
Kamil Szubart *

Introduction

The results of the 2015 presidential and parliamentary elections in Poland have brought a change in the political scene in Poland, which will determine the future of Polish foreign and security policy as well as Poland’s position in the European Union and NATO in the next four years. For the first time in history since the political transformation in Poland and other Central and Eastern European countries, the winning party – Law and Justice (PiS) has reached an absolute majority in the parliamentary election, will govern alone for the next four years. Based on the official results (released on October 27, 2015), Law and Justice had been supported by 37.58 percent of the vote, putting it far ahead of the current ruling party – Civic Platform (Platforma Obywatelska) with 24.09 percent. Therefore, the results would give Law and Justice 235 seats, against 138 seats for Civic Platform, in the 460-members lower house (Sejm), and 61 seats in the 100-members upper house of parliament (Senat). Three other parties will also be sitting in the Sejm: Kukiz’15 (founded by a former leader of a populist party), United Left (Zjednoczona Lewica), and left-wing Democratic Left Alliance (SD). The Social-Democratic party, which had been supported by 37.58 percent of the vote, and the Liberal party were unable to reach the 5 percent threshold and thus will not be represented in the Sejm.

Moreover, the president remains Poland’s highest representative on international level (article 126) and the highest head of the Polish Armed Forces. The president is also involved in nominating generals and picking up the Chiefs of Staff of the Polish Armed Forces. However, the Chiefs of Staff are nominated for serving terms and each single change, e.g., replacements are required to have a counter-signature from the prime minister based on the defense minister’s opinion. Unfortunately, the vague wording of the article 133 remains unclear, caused misunderstandings between the Civic Platform government and President Lech Kaczyński in the years 2007–2010, concerning who should represent Poland on the highest level during the European Council Meetings.

The main bodies providing aid and support to the president in executing security and defense tasks are: the National Security Bureau (BBN) and the Chancellery of the President (Kancelaria Prezydenta RP). The National Security Bureau (BBN) provides advice and support, preparing short and long term analysis of the various security threats and risks, as well as organizing the National Security Council meetings, in accordance with the Constitution from 1997. The Chancellery of the President, on the other hand, is mainly focused on providing logistical support to daily routines of the president, planning his domestic and international visits, as well as organizing mass media briefings. Besides logistical and organizing matters, the Legal and Legislative Office of the Chancellery is responsible for preparing draft versions of legal acts to be introduced to the Sejm on the initiative of the president, analyzing all acts presented to the president for signing and formulating applications to the Constitutional Tribunal, the State Tribunal and the Sejm as well as preparing applications pertaining to ratifying or revoking international agreements.

Constitutional Matters: Who is a Driving Force of Polish Foreign and Security Policy

The constitution of the Republic of Poland from April 2, 1997, defines the Polish foreign and security policy as a main domain of the government and its ministries (article 146) in cooperation with the President of the Republic of Poland (article 133).

Security Challenges facing Poland in 2015 and beyond

The Polish foreign and security policy is based on three vital pillars: the membership in the EU with participation in CSDP, the NATO membership, and eventually the bilateral ties with the United States. The membership in both organizations, and the bilateral alliance with the US should be considered as the milestones of Polish foreign and security policy of the 21st century. However, Poland has taken steps to strengthen its own military capabilities and continue the modernization process of its army. In fact, the transformation of the Polish Armed Forces has been underway since the dissolution of the Warsaw Pact, whereas the NATO enlargement on March 12, 1999, and Poland’s accession into the EU on May 1, 2004, has opened a completely new chapter of these efforts. The Polish Armed Forces has bought foreign military equipment in large numbers, including: 48 American F-16 jet fighters in 2002, Finnish armored vehicles manufactured by Patria’s Armored Modular Vehicle, Israeli Spike anti-tank missiles, Swedish Saab RBS-15 Mk3 naval missiles, Norwegian Kongsberg NSM anti-naval missiles, German Leopard 2 tanks but also sold almost half of its military industry to western investors, e.g., Sikorsky Aircraft manufacturing and assembly facilities in Mielec (former Polish aerospace manufacturer – PZL Mielec), and an Anglo-Italian multinational helicopter design and manufacturing company AugustaWestland based in Swidnik (former PZL Swidnik).

Furthermore, Poland has invested heavily in its relations to the US military by supporting all American wars in the framework of the Global War on Terror (GWOT) after 9/11. Warsaw was one of the first nations to send its troops to Afghanistan during US operation Enduring Freedom and the Polish Special Forces Unit GROM was involved in the combat missions along US Navy Seals since the beginning of the US invasion of Iraq in March 2003. Subsequently to the collapse of the Saddam Hussein regime, the Polish Armed Forces launched the largest foreign operation since the World War II. For the first time in history, the Polish Armed Forces were responsible for the occupation zone called the South Central Zone, which had a population of about 5 million spread over 65,632 square kilometers, and was in command of the seventeen other nations taking part in the mission.

The EU and NATO enlargements have settled Poland along the NATO eastern flank as well as the
60-plus members of the anti-Islamic State coalition announced during the NATO Summit in Newport, September 4-5, 2014. It intends to politically support the fight, as well as through NATO membership, but Poland does not envisage soldiers and equipment (e.g. F-16s) participating in military operations against the Islamic State.

**European Union and its Security Challenges**

The strategy of former government led by Civic Platform (PO) and Polish People’s Party (PSL) was based on bringing Poland within the so-called EU mainstream by presenting Warsaw as a reliable, predictable and stable country, which belongs to the new EU member states, an offers a stable and constructive approach toward the EU and its security challenges. Poland’s EU policy under Civic Platform (PO) had been endorsed by the EU powers (especially Germany), which subsequently brought an appointment for the Civic Platform (PO) leader and Poland’s Prime Minister Donald Tusk as the President of the European Council on August 30, 2014. The selection for one of the highest personal position in the EU should be considered as a significant achievement for the new government’s strategy and Donald Tusk, but furthermore as an endorsement for Poland and its role in the EU. Paradoxically, the nomination of Donald Tusk for the EU office and replacing him in the domestic policy by Ewa Kopacz has triggered a constant turnaround of political support for his former party, bringing about the end of the 8-years long Civic Platform government.

Law and Justice on the other hand, the main opposition grouping in the parliament in the period of 2007–2015, is a supporter of Poland’s membership in the EU, however, it should be seen as Eurosceptic in a rhetorical term at least, because it struggles to defend Polish sovereignty and national interests from the EU dictates. The best example how national interests and sovereignty should be preserved according to Law and Justice is the Polish approach toward Poland’s accession into the Eurozone. The Greek economic crisis has undoubtedly affected not only the Eurozone, but also the new EU members aspiring to impose the common currency in the near future, all of whom Poland is the most populous and the strongest economically country. Law and Justice represents a different approach toward the deepening of the European integration, where the adoption of the euro single currency can be seen as a next momentous step to strengthen it. Moreover, Law and Justice still puts a Greek card onto the negotiation table, by arguing that the Greek accession into the Eurozone, has subsequently brought economic difficulties and consequently the Grexit would be a black scenario for all of the 28 EU member states. While there is still overwhelming support for the Polish membership within the EU, most of the Polish people are also opposing their country joining the Eurozone.

The EU migration crisis seems to be the next security challenge for the EU and its member states, especially with regard to the Polish resistance toward against the EU quotas (7,500 refugees within 2016–2017). According to Law and Justice’s leaders, Poland is an overwhelmingly Catholic country with a small number of ethnic minorities, which means, Poland and its institutions are not enough prepared to host non-European refugees, who were observed as having difficulties to assimilate in France, the UK or even in Germany. On the other hand, Law and Justice intends to help and support to the Polish Diaspora in the former Soviet republics. At that time, Law and Justice supreme leader Jaroslaw Kaczyński warned that refugees could spread infectious diseases, and according to him, there are already signs of emergence of diseases that are highly dangerous and have not been seen in Europe for a long time: cholera on the Greek islands or dysentery in the Austrian capital, Vienna, and even more severe diseases. Indeed, health workers are really worried about the risk of disease especially spreading at the camps for thousands of asylum-seekers on the Greek islands (Lesbos and Corfu) and along the Serbian-Hungarian border. However Jaroslaw Kaczyński’s rhetoric should be seen as an overestimate of the refugees’ health condition and to be focused on domestic political aims. Thereupon, the new Law and Justice government, having an absolute minority in the Sejm, would be able to block the EU migration quotas and conduct more assertive politics toward the EU institutions and the EU driving force – Germany.

Considering the EU crisis management capabilities and its CSDP, NATO will be considered as a cornerstone of the Polish foreign and security policy, especially in the context of hard power threats. Indeed, Poland will be continuing its support to adopt the new EU Security Strategy in late 2016 to replace the current strategic document from 2003. Unfortunately, the Polish attention will be transferred from the CSDP toward NATO as well as toward strengthening the capabilities. A significant attention to NATO will be seen in the early 2016 vis-à-vis the NATO Summit in Warsaw (July 8-9, 2016).
No doubt, Poland will still be involved in the EU Battlegroups (Weimar Battlegroup, Visegrád Battlegroup, and the German-Latvian-Lithuanian-Polish-Slovak EU Battlegroup), however the participation in NATO training exercises and the VJTF (Very High Readiness Joint Task Force) in the framework of the NATO Response Force would be prioritized by President Andrzej Duda and Beata Szydło’s government.

**Strengthening Nato Eastern Flank**

During the presidential campaign and his running for office, Law and Justice’s candidate Andrzej Duda announced new steps to ensure Poland’s national security within NATO as the so-called NATO Plus. What does actually NATO Plus mean according to the Polish president? President Andrzej Duda and his Minister in Charge of International Affairs, Krzysztof Szczerski as well as the Head of the National Security Bureau (BBN) Paweł Soloch, openly criticized the former President Bronisław Komorowski and the government led by Prime Minister Ewa Kopacz for the disappointing outcomes at the last NATO Summit. According to him and other Law and Justice politicians, Poland has not taken all necessary steps to ensure its national security during the NATO summit in Wales, despite the negative signals sent from Western Europe allies as well as the US before the summit in Newport. Based on the agenda of the “NATO Plus” doctrine, President Andrzej Duda claims that NATO equipment and NATO troops should permanently be deployed to Poland. The Presidential Minister Krzysztof Szczerski subsequently developed these thoughts by saying that “NATO troops deployment to Poland” should be understood as the shift of the US units from Germany into Poland. More information on this enigmatic initiative was released during President Andrzej Duda’s visit to Tallinn on August 23, 2015, where he said that it is necessary for NATO to deploy permanent troops on its whole eastern flank. Despite the official declarations and Polish newspapers’ leaks from the Presidential Palace and the National Security Bureau (BBN) still remains unclear what sort of steps should be taken in order to convince the other NATO member countries to accept the Polish domains during the NATO Summit in Warsaw. In addition to this, in January 2015, US Department of Defense announced that it will close at least 15 military facilities through Europe/According to the Supreme Allied Commander Europe, US forces’ present in Europe should remain overall at approximately 67,000 troops, mostly in Germany, due to US defense spending cuts within 2015–2016.

The new Law and Justice government in cooperation with President Andrzej Duda will be continuing the modernization program of the Polish Armed Forces initiated by President Bronislaw Komorowski in September 2013 (the Komorowski Doctrine). The strategic program provides for more than 43 billion dollars which will be invested in the years 2013–2020 and it seems to be the most ambitious military modernization program in recent decades. It is based on three pillars: short and medium range air-missile systems, increasing air mobility of the Polish Armed Forces – new multi-purpose and combat helicopters to replace Russian made machines (Mi-8, Mi-17, Mi-24) and cyber-security.

The most ambitious programs are dedicated to the modernization of the short and middle range air missile systems, the so-called Shield of Poland (Tarca Polski) and will be envisaged as a 3-tier system. The first and lowest tier involves shoulder-fired Grom (Thunder) missiles. Poland’s Grom is reportedly the product of some unauthorized changes from Russia’s SA-18, with local Polish changes and improvements, and is designed to strike the aircrafts and helicopters flying at low altitudes. The second part of the first tier will be supported by radar-aided 23mm guns (PILICA system), or integrated on truck-mounted quad launchers (Poprad system). The next (second) tier is known as the NAREW program, and it involves up to 11 batteries of short range conventional air defense missiles. The final decision on a winning system should be made in early 2016 from one of the competitors: Diehl (IRIS-7 SL), MBDA-Bumar (VL-MICÂ), Israel’s Rafael (Spyder/Iron Dome), and American’s Raytheon (NASAMS). The third and the most expensive (8 billion dollars) tier is known as the WISLA program and in this “medium range” (300 kilometers plus) competition up to 8 batteries will act as both long-range air defense and point defense against short to medium range ballistic missiles. On April 20, 2015, the Polish Ministry of Defense announced that the nation will also be choosing the product of some unauthorized changes from Russia’s SA-18, with local Polish changes and improvements, and is designed to strike the aircrafts and helicopters flying at low altitudes. The second part of the first tier will be supported by radar-aided 23mm guns (PILICA system), or integrated on truck-mounted quad launchers (Poprad system). The next (second) tier is known as the NAREW program, and it involves up to 11 batteries of short range conventional air defense missiles. The final decision on a winning system should be made in early 2016 from one of the competitors: Diehl (IRIS-7 SL), MBDA-Bumar (VL-MICÂ), Israel’s Rafael (Spyder/Iron Dome), and American’s Raytheon (NASAMS). The third and the most expensive (8 billion dollars) tier is known as the WISLA program and in this “medium range” (300 kilometers plus) competition up to 8 batteries will act as both long-range air defense and point defense against short to medium range ballistic missiles. On April 20, 2015, the Polish Ministry of Defense announced that the nation has chosen the US Patriot PAC-3 (Raytheon) over the Aster 30 (European consortium of MBDA and the Thales Group). Regarding the NAREW system and the last decision linked to the WISLA system, it should be highly expected that the nation will also be choosing the product offered by the Raytheon or Israel’s Rafael with its Spyder/Iron Dome system.

In April 2015, Defense Minister Tomasz Siemoniak (Civic Platform) has signed a provisional agreement with Airbus Helicopter for delivering fifty EC-725 Caracal multi-purpose helicopters, and turning down offers from US Sikorsky and AugustaWestland. According to the new Defense Minister – Antoni Macierewicz (Law and Justice), Airbus Helicopter will not guarantee enough benefits for the Polish industry despite the fact that in April 2015, Airbus Helicopter said to has planned to directly hire 1,250 people in Poland by 2020, and additionally create 2,500 jobs in the sector in connection with Caracal tender. Given the final agreement has not yet been made, the new government would block a 3 billion dollars contract with Airbus Helicopter to supply the Polish Armed Forces with multi-purpose machines and to choose subsequently US Sikorsky and its S70i Black Hawk and S70B Sea Hawk.

The new government led by Law and Justice will be also continuing to increase the military expenditures up to 2 percent of the GDP (according to the National Security Strategy from 2007, the Polish military expenditures should remain at 1.95 percent of the GDP), announced by President Bronislaw Komorowski during the official visit of US President Barack Obama in Poland in June 2014. An overall size of the Polish Armed Forces should be expected to remain at approximately 100,000 troops size (Land Forces – 47,000; Air Forces – 16,500; Navy – 7,600 and Special Forces – 3,000), despite the Law and Justice declarations during parliamentary campaign to increase the capability of the army up to 120,000 troops and the military expenditures up to 2,3 percent of the GDP.

**Sharpening Policy towards the East and Regional Cooperation**

The gap between Law and Justice and Civic Platform’s foreign and security policy could also be seen in their approaches towards relations with the Russian Federation. From a strategic point of view, both parties want to take steps to strengthen national security in response to Russia’s threats. On the other hand, there is a personal element at play as well a clash of the Polish Air Force One and President Lech Kaczyński’s death (Jarosław’s twin brother) along with 95 other people, including many prominent Law and Justice politicians, in Smolensk, on April 10, 2010.

Law and Justice therefore seeks to sharpen national foreign policy as well as the EU and NATO policies toward the Russian Federation and its aggressive steps in Eastern Europe, especially in the context of the Ukrainian crisis. Regarding this, Civic Platform government and its Foreign Minister Radoslaw
The position of the Law and Justice government toward the regional cooperation will be shaped by the participation in the Visegrád Group (V4). First of all, Poland will take steps to enhance bilateral and multilateral relations between the Czech Republic, Hungary, Slovakia and Poland and to achieve a common approach toward the EU refugees crisis. The Hungarian, Czech and Slovak governments have opposed the European Commission's plans to redistribute refugees throughout the EU, causing a major rift inside the EU. The Polish approach toward the EU migration crisis under the Civic Platform government and Prime Minister Ewa Kopacz had been unclear rather hesitant in the past two months. During the Visegrád Group meeting in the Czech capital, Prague on September 4, 2015, Prime Minister Ewa Kopacz first declared a policy of resistance to the proposals of the refugees quotas, afterwards the Polish government changed its mind and decided to accept up to 7,500 refugees during the EU interior ministers meeting held in Brussels on September 22, 2015, what could be seen as the fracture of the Visegrád Group's solidarity. Secondly, Poland seeks to strengthen the common threat perception with regard to the Russian Federation and its aggressive moves toward the former Warsaw Pact members and the Baltic States, despite the fact that Viktor Orban’s Hungary is moving dangerously close to the Kremlin. Indeed, Orban’s Fidesz and Law and Justice are from the same political family, however, both parties exemplify the significantly different approaches on how to develop relations with Moscow based on several factors, including a personal determinant – the Smolensk crash.

The cornerstone of these efforts was the mini NATO summit in Bucharest held on November 4, 2015, which brought together the heads and leaders of nine NATO members from Central and Eastern Europe and the NATO’s Deputy Secretary General Alexander Vershbow, in order to discuss the armed conflict in eastern Ukraine. Although the efforts taken by the Duda administration aimed to show the determination to increase Poland’s role in the region, those steps should not be considered as a crucial shift within the Polish foreign and security policy, because strengthening cooperation between the Visegrád Group and deepening cooperation with Romania were initiated during the Komorowski’s presidency in the years 2010–2015.

Conclusions

The recent years (since Poland’s accession into the EU) were a period of gradual growth, which saw the strengthening of Poland’s role in the EU and NATO. Poland’s GDP has reached over 60 percent of the EU member states average. Since the 2004 EU enlargement, the power had been taken by Social and Liberal Democrats (Sojusz Lewicy Demokratycznej) until 2005, Law and Justice in the years 2005–2007, and the government led by Civic Platform between 2007 and 2015. Therefore, all of these parties had been actively contributing to the national growth. Since Poland’s accession to NATO in 1999, Warsaw has become a valuable and credible NATO member, taking part in all American wars following the 9/11 terrorist attacks on the United States in the Global War on Terror (GWOT) as well as the ISAF mission in Afghanistan. NATO is the cornerstone of Polish foreign and security policy, therefore Polish efforts to reassure the national security within NATO will be continued by the Law and Justice-led government in cooperation with President Andrzej Duda. This will certainly have a great impact on the preparations for the NATO Summit in Warsaw next year. The second pillar of Polish foreign and security policy will remain the EU, despite the fact that Law and Justice is more Eurosceptic than its predecessor. However, it is rather unlikely to take any radical steps that would be in conflict with the EU and its institutions. Still, Law and Justice and President Andrzej Duda claim that Poland needs to be more assertive in advancing its national interests contrary to the European mainstream politics, which seem to be driven by Germany and Chancellor Angela Merkel. The EU security challenges will definitely be shaping the Polish approach toward the EU and the European integration. The expected tensions between the EU institutions and the so-called EU mainstream versus Poland might occur in response to the EU migration quotas accepted by Poland during the EU interior ministers meeting in Brussels in September 2015.

Indeed, the priorities of Polish foreign and security policies will be focused on the strategic triad: NATO, the EU and the bilateral relations with the United States. However during the 57th session of the United Nations General Assembly held in New York, September 25–29, 2012, Poland’s Foreign Minister Radoslaw Sikorski launched the promoting Poland’s candidacy for a non-permanent United Nations Security Council member in the years 2018–2019. In this respect, Poland’s efforts will be continued by the political successors. It became clear from the President Andrzej Duda’s address at the 70th session of the United Nations General Assembly on September 28, 2015, Poland is in favor of reforming the United Nations Security Council in order to improve its efficiency in preventing conflicts in the world.

Regarding the permanent deployment of US troops to Poland, some Western allies (especially Germany and France) are opposing to move US units into the region, citing the Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation signed in Paris on May 27, 1997, that say it would be a clear signal to provoke the Russians to take further aggressive steps.

* Kamil Szubart is ERASMUS intern at the AIES