

**PROBLEM OF EASTERN PARTNERSHIP DURING POLISH PRESIDENCY
IN THE EUROPEAN UNION IN 2011**

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ABSTRACT

Eastern Partnership was one of priorities of the Polish Presidency in the Council of European Union in the second half of 2011. Through building deep and comprehensive areas with Eastern partners Poland hoped to enlarge the areas in line with the EU standards. However, there are many obstacles in realization of this policy. The article tries to map the possible ways of overcoming these problems and to draw conclusions how to defend this policy.

Key words: Polish presidency, Eastern Partnership, European Neighbourhood Policy, European Union

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INTRODUCTION

The Polish Presidency of the Council of the European Union was held in the second half of 2011, two years after the adoption of the Lisbon Treaty. As a consequence, neither the new institutional framework of the European Union nor its operations as laid out in the Lisbon Treaty had been fully formed yet¹. According to the legal regime of the Lisbon Treaty realization of the Presidency required a cooperation of Trio of countries. That is why Poland kept regular working contacts and consultations with Denmark and Cyprus as her partners of the presidential trio. Such activities were organized at the level of foreign affairs and European affairs ministers, and of ministries and ministerial representatives responsible for different sector-related areas. Moreover, they served to prepare the agreed documents for the eighteen-month term spanning presidencies to be held by all three countries. In May 2011, the Polish President of the Council of Ministers met the President of the Republic of Cyprus and the Prime Minister of the Kingdom of Denmark, to work out conditions of trilateral co-operation within the upcoming group presidency².

The main priorities of the Polish Presidency were published in June 2011 and included three chapters: European integration as a source of growth; Secure Europe – food, energy, defense; and Europe benefitting from openness. There were also six specific priorities, which referred to the following issues:

- Multiannual Financial Framework 2014-2020;
- Relations with Eastern Europe: 2011 was the year when the rotating presidency together with the High Representative was to promote association agreements, deep and comprehensive free trade agreements and a visa liberalization process with Eastern European countries;

¹ Council of Ministers, (2012): Polish Presidency of the Council of the European Union 1 July - 31 December 2011. Final Report preparations, achievements, conclusions, Warsaw, April, p. 13.

² Ibidem.

- Internal market: in a period of crisis the EU is to search for new sources of economic growth;
- External Energy Policy: EU is in a need to discuss deepening of the external energy policy, which includes legislative and non-legislative activities;
- Common Security and Defense Policy: in 2011 EU was in time to think about increasing its capacity in crisis management, deepening cooperation among member states in defense and partnership with NATO;
- Intellectual capital of Europe: the presidency was to launch a debate on this issue to reach a closer social, economic and territorial cohesion of the Community³.

However, it was Eastern Partnership which was one of the crucial priorities of the Polish Presidency of the Council of European Union in the second half of 2011. Through building deep and comprehensive areas with Eastern partners Poland was hoping to broaden the areas run by the EU regulations. The international situation called for a careful look on the process of stabilization and democratization in the EU's neighborhood. Firstly, enhancing the trade and economic ties with EU's Southern neighborhood was a key task for the Polish Presidency. Poland tried to conclude association agreements and to establish comprehensive free trade areas by finalizing its negotiations with Ukraine and making a further progress with Moldova. Secondly, the Polish plan was to make progress in visa liberalization and deepen sectorial cooperation⁴.

The aim of the article is to raise and answer the following questions: whether in the present international situation the project of Eastern Partnership supported by Poland during its Presidency, still has any *rationale*? What are the main problems Polish Presidency faced in realization of this policy? Are there any instruments to solve these problems in order to realize this priority?

1 State of art before Polish Presidency

The launching of the Eastern Partnership Program (EaP) in May 2009 was a result of recognition that the Eastern part of the European Neighborhood Policy (ENP) needed a substantial reform. An idea of EaP was to make EU neighborhood policy more relevant by providing a more focused and targeted reform agenda for six Eastern European countries⁵. ENP seemed not to be attractive enough, nor provide the right kind of leverage and incentives for ENP countries to effectively pursue a wide range of demanding reforms, as the EU had expected. Also the size of the job to be done was largely underestimated because it had been taken for granted that the states of Eastern Europe resembled Central Europe of the 1990's and thus that they would follow a similar reform track based on democratization, the rule of law and adoption of the market economy⁶.

It is true that the Eastern Partnership is a test of the EU's credibility as a leading force of change in its regional setting. A successful EaP is necessary for the future economic development and political stability of the partner states. In order to realize this goal the EU must have potential to provide inspiration, structures and political and economic model for

³ See also Kaczyński, P. M. (2011): Polish Council Presidency 2011. Ambitions and Limitations, Swedish Institute for European Policy Studies, Stockholm, p. 39-40.

⁴ Ministry of Foreign Affairs, (2011): Programme of the Polish Presidency of the Council of European Union 1 July 2011 – 31 December 2011, Warsaw, p.10.

⁵ Longhurst, K., Wojna, B., (2011): Asserting the EU's Mission in the Neighbourhood: Ten Recommendations for an effective Eastern Partnership, Report of the Polish Institute of International Affairs, Warsaw, p. 7.

⁶ Ibidem.

countries where the development of closer relations with the EU enjoys popular support as well as for those states whose societies and individuals live under autocratic regimes with problematic relations with the EU. Therefore, to establish democracy in the region a strong civil society is a basic precondition.

In contrast to the Union for the Mediterranean (UfM), which has gone into free-fall, EaP has enjoyed a number of achievements in a short space of time. In 2009, the architects of EaP managed to create new institutional settings and mechanisms which have enabled regular intergovernmental, parliamentary, civil-society and local/regional cooperation and dialogue. In this sense after three years the performance of EaP can be assessed as satisfactory.

What is important, the Eastern Partnership is not affected by the kind of controversy and mayhem that damaged the UfM since its creation in 2008. It has an infrastructure, offers value for money and also enjoys a modest support of the 'Friends of the EaP'⁷. There is a solid ground to state that the Eastern Partnership has managed to realize the following achievements⁸:

- Completion of negotiations on Association Agreement and DCFTA with Ukraine by the end of 2011.
- Civil Society Forum (established for EaP in order to "influence EU institutions and national governments by presenting the recommendations of the CSF during their decision-making process"⁹) has been working actively within the past two years. This includes regular meetings of its steering committee and working groups. Apart from that, the Forum plans 96 projects to be carried out under its auspices. Many of them are to be realized within the platform "Democracy, Good Governance and Stability" and are aimed to deal with problems of corruption, the media, visas and local democracy¹⁰.
- Association negotiations on new agreements with Armenia, Azerbaijan, Georgia and Moldova in 2010 have begun.
- Moldova and Ukraine commenced visa liberalization negotiations with member states of the EU, relying upon the achievements of earlier phases of the dialogue devoted to visa facilitation, readmission.
- Members of the European Parliament established Euronest Parliamentary Assembly in May 2011.
- Moldova and Ukraine became members of the Energy Community in 2010 and 2011 respectively.
- The new Comprehensive Institution Building program has been introduced in order to support partner states in their effort to conform their main domestic institutions, regulations and procedures with the provisions of new Association Agreements, DCFTAs and visa liberalization policies. The program is to spent €173 million until 2013 and involves the principle of co-funding by partners. It is also open to financial involvement of other contributors. So far the program itself has been developing very fast resulting in adoption of the Framework Documents and Memoranda of

⁷ Ibidem, p. 8.

⁸ Ibidem.

⁹ The Role of the Eastern Partnership Civil Society Forum, (2011): www.eap-csf.eu/en/about-eap-csf/our-role.

¹⁰ Eastern Partnership Civil Society Forum, (2011): Survey of Current and Planned Projects Focusing on Eastern Partnership Issues: Summary prepared by EaP CSF Steering Committee, 20 May. See www.eap-csf.eu/en/resources/eap-csf-2011-documents.

Understanding between the Commission and EaP countries (apart from Belarus). It is worth to mention that partner countries have been advised to define their priorities¹¹.

- The EaP envisaged new financial resources to the partner countries. The Commission contributed €600 million, including €350 million to be added to existing financial provisions. Also, with regard to the events in North Africa the European Commission has decided to increase the overall budget for the EU neighborhood in the financial framework 2014-2020¹².
- The EaP is to support new instruments contributing to the economic development of the Eastern Partners. In cooperation with the European Commission, the European Investment Bank and the European Bank for Reconstruction and Development support infrastructure projects and development of small and medium enterprises in the EaP countries. Significant loans provided to Eastern partners reveal how important role is played by European financial institutions in the implementation of Eastern Partnership¹³. Similar role should be ascribed to the Neighborhood Investment Facility (NIF) which supports financial institutions of Eastern partner countries¹⁴.
- €75 million was planned for Pilot Regional Development Programs out of the total €600 million for EaP. The programs are to play a crucial role in the development of small- and medium-sized enterprises, local infrastructure and human capital in undeveloped regions in the partner countries.
- In 2011 the Conference of the Regional and Local Authorities (CORLEAP) was launched within the Eastern Partnership program. During its inaugural meeting held in Poznań on 8 September CORLEAP produced a paper promoting a full involvement of the local and regional dimension into the EaP activities¹⁵.

2 Warsaw Summit of Eastern Partnership

An important event associated with the Polish priorities was the Eastern Partnership summit held in Warsaw on 29-30 September 2011 where the Heads of State or Government and representatives of the Republic of Armenia, the Republic of Azerbaijan, Georgia, the Republic of Moldova and Ukraine, the representatives of the European Union and the Heads of State or Government and representatives of its Member States met to renew their commitment to the objectives and continued implementation of the Eastern Partnership. Apart from that the President of the European Parliament and the representatives of the Committee of the Regions, the Economic and Social Committee, the European Investment Bank and the European Bank for Reconstruction and Development were also present at the Summit. The direct result of the Warsaw summit was a Joint Declaration where plans of further development of the program were put forward.

¹¹ High Representative of the European Union for Foreign Affairs and Security Policy, (2011): Implementation of the European Neighbourhood Policy in 2010. Report: Eastern Partnership, Brussels, Joint Staff Working Paper 25.05., sec(2011) 641, see http://ec.europa.eu/world/enp/pdf/progress_2011/sec_11_641_en.pdf.

¹² European Commission, (2011): A Budget for Europe 2020, Brussels, 29.6.2011, COM(2011) 500 final, http://ec.europa.eu/budget/library/biblio/documents/fin_fwkl420/MFF_COM-2011-500_Part_I_en.pdf.

¹³ See: www.eib.org and www.ebrd.com.

¹⁴ European Commission, (2011): Additional funding allocated to the Neighbourhood Investment Facility to support key investment projects, 5.8. See http://ec.europa.eu/europeaid/where/neighbourhood/documents/web_release_aap_nif_2011.pdf.

¹⁵ Longhurst, K., Wojna, B., (2011): Asserting the EU's Mission..., op.cit. p.10.

In the Joint Declaration it was stated that the Warsaw Summit recognized that “reinforced reform efforts serve a common interest, and need therefore to be applied in a spirit of shared ownership and mutual accountability”¹⁶. The participants of the Warsaw Summit recognized the European aspirations and the European choice of some partners and their commitment to build deep and sustainable democracy. They highlighted the particular role for the Eastern Partnership to support those who seek an ever closer relationship with the EU. It was also emphasized that within the program political and economic reforms have been implemented in partner countries and relations between the EU and its Eastern European partners have deepened significantly. In order to consolidate economic interaction between the EU and its Eastern European partners all the partners involved work in favor of Association Agreements which will also lead to introduction of Deep and Comprehensive Free Trade Areas. Apart from that, negotiations on visa-free regimes have been started with Moldova and Ukraine. As far as Georgia is concerned, visa-facilitation and readmission agreements are to be implemented soon and similar arrangements will be searched for with Armenia, Azerbaijan and Belarus¹⁷.

The main aim of the Eastern Partnership is to cooperate with all sectors of civil society of the partner countries. In this light the establishment of the Euronest Parliamentary Assembly at the Warsaw Summit and activity of the Civil Society Forum should be seen. According to the participants “the Eastern Partnership should be significantly strengthened and commit to stepping up its implementation, with the objective of building a common area of democracy, prosperity, stability and increased interactions and exchanges”¹⁸. Moreover, they also emphasized that realization of the Eastern Partnership must be effective and in the interest of the citizens of partner countries.

It is also worth to mention that the participants of the Warsaw Summit declared to strengthen their energy partnership. They plan to promote an inclusive and open policy on energy security, transportation and supply as well as to work further towards integrating their energy markets, including by closer involvement of the interested Eastern Partnership countries in the Energy Community Treaty. They found with satisfaction the recent membership of the Republic of Moldova and Ukraine in the Energy Community Treaty and urged other partner countries to join it. They decided to strengthen long term energy security, including cooperation on stable and secure energy supply and transit, nuclear safety, competitive energy markets. Concerning the development of strategically important infrastructure to ensure the diversification of the routes of the supply of energy to the European market from the Caspian Sea, the EU and partners declared to take concrete steps towards the realization of the Southern Corridor. Moreover, they welcomed the increased cooperation in the area of nuclear safety and encouraged transparency, accessibility of information and full compliance with international nuclear safety and environmental agreements.

The participants of the Warsaw summit looked forward to complementary and reinforcing national programs, such as the Estonian Centre of Eastern Partnership focused on administrative capacity and the Eastern Partnership Academy of Public Administration in Warsaw.

Due to the provisions of the Warsaw summit at the end of October 2011 the Eastern Partnership Academy of Public Administration started its activity and gave diplomas to

¹⁶ Joint Declaration of the Warsaw Eastern Partnership Summit, 29-30 September 2011; <http://pl2011.eu/en/content/joint-declaration-warsaw-eastern-partnership-summit>.

¹⁷ Ibidem.

¹⁸ Ibidem.

participants of first training session¹⁹. The academy was called into existence following the Joint Declaration of the last EaP Summit in Warsaw on 30 September 2011. The new institution has been established at the National School of Public Administration (KSAP) in Warsaw, a main Polish academia providing education for highly-qualified civil servants. The whole initiative is being financed by the Polish Ministry of Foreign Affairs from development assistance funds.

According to this ministry, the first module of training sessions covered issues of public-private partnership. Around 22 civil servants from Azerbaijan, Armenia, Georgia, Moldova and Ukraine participated in this training; however there were no participants from Belarus. By the end of 2011 KSAP wants to organize a module related to communication in public administration. In the following year there are already plans for three training sessions – about ethics in public service, management, and European Union programs. Training sessions include five thematic modules: public-private partnership, social communication, public sector economy, management in public administration, and European law and institutions. All meetings will gather around 30 participants and are to be conducted in English with Russian translation. There is a plan to engage lecturers from other EU countries to cooperate in the Academy.

3 Problems with realization of Eastern Partnership

According to some experts there has been little or even no progress with regard to the Eastern Partnership during the Polish presidency. Cornelius Ochmann argues that difficult situation in Belarus continues to be problematic and it is very difficult to envisage the role of the program for the outcome of developments in this country. Ukraine is a similar case. The negotiations on a new association agreement were completed, but it has not started yet. It seems that everything depends on the political climate in the country. Certainly, the positive outcome was a decision to establish a European foundation for the support of democracy, the European Endowment for Democracy, which was taken at the final meeting of the EU Council²⁰.

Indeed, there are many problems regarding the realization of Eastern policy of the European Union. One can identify three groups of difficulties; those on the EU side; those present in partner countries and those associated with external problems.

The key obstacle on the EU side is the financial and economic crisis focusing the main concern of member states on ways to overcome it in the foreseeable future. As a result a low amount of financial resources are spent for Eastern neighbors, especially in comparison to the southern dimension of European Neighborhood Policy. The Southern neighbors receive higher amounts per capita, per country and per dimension, respectively 13.9 euro per capita per annum for the period 2007-2010 when compared with the Eastern countries' 6.9 euro per capita per annum for the period 2007-2010.

In the majority of member states there is also a lack of interest in developments in Eastern vicinity of the European Union and a low support for any programs aiming at changing the situation. It should also be emphasized that the European Neighborhood Policy realized so far within its Eastern dimension followed the „top-down” approach and although focused on building peace and security as well as on strengthening prosperity and stability at the EU borders, it has not reached its objectives and therefore must be radically changed.

¹⁹ Inauguration of the Eastern Partnership Academy of Public Administration, (2011): 4.11.; <http://www.easternpartnership.org/community/events/inauguration-eastern-partnership-academy-public-administration>.

²⁰ Ochmann, C. (2012): The New EU. The Consequences of the Polish EU Presidency, Bertelsmann Stiftung, “Spotlight Europe”, January, p. 2.

On the partners' side we see that some of them are eastwards oriented and perceive their future in close cooperation with Russia rather than in integration with the European Union. Secondly, political situation of most of them is becoming very distant from European standards of democracy and state of law, especially in Belarus, Azerbaijan and Armenia.

However, the greatest obstacle for the Eastern Partnership were the recent revolutionary developments in North Africa and Middle East which in many cases resulted in abolition of authoritarian regimes. What in this regard is more important is the fact that the main attention of European politicians and societies has been directed to the EU Southern Neighborhood and the area behind the Eastern border of the EU is not in the center of their interest.

Does it therefore mean that the EU Eastern Partnership advocated by Poland and Sweden has lost its *rationale* and sense? That the key priority of the Polish Presidency in the EU is doomed to fail? It should be noted that the situation is very difficult but not hopeless.

4 How to defend Eastern Partnership?

Firstly, Poland's Western partners in the EU whose attention is focused upon the Southern neighborhood have to be persuaded that policy of Eastern Partnership is in the interest of the whole Europe, not only Poland. The developments and revolutions in North Africa and Middle East clearly show what might be the consequences of toleration and support of authoritarian regimes by the European Union. It is possible that such riots and demonstrations might happen in Eastern Europe quite soon.

Secondly, Poland is an advocate of symmetrical treatment of both Southern and Eastern neighborhood of the EU. In other words, the two elements of the ENP should be recognized as equally important, mutually enriching and synergetic. Moreover, the Union's experience of promoting democratic reforms in the countries of our Eastern neighborhood should serve as a template for the South. Also, the experience of democratic transition and know-how acquired by the Central and Eastern European states "constitutes a highly valuable political capital to be used especially in those domains which pose challenges to the reform processes in both the Eastern and the Southern neighborhood"²¹. Building around Europe a ring of democratic and prosperous countries is a vital security and economic interest of the EU. The member states of the EU should care to the same extent about every neighbor, whatever its geographical position is. Therefore, both East and South require symmetric attention and financing²².

Poland is in favor of a revised and reformed ENP which must focus more on a tailor-made and flexible approach towards each of the EU neighbor's specific political, social and economic reform priorities. Equally important is the postulate that the distribution of resources must be tied with the conditional principle of 'more for more' which should thereby establish a practice of mutual engagement between the affected parties.

Progress in development of democracy, human rights, fight against corruption, and the rule of law would be a precondition for the EU support, rewarding those countries which follow the agreed reform plans. Also, the benchmarks must be adjusted to the specific situation of the Southern and Eastern Neighborhood countries, which depart from very different positions.

Moreover, the new value-based neighborhood policy has to have considerably more respect for ordinary citizens of the ENP countries and must be less tolerant or permissive of authoritarian and façade-democratic regimes. Societies rather than governments should be in the center of its attention. The new program is to change the type of policy from a bureaucratic

²¹ Saryusz-Wolski, J. (2011): Non-paper on the European Neighbourhood Policy's Eastern dimension, "Europe's World", 30.05., p. 2.

²² Ibidem.

distribution of resources into “creating 'living laboratories' with common EU and Eastern Partnership thematic clusters addressed to targeted actors”²³. The Review of the ENP issued in May 2011 pays an emphasis on civil society as a crucial component for change and democratization. Its key innovations involve setting up a Civil Society Facility and the European Endowment for Democracy, promoting media freedom by supporting civil society organizations' use of electronic communications. However, a clear plan for such support is needed, and the role of the Civil Society Forum should be better defined as a representative body of CSOs²⁴.

Thirdly, there is a question how the program of Eastern Partnership should be made more attractive for the partner countries themselves. What is to be done in order to bring these countries closer to the EU? First of all non-governmental organizations must be treated as institutional partners of the EU. A bottom-up approach should also strengthen a grassroots European vocation, creating a push for reform in some EaP countries through social pressure on governments. In order to realize this goal a visa-free regime for EaP citizens should be established. The visa liberalization policy should be properly implemented, especially by reducing bureaucracy and the costs involved in getting Schengen visas, and by facilitating people-to-people contacts.

Fourthly, a greater support and interests of EaP partners themselves would be required and useful for more effective realization of the program. So far, some countries perceive their future in close cooperation with Russia rather than in integration with the European Union. Thus, EaP will be determined in the largest measure by the political will of the states to which the project is addressed.

CONCLUSIONS

There are several obstacles concerning the realization of the Eastern Partnership policy which was one of the priorities of the Polish presidency in the European Union in 2011. The important obstacle is the financial and economic crisis which leads to the result that the main concern of member states is focused on ways to overcome it in the foreseeable future. There is also a lack of interest of majority of member states in developments in the Eastern vicinity of the European Union and a low support for any programs designed to change the situation there. On the EaP partners' side we see that some of them are eastwards oriented perceiving their future in close cooperation with Russia rather than in integration with the European Union. Yet, the greatest obstacle for Eastern Partnership are the recent revolutionary developments in North Africa and Middle East which in many cases resulted in abolition of authoritarian regimes. As a result the main attention of European politicians and societies is directed to the EU Southern neighborhood.

In these difficult conditions there are however some possible ways of improving the situation. Warsaw keeps trying to persuade its Western partners in the EU that policy of Eastern Partnership, including Belarus, is in the very interest of the whole Europe, not only Poland. The developments and revolutions in North Africa and Middle East clearly show what might be the consequences of toleration and support of authoritarian regimes by the European Union.

Poland is in favor of symmetrical treatment of both Southern and Eastern neighborhood of the EU. The two dimensions of the ENP should be recognized as equally important and mutually enriching. The revised and reformed ENP has to be focused more on a tailor-made and flexible approach towards each of the EU neighbor's specific political, social and economic reform priorities. The new neighborhood policy has to have considerably more

²³ Ibidem.

²⁴ Lada, A. (2011): Towards a stronger role for civil society in the Eastern Partnership, "Policy Brief", European Policy Center, July, p.1.

respect for ordinary citizens of the ENP countries and must be less tolerant or permissive of authoritarian regimes. Societies rather than governments should be in the center of its attention.

The program of Eastern Partnership should be made more attractive for the partner countries themselves. In order to reach this goal all NGOs must be treated as institutional partners of the EU. A bottom-up approach should also strengthen a need for reform in some EaP countries through social pressure on governments. Finally, a greater support and interest of eastern partners themselves are required. They would be very helpful for a more effective realization of the whole program.

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