs has been a subordinate of the MFA, not having its own offices, personal etc. To sum up,<sup>118</sup> its importance varied according to formal and informal factors (its place in

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<sup>112</sup> Menon (2000 : 122)

<sup>113</sup> Guyomard/ Machin/ Ritchie (1998 : 60)

<sup>114</sup> Menon (2000 : 84)

<sup>115</sup> Menon (2000 : 85)

<sup>116</sup> Decree of the 12 June 1981 : le ministre délégué aux Affaires Européennes « suit, par délégation du ministre des Relations extérieures, les questions relatives à l'application des traités instituant les Communautés européennes » quoted in Lequesne (1993 : 61)

<sup>117</sup> « Ministre délégué » : he does not have the rank of a Minister.

<sup>118</sup> Lequesne (1993 : 76)

the government, the proximity to the President), the Minister's personalities and the general political context.

At the MFA, there is no specific structure for EU affairs. They are dispatched among several directions, with the main one being the Service for Economic Cooperation. It has the central position concerning formulation of the external policies of the Community<sup>119</sup> but is not the only one to speak its mind, since other ministries are involved.

The MFA and the Ministry for European Affairs generally have a less corporatist discourse than other ministries and show a rather global approach to European affairs. Their horizontal perception gives them a specific legitimacy. They however do not coordinate, at a national level, formulation and implementation of community policies: this activity belongs to the SGCI<sup>120</sup>.

## **2. The distribution of roles grants more power to the Polish Ministry of Foreign Affairs**

The role of the MFA in the Polish system has a broader extent, though more limited since the accession.

First, the degree of autonomy of UKIE towards the MFA has varied over time.

Under the system of the European Secretariat (2001-2004), UKIE depended on the MFA which depended itself on the Prime minister: therefore, Danuta Hubner was head of UKIE, State Secretary at the MFA and subordinate to the Prime minister. However, civil servants insisted that this change had not affected much of their work: "The European secretariat was a formal set up. It was an understanding that we worked as one, we the UKIE and the European Department of Foreign Affairs. So we had meetings of directors, weekly meetings of all the directors and ministers of UKIE on Friday afternoon and the MFA would come and sit on these meetings. And minister Hubner was secretary of State in the ministry of Foreign affairs, of course had all this office at the same time, (...) she was the one who sort of put altogether in one. When she left, the European Secretariat was not something terribly visible but the cooperation we had with the MFA remained basically unchanged.<sup>121</sup>" So even if UKIE formally depended on the MFA, they seemed to have worked in a cooperative rather than authoritative mode, and this cooperation remained after both were formally separated

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<sup>119</sup> Lequesne (1993 : 80)

<sup>120</sup> Lequesne (1993 : 96)

<sup>121</sup> Polish senior official

again. According to UKIE civil servants, the role of the MFA had simply been enhanced during this period in order for it to manage the accession negotiations, and this is not to be seen as the result of rivalries in the “power triangle”. Now that Poland is in the EU, UKIE is back under the authority of the Prime minister, its “regular modus operandi.”<sup>122</sup>

Secondly, the division of competences between UKIE and MFA leaves more room to the latter than in the French system. Before accession, UKIE was in charge of internal coordination and the MFA of external issues. Its role was to prepare the action plan the government adopted each year (measures, calendar, responsible institutions) with the European Commission and the ministries and to monitor its execution, translate the *acquis*, coordinate foreign assistance, etc....With the accession, the separation of internal and external became blurred because UKIE also started dealing with ‘external’ tasks. The difference today is that the MFA is in charge of the “grandes questions politiques”, bilateral relations, defence, and common and foreign security policy. They prepare instructions for external relations for the Council as well as instructions for COREPER II and they also have a role in international negotiations (for example, bilateral negotiations for financial perspectives). Technical work is done by UKIE: the department analyses and strategies deals for example with the financial perspectives. Summing this up, the MFA deals with “one point and a half” concerning the preparation of instructions: COREPER II on one side, the council for external relations on the other side.<sup>123</sup>

Therefore, the formulation of the CFSP escapes both SGCI and UKIE, since both MFAs can send their instructions directly to the Representation, but the Polish MFA has a stronger position in the “power triangle” and more weight in the preparation of instructions.

## ***C. The coordination with Brussels***

### **1. The two Permanent Representations**

#### ***(1) The French Permanent Representation***

France opened a permanent representation in Brussels in 1958 like the other Member States. This structure plays the role of a mediator between the national political-administrative system and the community institutions.

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<sup>122</sup> Polish senior official

<sup>123</sup> Polish senior official

According to Lequesne,<sup>124</sup> it is no coincidence if the permanent representation seemed from the beginning controlled by the MFA. In 1958, the general secretary of SGCI wanted to take over its direction, but the MFA imposed one of its civil servants at the head of the Permanent Representation.

The French permanent representation had 54 members in 1999<sup>125</sup>, which is below the average of the other representations. 18 of them came from the MFA, 36 from other ministries. The permanent representative of France is always an ambassador stemming from a diplomatic background. The post is prestigious but known to be difficult and requires previous experience of EU affairs. The deputy representative is an advisor from the MFA, confirming the pre-eminence of this later. In most other countries, the post of deputy is indeed never given a diplomat, in order to ensure a balance. The representation is organised in 11 departments.

### ***(2) The Polish Permanent Representation***

With the creation of UKIE, the setup of the Polish Permanent Representation is also to be seen as part of the Europeanization process. According to Lippert,<sup>126</sup> the Polish mission in the pre-membership phase was characterised by a “strong proliferation” with eleven departments, the political and economic ones being the largest. The representative had the rank of an ambassador, whereas the deputy was a “key person”, exerting the functions of secretary of the Association Council Poland-EU and secretary of the Accession Conference Poland-EU. Frequent changes took place at the top of the mission, which led Lippert to “conclude that appointments were directly influenced by political changes and induced a strong politicisation of the positions,” although the expert key post remained among the same group of people. The mission had 60 employees in 2004 and 17 departments.

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<sup>124</sup> Lequesne (1993 : 185)

<sup>125</sup> Sauron (2000 :86)

<sup>126</sup> Lippert/Umbach (2005 : 40)

## **2. Coordination between capitals and permanent representations**

### **a) Centrality of the coordination between the SGCI and the French Permanent Representation**

Coordination between SGCI and PR in Brussels is very important. According to Sauron<sup>127</sup>, the whole French organisation relies on this close dialog between the two places to centralise administrative activities: the SGCI in Paris and the PR in Brussels. The underlying idea is the following: because of the high number of actors with diverse interests involved in European integration, one has to focus the decision making on a limited number of civil servants. The SGCI and the French PR have indeed a limited number of civil servants.

The tasks of the representation are following: first, it ensures the link between Brussels and the SGCI; second, it communicates legislation proposals, informing the SGCI about the output of each negotiation stage. This information is the basis for the ministries in Paris to distinguish the different thesis and reformulate the French positions.

Also, the representation is at the centre of all Council negotiations<sup>128</sup>. First at a preparatory level: civil servants directly negotiate Commission proposals in Council working groups and then in COREPER. This way, they ensure horizontal coherence, since they are less likely to defend sectoral interests than ministries.

In these negotiations, the French permanent representative as well as his deputy is accompanied by colleagues from the PR, never from ministries. They generally get written instructions from SGCI, although it is not as systematic as the British. Lots of French instructions are indeed oral. However, written instructions will be given for salient dossiers and even detailed by telephone at the last minute. This way, certain dossiers are under more centralised control than others, which finally gives the French civil servant a position between the British and Italians concerning the freedom they have to negotiate.<sup>129</sup> The final decision stage involves political actors in the Council of Ministers and in the European Council: on this level, the role of the representation consists of bringing expertise and advices.<sup>130</sup>

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<sup>127</sup> Sauron (2000 : 86) : « Toute l'organisation française repose sur le dialogue resserré entre deux points de centralisation de l'action administrative : le SGCI à Paris, la représentation permanente à Bruxelles »

<sup>128</sup> Lequesne (1993 : 211)

<sup>129</sup> Lequesne (1993 : 215)

<sup>130</sup> Lequesne (1993 : 218)



Finally, the PR also fulfils a last function. The representation monitors relations among territorial authorities, enterprises and the Commission. The creation of a unit in the representation to support interests of enterprises in the 90's revealed a change of culture in the French system.

Through all the stages, everything is based on what has been decided at SGCI. The French delegation always expresses itself on the basis of the SGCI instructions through working groups, COREPER, Council. "Indicative of, and fundamental to, the SGCI's central role in EU policy making is its de jure control over contacts between Paris and Brussels. It enjoys a quasi-monopoly over the ability to send instructions to the French Permanent Representation in Brussels. Even when coordination is not necessary, that is to say, only one ministry is directly affected by proposed EU legislation, instructions to the Permanent Representation can only be sent via the SGCI, whose Secrétaire General or one his Adjoints must sign such instructions."<sup>131</sup>

As we will see, this is one of the main differences with the Polish system.

### **b) Coordination between the UKIE and the Polish Permanent Representation**

The PR also sends the legislation proposals to UKIE who distributes it to ministries, and a similar dialog takes place between UKIE and the PR. The essential difference is that not all the information has to go through UKIE. In France, even when no inter-ministerial coordination is needed, the information has to go through SCGI, except for the formulation of CFSP. In Poland, ministries are in direct contact with the permanent representation and can transmit directly their instructions. It is said to be faster and all positions are also sent to the UKIE and the MFA.<sup>132</sup> According to the French view this would be a handicap: Sauron warns about the danger of ministries acting by themselves, susceptible to harming the effectiveness of the national positions at a European level<sup>133</sup>. Moreover, the MFA also directly sends its instructions to the Permanent Representation for COREPER II. The procedure it

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<sup>131</sup> Menon (2000: 84)

<sup>132</sup> Polish senior official: « the Polish advisors at the Representation do not necessarily cooperate with us directly but with the ministries. All the positions are copied to both UKIE and the Foreign ministry. The direct cooperation is necessary because of the factor of timing »

<sup>133</sup> Sauron (2000 : 91) : « Il est impératif que le SGCI et la RP définissent de concert le point d'équilibre entre les exigences déterminées à Paris et les contraintes tenant à la négociation avec les partenaires de la France et la Commission. Toute tentative de faire « cavalier seul » ne peut conduire qu'à des dysfonctionnements préjudiciables à l'efficacité optimales des positions françaises au sein du concert communautaire »

follows is similar to UKIE, sending it first to the concerned ministries for approval and then to the representation.<sup>134</sup>

However, there is a real concern for Polish negotiators to be accustomed to the system of instructions. As said in an interview, the awareness of official Polish positions by Polish servants is good, since Poland was given enough time to prepare itself to integrate in the European negotiations system. “We did not have a [major] problem. It takes quite a lot of work to make sure all concerns are informed. But clearly the good situation is that we had one year and a half to get acquainted with the way the EU works, which was the active observer information procedure (...) In most meetings we just sat there, but making sure everybody has an instruction prepared by the government, approved by the KERM. All the various elements were prepared, even if nobody knew what the Polish position was.” Poland also setup an electronic communication system<sup>135</sup> parallel to SGCI using video-conferences. So France and Poland share the same concern about their civil servants receiving instructions, but UKIE does not control them to the same extent.

#### ***D. Involvement of national Parliaments***

##### **1. For the French Parliament, European integration is associated with a loss of power**

“Of all the major institutions, the French Parliament has adapted least to the EU framework.”<sup>136</sup>

Since the beginning, European integration has meant for the French Parliament a loss of power, a negative impact on its capacities to legislate. The especially tense debate in France about the loss of legislative power through European integration can be explained by a transfer of the French institutional constraints- like the weight of the executive- on the European political system.<sup>137</sup>

The French National Assembly and Senate are all the more concerned by the consequences of European integration because their powers become limited by the constitution (creation of an autonomous “*domaine règlementaire*”<sup>138</sup>: article 37, possibility for the President of the

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<sup>134</sup> Polish senior official

<sup>135</sup> Polish senior official

<sup>136</sup> Guyomard/Machin/Ritchie (1998: 45)

<sup>137</sup> « L’attitude du Parlement dépend souvent de la manière dont il a projeté « ses propres contraintes constitutionnelles, en particulier les forces et les faiblesses de ses rapports avec l’exécutif » sur le traitement des politiques communautaires » Stéphane Pierré-Caps 1991 : L’adaptation du Parlement français au système communautaire *Revue française de droit constitutionnel*, 6, 1991, p.235, quoted in Lequesne (1993 : 226)

<sup>138</sup> Which means it escapes from the legislative power in opposition to the “*domaine de la loi*”

Republic to use the legislative referendum: article 11, control of the agenda of the assemblies by the government: article 48, limitation of the number and the role of Parliamentary committees article: 43...) European integration just reinforces the phenomenon.

In Germany, UK, there are mechanisms to make national Parliaments able to control the executive in the phase of formulation of EU policies<sup>139</sup>. In France, Council negotiations have long been considered external affairs, which meant it had to be part of the traditional monopoly of the President. The government only had the obligation to inform the Parliament of legislative proposals and negotiations. However the Parliament has been able to intervene in the implementation phase (normative execution of regulations, directives when they are part of “domaine de la loi”).

The Parliament however regained power with Maastricht. Its ratification was an opportunity for the Parliament to use its veto, which gave more importance to his role<sup>140</sup>. The introduction of article 88 in the constitution was a step forward: Commission proposals should be sent to the Conseil d’Etat, which would decide if these had legislative implications. Should this be the case, the Assembly and the Senate were to be automatically informed. “The goal is to allow Parliament to express its views before government ministers take part in legislative decisions in the EU Council of Ministers. (..) Since 1992 Parliament has thus had the chance to influence French inputs for negotiations on almost 900 Commission initiatives. As yet there is no detailed study of the influence of Parliament on French negotiating positions, but it is clear that Parliament has been much better informed about EU activity since 1992”<sup>141</sup> The input of this change is limited though: a Prime ministerial circular on 19 July 1994 stated that while the government would wait for a Parliamentary vote prior in the Council of Ministers, it would be bound by it as well<sup>142</sup>. Moreover, in spite of the quite restrained quantity of documents transmitted by the government, the chambers had problems to promptly deal with all the information<sup>143</sup>.

Article 88 of the French constitution was revised in 1999. Chambers now have one month to examine the European law texts and have the opportunity to give their opinions. It also insists on the governmental will to transmit to Parliament all kind of information necessary for it to exert its competencies. However, administrative and political coordination is particularly

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<sup>139</sup> Lequesne (1993: 228)

<sup>140</sup> Memeith/ Schild (2002: 26)

<sup>141</sup> Guyomard/ Machin/ Ritchie (1998: 63)

<sup>142</sup> Menon (2000: 90)

<sup>143</sup> Meimeth/ Schild (2002: 27)

difficult in this domain: this procedure concerns all steps of the decision making process and involves 16 different actors<sup>144</sup>.

## **2. The Polish Parliament is becoming more self-confident concerning European issues**

The experience of the Parliament is very different in Poland. Out of the communist system, the Parliament has been behaving actively in front of a relatively weak executive. The power of this latter has been curbed with the constitution of 1997 but “also the position of the executive has been clearly reinforced, Parliament remains a significant constraint on the core executive.” The Parliament is also generally more active than in France: “The core executive’s policy-shaping capacity is constrained by Parliament’s activism in policy-making, a trait shared by most Central and Eastern European states.”<sup>145</sup> According to an UKIE civil servant, this activism is now particularly visible concerning European issues: “Now they are really involved in all the European actions (...) They ask the government to answer questions about European issues (...) So from this point of view the role of the Parliament was hugely increased.”

Getting the national Parliament involved is part of UKIE activities. Task n°9<sup>146</sup> is about ensuring “cooperation with the Parliament in the scope of the creation and implementation of EU law and Poland’s participation in the works of EU institutions and bodies.” It is the task of the department for coordination (Integration Policy Department) to ensure the implementation of the law concerning the involvement of the Polish Parliament in the decision making process. The director of this department<sup>147</sup> insists on this point: “We [in Poland] have a very strict law governing Parliamentary scrutiny over European affairs and we are making sure that all appropriate positions taken by the government (...) have been approved or at least discussed by the Parliament, which means we are sending out about 20 or 30 documents every week to Parliament.” The Parliament is involved in the preparation of the Polish position when there is a new proposal of legislation: UKIE sends it to the ministries and electronically to the Parliament, and two weeks later the government sends its position to the Parliament. The government is not bound by the opinion of the Parliament on its position though: the Sejm and senate give their opinion, if it does not fit with the government position, the government can either go back to KERM to change it or go ahead

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<sup>144</sup> Sauron (2000: 109)

<sup>145</sup> Zubek (2001: 917)

<sup>146</sup> UKIE (2005)

<sup>147</sup> Polish senior official

with its position. In the second case however, it has to justify itself in front of the Parliament and explain why it did not take the Parliament position. Actually this happens rarely: there is generally a consensus between the governmental position and the opinion of the Parliament.<sup>148</sup>

This way, the Parliament has a consultation right and the government must transmit all pieces of law to the Parliament. However it does not have the last word: the government can theoretically go ahead without its approval. This does not happen in practice: there is a search for a consensus and the approval of the Parliament is always required. The dispositions concerning the involvement of national Parliaments in France and in Poland are quite similar but the stronger position of the Polish Parliament in the political system enables it to be de facto more involved than the French one.

➤ *Conclusion of part III:*

The SGCI enjoys a steady, strategic place between the political and administrative realms. Its relationship to the main actors of European integration confirms the following: the authority of the Prime minister ensures the continuity of its work; its control and centralisation over European issues is almost complete except for the formulation of positions on CFSP which goes directly from the MFA to the Permanent Representation; it enjoys a central and almost exclusive relation to the Permanent Representation. Moreover, the Parliament is left quite out of the process and does not represent an obstacle for the executive to carry out its views. Therefore, the French political system favours this type of coordination. As Menon writes, “France enjoys several clear advantages over some of its EC partners in terms of its ability effectively to coordinate its policies. (...) Core executive freedom of manoeuvre is further enhanced by the relative weakness of the Parliament on matters of EC policies and by the existence of a broad political consensus on Europe.” On the other side, UKIE does not benefit from the same central position in the system. The Polish core executive is under constraints, the Parliament is more active and the Ministry of Foreign Affairs is more involved. Most of all, it does not exert such a complete control on instructions and information: its relation to the Permanent Representation is not exclusive. Therefore, its place in the institutional system is less affirmed.

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<sup>148</sup> Polish senior official

This is illustrated through the graphics “The negotiation function of the SGCI” and “the negotiation function of the UKIE” in appendix.

## **V. Conclusion: common ideas, different achievements**

UKIE and SGCI have both been created for ensuring the coordination of EU-related issues, sharing a common preference for centralisation and streamlined systems. Achievements of coordination are however quite different in France and Poland in their extent and their functioning. Therefore, even if Poland has followed France concerning the main principles of the system and shared administrative experience with France, it has developed its own national solution, which can be explained by different factors. The limits of the “exportability” of administrative models are one of those factors.

### ***A. Poland has developed a national solution***

#### **1. The SGCI and UKIE converge on main features**

The following common features have appeared in this work: first, both are specific structures charged with coordination, and their development corresponded to a need for inter-ministerial coordination in European issues. In France it was to find a neutral actor other than the MFA or the Ministry of Economy that was able to deal with the Marshall plan funds. In Poland, the creation of UKIE became necessary in the 90’s, as ministries were too autonomous<sup>149</sup> and one had to find a way to get them more involved in European issues. SGCI and UKIE both deal with coordination for creation and implementation of EU law. Thus, UKIE and SGCI are supposed to offer a horizontal knowledge and expertise and arbitrate conflicts independently.

Secondly, they are placed under the authority of the Prime minister. This distinguishes them from most other systems of coordination in the EU, the majority of which is indeed centred on the MFA. Both have however experienced this situation: the SGCI was placed under the authority of the Ministry for European Affairs between 1981 and 1984, UKIE between 2001 and 2004.

Finally, they share a common concern for national civil servants getting their instructions and be able to defend the national positions. It is maybe not to the same extent, but the Polish

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<sup>149</sup> Polish senior official

administration seemed to have prepared it consciously before membership<sup>150</sup>. They also both inform national MEPs.

According to Kassim, five main factors can be used to explain the convergence of national EU coordination administrations: the dominant pressure resulting from the institutional structure of the EU, the phenomenon of mimicry or learning, coercion, socialization, and assumption of optimization. The first two are the most relevant here. Poland and France both “confront processes and procedures at the European level that determine in which forum and under which decision rules, in what sequence and by which actors business is to be transacted. By shaping the input that Member States make in term of where, when, and by whom decisions are taken, pressure is exerted on governments to organize their domestic arrangements accordingly”<sup>151</sup> Moreover, France has been willing to diffuse its administrative experience eastwards, and Poland has been willing to learn from it. “New entrants have typically prepared for accession by examining how structures and procedures operate in existing Member States”. Then, the assumption of optimization may have played a role in the choice to adopt a coordination structure close to the French one. The role of coercion and socialization are here less evident but can be seen as part of the Europeanization process. There are however numerous differences between SGCI and UKIE.

## **2. Important differences exist between them though, making UKIE an original structure**

UKIE indeed cannot and does not simply copy the French model. There are differences in the following points: first of all, UKIE being a young set up does not rely on the same tradition and authority as the SGCI. Second, it has been assigned broader tasks and has more personnel to achieve it. This is to be seen in the context of its accession to the EU. Its power is also more informal than that of the SGCI and its relation to ministries can be called a ‘primus inter pares’<sup>152</sup>.

Like in France, UKIE is now under the authority of the Prime minister. However, this was not the case between 2001 and 2004. Furthermore, the Prime minister has no direct link to UKIE, the only formal one is to the chairman of KIE, but as we saw KIE has no frequent activities. This is also reinforced by the fact that the Polish core executive is less affirmed

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<sup>150</sup> Polish senior official

<sup>151</sup> Kassim/ Peters/ Wright (2000: 241)

<sup>152</sup> Polish senior official

that the French one. As writes Lippert, - “the central leadership was often contested and led to a high level of confusion.”<sup>153</sup>

Finally, UKIE does not exert coordination to the same extent like France. Its relationship to the Permanent Representation is not exclusive, whereas the relationship between the SGCI and the French PR is absolutely central. Ministries and especially the Ministry of Foreign Affairs can send instructions themselves. The latter has more weight than in the French system. Differences however have to be qualified and “care should be taken not to overestimate the extent to which the coordination of EU policy is centralised”<sup>154</sup>. The monopoly of SGCI on EU-related coordination is indeed not absolute.

In this sense, the “coordination hiérarchisée”<sup>155</sup> described by Nizard has not been reached to the same extent. Besides, whereas France is characterised by a high horizontal coordination and a low functional decentralisation<sup>156</sup>, Poland also aims to establish a high horizontal coordination but has a higher functional decentralisation.

Again, the factors developed by Kassim to explain differences can be used here. They are following: the national policy style, policy ambitions, conceptions of coordination, the political opportunity structure, and the administrative opportunity structure.

First, if France’s policy style can be called ‘statist’ and ‘impositional’, policy making is more segmented in Poland. Second, policy ambitions also differ a bit. Still according to Kassim, under the globalising system of coordination established by France, there is a will to preserve national sovereignty. In terms of policy ambitions, Poland cannot emphasize that since the priority was to fulfil its commitments for membership.

Third, the concept of coordination is a central factor of explanation. “Some far reaching, strategic, and directive conceptions aim to construct an agreed position on every issue and to ensure coherent presentation by all national representatives at every stage of the EU policy process. Others have more modest ambitions that may be substantive-limited to particular policy types or issues- or procedural-filtering out policies that conflict with higher aims or ensuring that more important information is exchanged. These ambitions imply very different co-ordination strategies. The first calls for an organisation with comprehensive coverage, the capacity to impose decisions ‘by imposition or by negotiation, (...) The second suggests a less elaborate system where efforts are limited to ensuring that issues are dealt with by the

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<sup>153</sup> Lippert/Umbach (2005 : 121)

<sup>154</sup> Kassim/ Peters/ Wright (2000: 249)

<sup>155</sup> Lequesne (1993: 216)

<sup>156</sup> Maurer/Mittag/Wessels (2003) quoted in Lippert/Umbach (2005: 111)



appropriate department or disseminating information (...) <sup>157</sup>” UK and France are part of the first category since they both have an extremely ambitious coordination strategy. As written in part I, France wants “to speak with one voice”. This is an objective that is considered to be good in Poland <sup>158</sup>. The country made great efforts to be ready for it on time <sup>159</sup>, but it has not the same centrality as other objectives. The comparison of the tasks of SGCI and UKIE confirm this.

Political opportunity structures are also relevant for explanation. In France, they seem to favour coordination with an executive, sometimes divided but generally strong, a weak Parliament, and a majoritarian party system. In Poland, there is a development towards bipolarism but as of yet no stable parties. <sup>160</sup>There is also a “comparatively weak government with frequent changes” <sup>161</sup>, which generally in CEE affected “the concrete EU policies of these countries in terms of content, sequencing and timing of policy reforms and may also be a factor for delayed public administration reforms. <sup>162</sup>” Instability at the level of line ministries also can cause problems. These features can affect the stability and credibility of coordination structures, subjected to changes.

Finally, administrative opportunity structures are decisive. In France, sectorization is strong, but the culture of coordination under the authority of the Prime minister counterbalances it. In Poland, the administrative culture for inter-ministerial coordination is not enough developed yet to allow a structure like UKIE to exert full authority. There is a common ambition for coordination, but not to the same extent. Differences in the political-administrative culture are therefore decisive.

Beyond these factors, there is the question of general resistance to changes. The end of communism certainly offered an ‘opportunity window’, but the readiness to change is always limited. A new structure above the ministries cannot just be imposed overnights. <sup>163</sup>France has also known-and still knows- this difficulty in adapting its administration <sup>164</sup>. If the last decade

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<sup>157</sup> Kassim/ Peters/ Wright (2000: 244)

<sup>158</sup> Polish senior official

<sup>159</sup> Polish senior official

<sup>160</sup> Lippert/Umbach (2005 : 57)

<sup>161</sup> Lippert (2005 : 53)

<sup>162</sup> Lippert (2005 : 56)

<sup>163</sup> Polish senior official

<sup>164</sup> Sauron (2000 : 141) : « En réalité, la structure des ministères n’a pas été repensée en fonction des contraintes du travail communautaire, mais, semble t-il, essentiellement pour sauvegarder des équilibres administratifs internes entre les (anciennes) directions de l’administration centrale. Il n’est pas sûr que la France puisse continuer à faire l’économie d’une profonde mutation de ses structures administratives pour les articuler au mieux avec le rythme et les contraintes du travail communautaire. »

offered ‘opportunity windows’, it was also a time when Poland had to face many challenges and pressures, which reduced the focus on coordination. Poland has to show it is able to respond effectively to agenda items. It has not reached a proactive coordination yet.

Finally, Poland is developing its own solution. The sharing of experience can be considered a ‘pick and choose approach’ with Poland choosing elements that can fit in its system. I would rather consider the choice of the French path as a global one: it is the general organisation of coordination that has been retained, and then specificities are adapted, making it a unique system. Of course, the original decision of going this way does not mean it will stay for ever and “the shape is not only influenced by the decision for one or the other model, but is largely due to the openness of developments.<sup>165</sup>” However, one may suppose it will remain in this general direction, since systems are path-dependent. This will depend on the normalisation of the coordination system in Poland. As said in part I, UKIE is a young structure and its sheer existence is still controversial.

This way, the result of this work confirms the thesis of Kassim/Peters/Wright that there is neither inevitable convergence nor continued diversity: “two imperatives are at work- pressure towards convergence and system specific adaptation- that neither necessarily predominates, and that the outcome in terms of the organization of coordination is partial similarity combined with significant diversity.<sup>166</sup>” It also highlights the limits of an administrative model’s exportability.

## ***B. Moreover, the French system cannot really be “exported”***

### **1. The system is itself under pressure for adaptation**

The intention here is not to exhaustively list problems concerning the French system but to underline its limits, which are to be considered for countries adopting similar systems. According to Menon, France has ambitious objectives concerning the coordination of EU policy but there would be a profound tension between these and the difficulties it faces. Three main elements are quoted: a “bicephalous and sporadically divided executive, a strong sense of departmentalism” and “‘vertical’ divisions between the political and administrative level<sup>167</sup>”, demonstrating that the French system is not exempt of fragmentation. More

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<sup>165</sup> Institut für Europäische Politik/Jean-Monnet-Lehrstuhl für Politikwissenschaft-Universität zu Köln/College of Europe (2002: 22)

<sup>166</sup> Kassim/ Peters/ Wright (2000 : 237)

<sup>167</sup> Menon (2000 : 80)

generally, France as a 'state-centric' national political system is supposed to clash with the EU as a pluralistic multi-level system<sup>168</sup>. Indeed, the necessity for France to abandon the traditional discourse about its national interests to evolve towards lobby culture is underlined by professionals of the French administration<sup>169</sup>.

The system has achieved major changes though: at the same time, there has been an "opening up of the political game" through limitations of the presidential power, a better involvement of the Parliament and a remaining centralisation: "compared to these transformations, systemic stability is prevailing above all at the level of administrations and inter-ministerial coordination. The SGCI, as the central organ in Paris-Brussels interactions, still seeks to absorb and to centralise most EU policy making tasks at the stages of policy formulation and decision-making."<sup>170</sup>

## **2. It is not about selling a model, rather it is about sharing experiences**

French civil servants themselves point out that administrative examples are not about selling a French model: the partners of France would not specifically want a French, English or Italian model, but rather a model adapted to them<sup>171</sup>. Administrative exchanges are however an interesting opportunity to share experiences and create links between administrations, enhancing their functionality and their professional and technical capacities. According to Wessels,<sup>172</sup> since there is not a single European administrative model, a simple export of administrative models from 'old Europe' to the new Member States cannot be a solution. No simple lesson can be drawn from the older administrative system: the best way to adapt might be then to look at the best practices within the EU. As the more general literature on institutional transfer and learning demonstrates, lessons tend to be "selectively drawn and imperfectly applied."<sup>173</sup>

Finally, it is also difficult to transfer or share administrative knowledge because the question of effectiveness is itself problematic. Criteria like the abilities to anticipate new EU

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<sup>168</sup> Szukala (2003 : 216)

<sup>169</sup> Sauron (2000 : 95)

<sup>170</sup> Szukala (2003 : 240)

<sup>171</sup> Ministère de la Fonction Publique (2000), Pierre-Yves Cossé ADETEF « Une remarque à propos de l'influence. Pour être influent, il y a des discours à ne pas tenir, qui existent pourtant chez les fonctionnaires et dans le monde politique, du type 'vendre un modèle français'. Nous ne sommes pas là pour ça. Nos partenaires ne veulent pas plus d'un modèle français que d'un modèle anglais ou italien. Ils veulent un modèle adapté à eux-mêmes. Il faut sortir cette extrapolation du passé de notre vocabulaire et de nos têtes. »

<sup>172</sup> Institut für Europäische Politik/Jean-Monnet-Lehrstuhl für Politikwissenschaft-Universität zu Köln/College of Europe (2002)

<sup>173</sup> Rose (1991), Dolowitz and Marsh (1996) quoted in Kassim/Peters/Wright (2000: 254)

legislation, its impact, shape EU policy agenda etc, and “reflecting on its criteria, it seems intuitive to suppose that Member States with a strongly centralized co-ordination strategy would be the most effective in securing outcomes at the European level that are consistent with national preferences- a view reinforced by reputations for administrative efficiency enjoyed by France and UK.<sup>174</sup>” However, the centre may be divided or paralysed, so a centralised strategy may not be best attuned to the complexity or consensual policy style of the EU. Centralisation may offer fewer rewards than a sectorized approach, whereas decentralised systems may be an advantage under conditions of imperfect information in the EU.

Therefore, success should be measured against national ambitions: one still needs to give Poland time to demonstrate the effectiveness of its coordination system. For the moment, the system functions satisfactorily according to the Commission. As said by the EU representation in Warsaw about UKIE<sup>175</sup>: the structure “is entirely up to them and we haven’t faced any major problem during those years.” According to Lippert, a normalisation scenario towards Poland as full player in the EU is to be expected<sup>176</sup>. Therefore, UKIE has to find a steady place in the institutional system. This will depend partly on the political context: the coming elections may mean a new situation for UKIE, since the consensus about the best system has not been completely established yet.

Negotiation was still defined in very nationalistic terms in the 60’s: for Maurice de Courville, it meant “Faire triompher les intérêts dont on a la charge”<sup>177</sup>. Today, in an enlarged union, negotiating has to be about finding compromises about sectors members States are collectively responsible for. Hopefully, the partially convergent French and Polish systems of coordination will make them able not only to represent their interests but also to find compromises in the most effective way.

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<sup>174</sup> Kassim/ Peters/ Wright (2000: 254)

<sup>175</sup> Polish senior official

<sup>176</sup> Lippert/Umbach (2005 : 174) Lippert/Umbach (2005 : 174)

<sup>177</sup> Maurice Couve de Murville : Negotiating means « Make triumph the interests you are in charge of » quoted in Lequesne (1993: 30)

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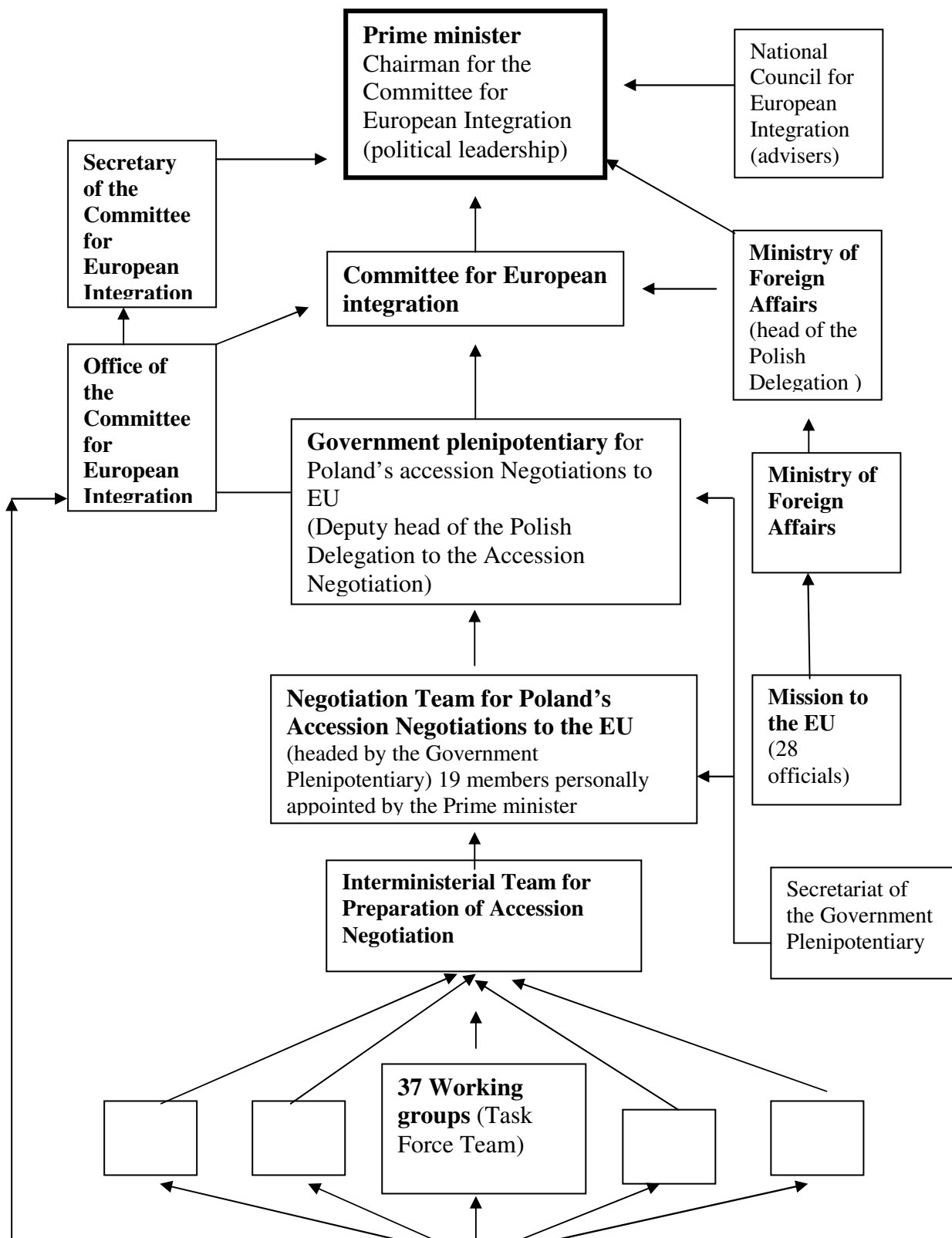
## VII. Appendix

### A. Graphics

#### 1. EU decision-making/accession negotiations in Poland before the 2001 reforms: the executive

Model of central coordination with a strong Prime minister as of March 2001

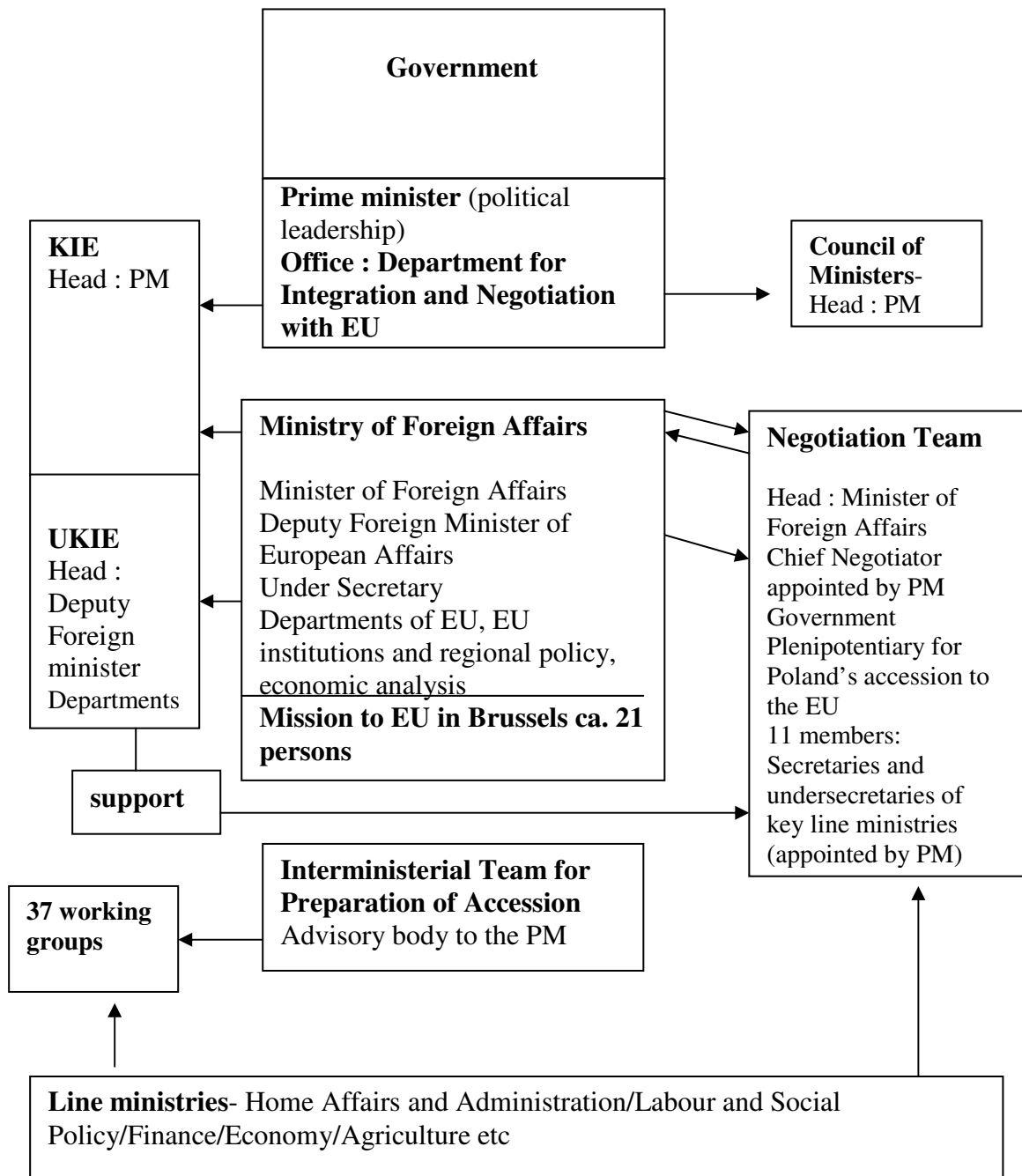
Source:Lippert/Umbach (2005:123)



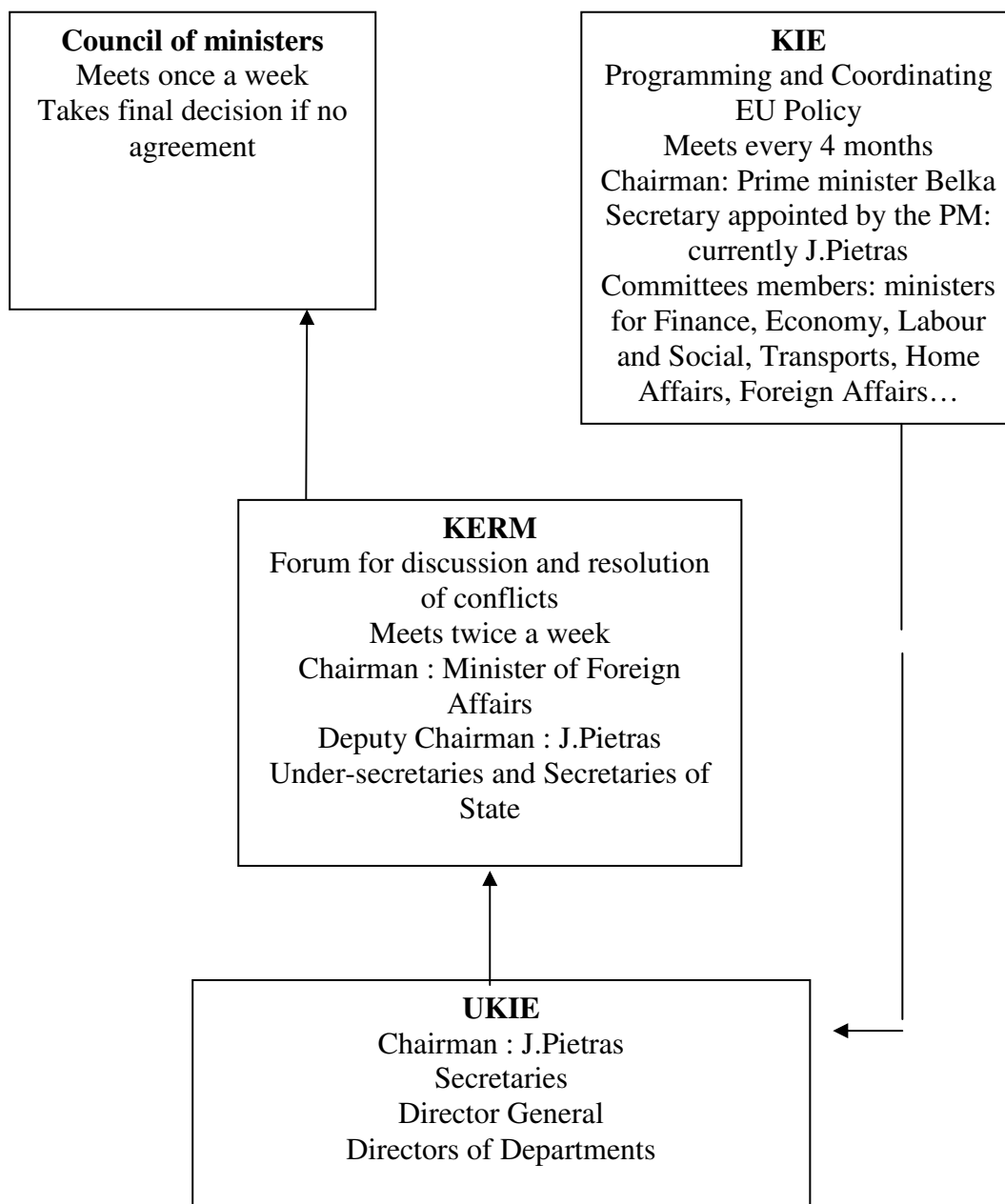


## 2. EU decision making/accession negotiations in Poland 2001-2004: the executive (strong Ministry of Foreign Affairs)

Source: Lippert/Umbach (2005:124)

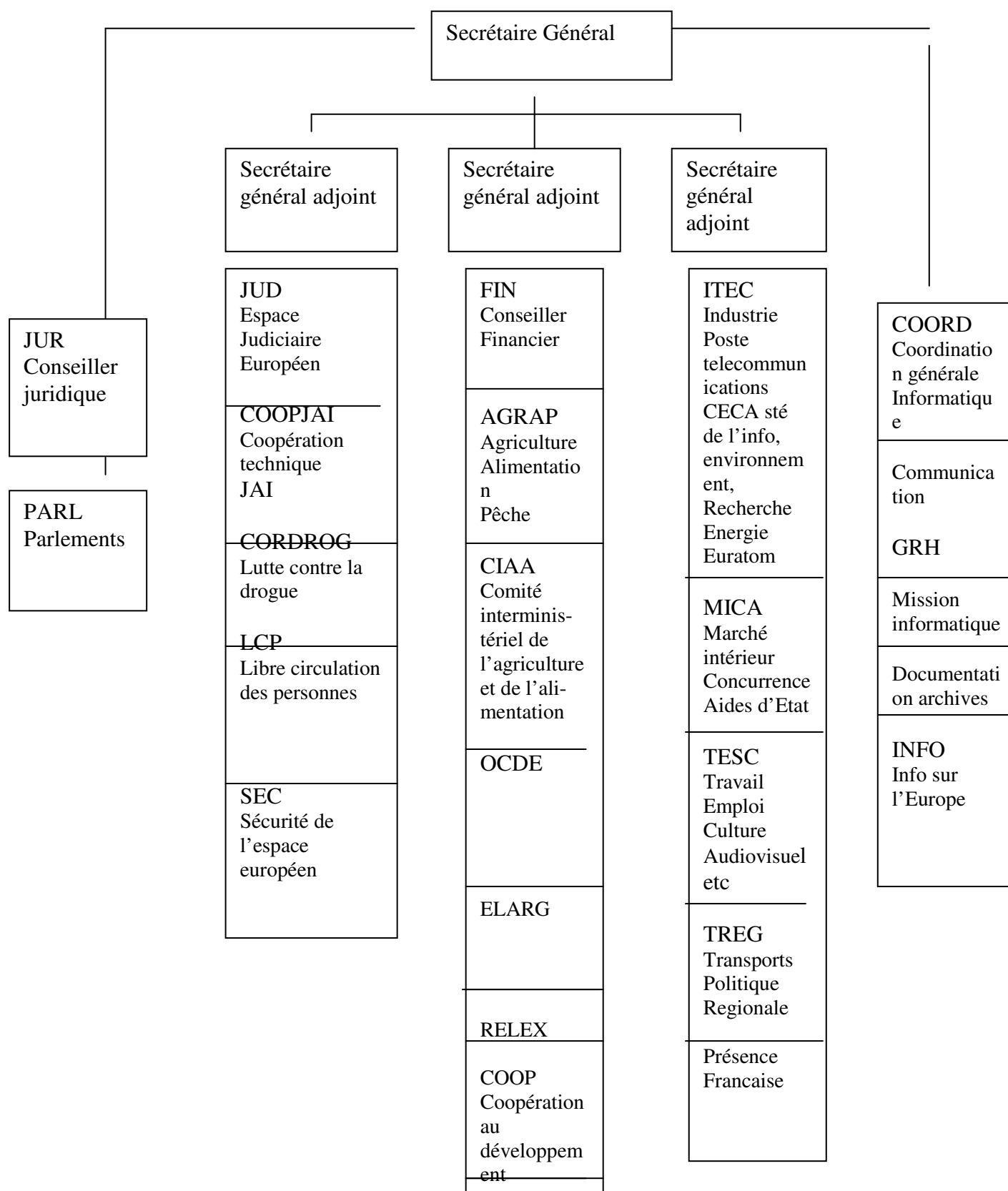


### 3. UKIE, KIE and KERM<sup>178</sup>

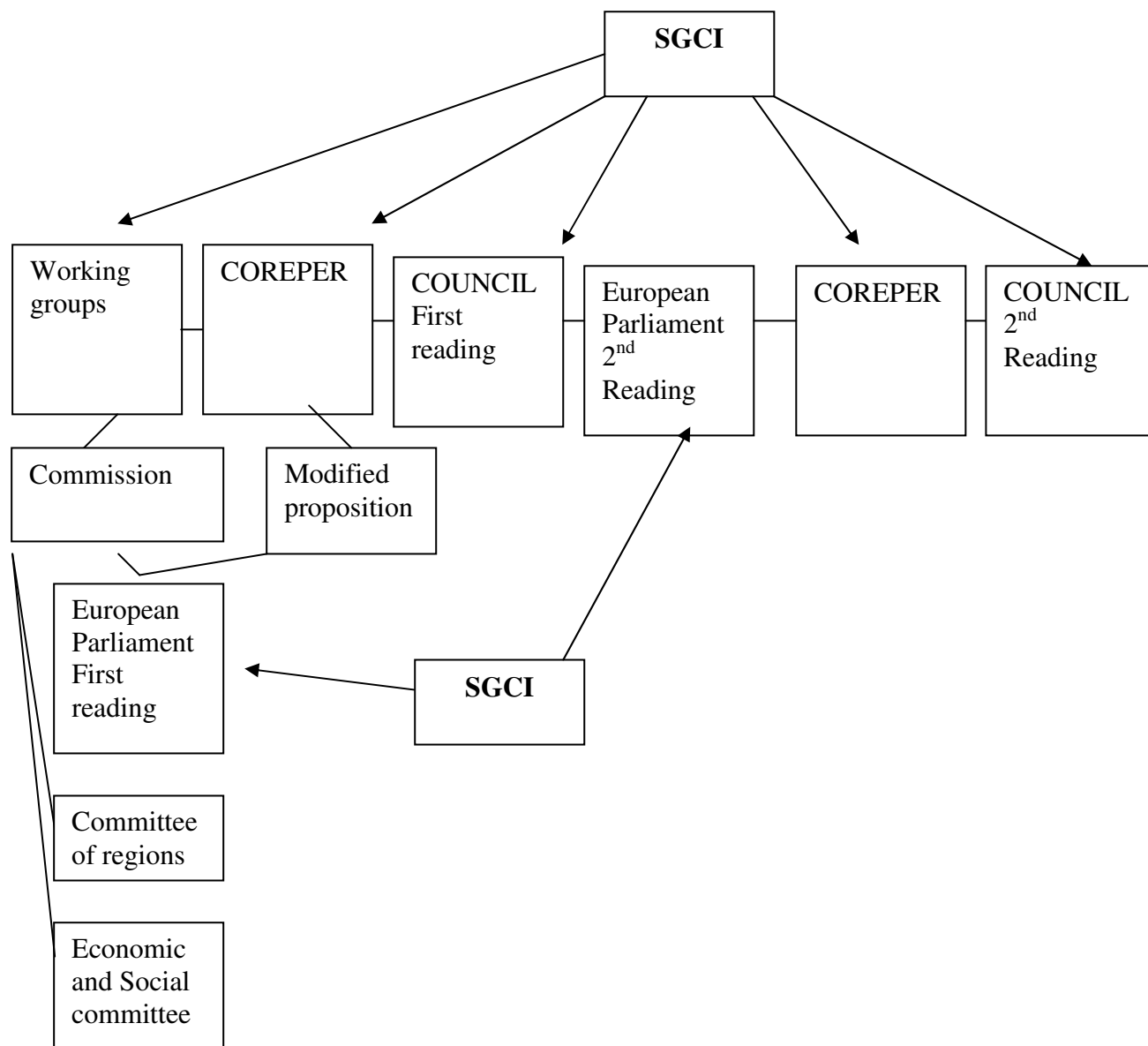


<sup>178</sup> Source: own presentation based on UKIE's website

### 3. Internal Organisation of the SGCI

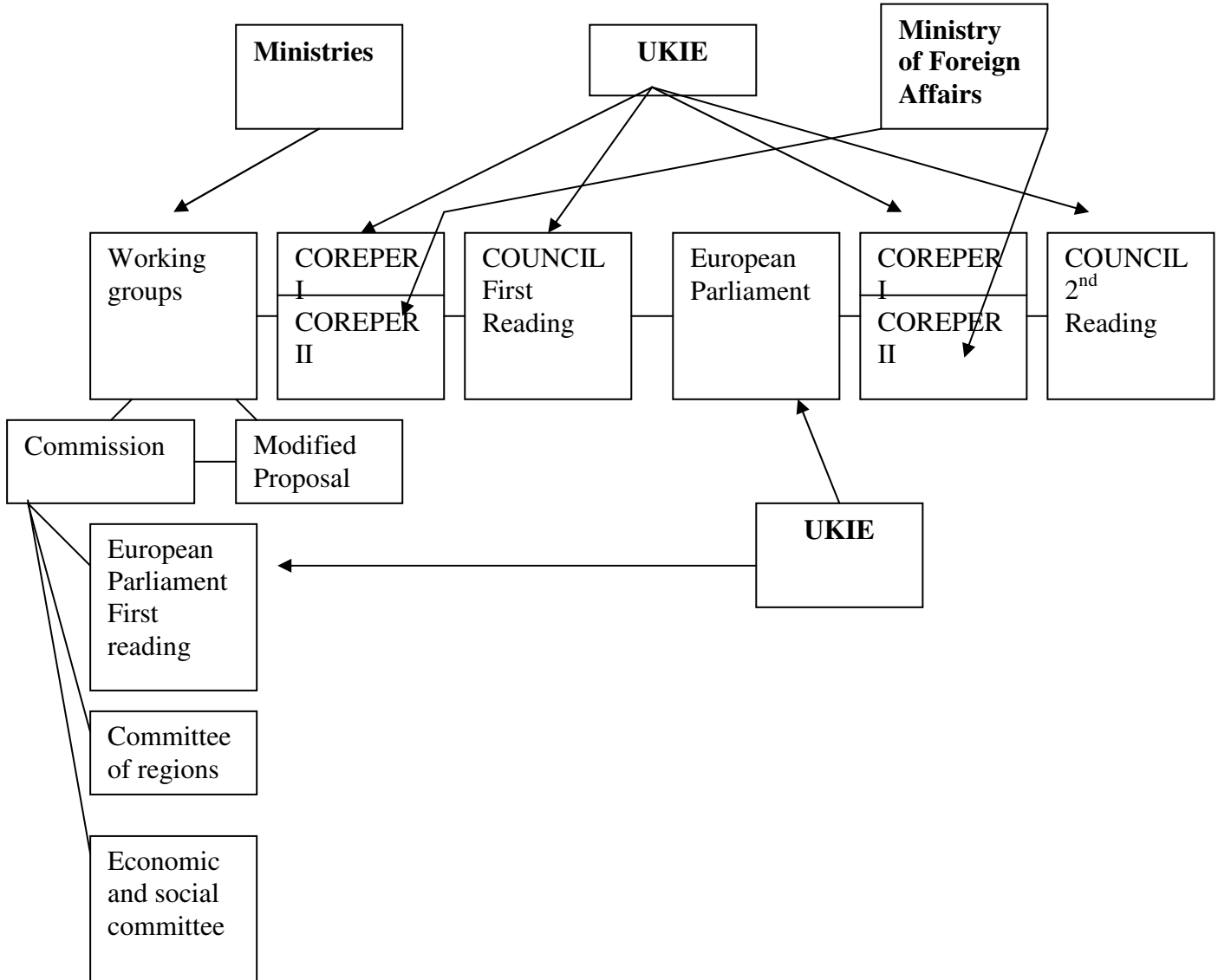


#### 4. The negotiation function of the SGCI<sup>179</sup>



<sup>179</sup> Source: Sauron (2000: 93)

## 5. The negotiation function of the UKIE<sup>180</sup>



<sup>180</sup> Source: own presentation based on Sauron 2000 (93) and on the interviews

