



REPORT

THE POLISH INSTITUTE OF INTERNATIONAL AFFAIRS
INSTITUTE OF POLITICAL STUDIES OF THE POLISH ACADEMY OF SCIENCES
NORWEGIAN INSTITUTE OF INTERNATIONAL AFFAIRS

POLISH AND NORWEGIAN GOVERNANCE: CLOSING THE GAPS

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Introduction

This study is inspired by an experimentalist approach to governance. It looks at Poland and Norway to find out how domestic vulnerabilities and international gaps in the management of cross-national challenges can be identified and closed. In so doing it provides preliminary answers to the four key questions of the GoodGov project:

1. To what extent is Polish and Norwegian governance in three key policy areas (migration, energy, security) proactive or reactive?
2. How could governance experimentalism, learning and revision improve the situation?
3. What can the two countries learn from each other?
4. How can they coordinate their policies on the European level in the three fields?

To this end, we first briefly explore the overall state of governance in Poland and Norway using one of the most recognized governance indices, the World Governance Indicators (WGI). We put Norway's high WGI ranking and Poland's lower ranking largely down to the absence of learning-mechanisms in Poland, a field in which Norway excels.

Having established the importance of learning mechanisms for good governance, we map out their governance practices in the management of security, energy and migration. We pay particular attention to two aspects in which experimentalism and learning can be especially useful—domestic governance vulnerabilities and international governance gaps.

By “governance vulnerability” we mean a governance-related exposure to negative trends, influences or threats. Governance vulnerabilities can, in other words, be understood as soft spots of national governance systems that expose them to some potential risks and therefore require some measures to be taken to minimize those risks.

We define “governance gap” as a disparity between countries in their governance practices, in this case Poland and Norway. In our overall assessment of Poland and Norway we rely on the WGI to highlight these disparities. In the subsequent detailed analyses of the three fields of migration, energy and security we rely more on our own assessment.

The text addresses not only governance-related issues in the three fields through the lens of the GoodGov project but also explores more general governance-related questions in the Polish–Norwegian bilateral context, as well as the impact of the two countries' various forms of affiliation with the EU on their national systems of governance and their ability to influence EU governance.

In order to be able to compare governance in Poland and Norway, one needs to look at the impact various factors have had on the current state and at how governance in the countries is assessed by various actors. The recent history of state-building in both countries, their geographical location, geopolitical experience and political culture as well as their participation in various international organizations are some of the most important factors shaping their governance, but current institutional designs and international obligations and commitments also have a direct impact on actual governance practices at the national level.

What makes comparing governance in Norway and Poland even more interesting is the fact that the two countries, notwithstanding some apparent similarities, do not necessarily have the same or overlapping interests. In terms of security, their interests seem to strongly overlap as they both treat NATO membership as the most important element securing their existential interests in that sphere. However, the situation is quite different in the two remaining fields. On energy, Norway belongs to the club of major producers and exporters, while Poland is increasingly dependent on supplies of energy from abroad. On migration, Norway is one of the key receiving

countries while Poland, after the 2004 EU enlargement, has become one of the most important European sending countries. It is therefore plausible to expect that Norwegian and Polish interests in these three fields may be defined at least somewhat differently.

This in turn may have an impact on how governance in these three fields is organized in each country, on how each one may cooperate in addressing these questions in various international forums and frameworks, especially in the EEA/EU, and last but not least, on what policymakers in both countries would be willing, interested in or able to learn from each other. As the issue of governance-learning is one of the key questions addressed in the GoodGov project, it is important to be aware of these structural differences and the impact they have on the transfer of governance-related knowledge between the two countries.

This knowledge can be transferred in various manners, through direct contact between policymakers in the bilateral context as well as through cooperation in various multilateral frameworks, such as the EU/EEA or NATO. As Poland and Norway have chosen various forms of affiliation with the EU—the former is a full-fledged member and the latter is an “affiliated” EEA member—this may also have some impact on how they may be able to cooperate and on how governance-related knowledge may be transferred via others in the process of experimentalist governance, which is described as “learning from difference.”¹

¹ Ch. Sabel, J. Zeitlin, “Learning from Difference: The New Architecture of Experimentalist Governance in the EU,” *European Law Journal*, 2008, no. 14 (3), pp. 271–327, available at: www2.law.columbia.edu/sabel/learning%20from%20difference%20ELJ%202008.pdf.

Executive Summary

The study shows that Poland and Norway have to cope with various governance vulnerabilities and face different challenges. Thus, both countries should adopt some country-specific and joint measures to reduce their governance systems' exposure to the negative impact of unfolding domestic and international situations. According to the WGI assessment, Norwegian governance is much more effective than Poland's. This suggests the possibility to transfer governance-related knowledge and best governance practices between Norway and Poland in such a manner that could help Poland close at least some of the identified governance gaps.

Poland and Norway could and should further cooperate so as to have a potential positive impact on security, energy and migration in bilateral relations and at the EU level. On security, Poland and Norway have matching interests, as they are members of the same alliance but countries that need to import security, due mostly to their locations and lack of sufficient resources to cope with potential worst-case scenarios. They cooperate closely in the Alliance, have expressed similar concerns for its future, proposed similar solutions and face a resurgent and more confrontational Russia, one that has recently challenged the existing post-Cold War order in Europe with its annexation of Crimea.

On energy, the picture is more complicated. Norway's interests as a producer and exporter of energy do not necessarily correspond with Poland's, but they are, however, complementary at a certain level. Poland has many times expressed interest in tightening energy cooperation with Norway, and energy supplies from Norway are treated by Poland and the rest of the EU as politically much safer than those coming from other sources. Energy cooperation between Norway and Poland could therefore help Poland deal with at least some of the energy governance-related challenges. Such cooperation could also improve Poland's overall security in a situation in which both the national and European debates on the importance of energy security has gained momentum in the wake of the Russia–Ukraine conflict, one that involves the top outside energy supplier to Europe and the most important transit country. In addition, Poland, which strives to put in place an institutional and legal framework for the potential extraction of shale gas, can still learn from the Norwegian experience with its organization of the country's "hydrocarbon governance" system, deemed one of the most effective in the world.

Migration over the last 10 years, after the 2004 enlargement, has become the strongest human link between Poland and Norway. With almost 100,000 Polish citizens having settled in Norway, today they compose 2% of Norway's population. It would therefore be beneficial for both Polish and Norwegian state authorities to work closer together when addressing migration issues. An important step in that respect is to learn how migration-related issues are dealt with in both Poland and Norway. Only when those involved in shaping national migration policies and national systems of migration governance have learned more about how the systems are organized in each other's country can they engage in purposeful cooperation, identify overlapping, corresponding, complementary or conflicting interests, and work together to make the European system of migration governance work for their benefit. However, Polish and Norwegian perspectives on migration differ. Poland, as a sending country, has to deal with a different set of issues compared with Norway, a receiving country facing a completely different set of migration-related challenges. Nevertheless, Poland still can learn much from Norway when it comes to migration governance. Faced with a huge outflow of its own citizens, Poland will have to embark on setting more active migration policy and encourage citizens of other countries to come to Poland to fill the demographic gap. Here, learning from Norway's experience as a receiving country could help Poland avoid some migration-related pitfalls and traps.

Overview: The Countries in Context

Historical context of Polish and Norwegian governance:

- During the formative period of modern nation states, both were under external rule (Norway by Sweden, and Poland by Prussia/Germany, Austria and Russia). Both countries (re-)gained independence at the beginning of the 20th century (Norway in 1905 and Poland in 1918) and Norway has enjoyed full sovereignty ever since, with the exception of 1940–1945, when the country was occupied by Nazi Germany. Poland was independent between 1918 and 1939, then was occupied between 1939 and 1945, after which it became a Soviet vassal state until 1989, when it regained full independence.
- Poland's experience with the imposed communist regime and associated lack of real political and economic competition, rule by a single party, and mostly state-driven economy, has resulted in a deep cleavage between the society and the state, marked by a high level of distrust and relative lack of political engagement. Due to a scarcity of resources, the need to focus on a limited number of issues of vital importance and the post-communist legacy, there has been only limited progress in implementing best governance practices, which helps explain why Poland still lags many countries in this area, including Norway.
- In the post-war period, Norway benefited from strong democratic institutions, strong societal identification with the state, the introduction of the Norwegian variant of the Nordic model of sustainable development and welfare state, and the discovery and exploitation of huge petroleum resources on the Norwegian continental shelf. Norway avoided the pitfalls of rich natural resources as the country has had a long tradition of democracy and had a market economy in place even before the advent of the petroleum resources era. Large-scale rent-seeking was averted, as oil was defined as common property from the start and the state has remained owner, decision-maker, licensor and developer.

General comparability of Norway and Poland:

- Poland and Norway are of similar size (300,000 sq. km) and generally classed as medium-sized European countries. Norway lies in the northern part of Europe, and borders Russia, Finland and Sweden. Poland, situated in the heart of Europe, is bordered by Germany, the Czech Republic, Slovakia, Ukraine, Belarus, Lithuania and Russia. Both countries have access to the sea, for Poland the Baltic Sea and Norway the North, Norwegian and Barents seas.
- Both countries have heads of state with relatively limited powers, the king in Norway (Harald V since 1991) and president in Poland (Bronisław Komorowski since 2010); both are unitary parliamentary democracies with strong prime ministers, at present, Erna Solberg in Norway, since 2013, and Donald Tusk in Poland, since 2007.
- Both countries are market economies, albeit with different levels of state involvement. Their populations differ (5 million in Norway and 38 million in Poland) and in wealth measured in GDP per capita (\$54,000 in Norway and \$20,600 in Poland per capita, by purchasing power parity).
- At present, both are NATO members and parties to the EU's Schengen agreement. While Poland is a full EU Member State, Norway has chosen to stay out of the EU but has joined the European Economic Area and signed more than 70 other agreements with the EU.

Points of cross-over in the security field:

- Norway and Poland are both NATO members that have signalled their interest in returning NATO's focus to its original core task of collective defence. The recent developments in

Ukraine, with Russia's annexation of Crimea and continued instability and growing tension between Russia and the West, have confirmed that agenda.

- Both Norway and Poland have shown interest in strengthening the transatlantic security link and are among the NATO members who are deemed to approach the issue of burden-sharing in the Alliance in the most constructive manner.
- In order to make NATO more efficient in addressing two of its other core tasks—crisis management and collective security—Norway and Poland need to strengthen cooperation between NATO and the EU.
- Both Norway and Poland have engaged in various forms of regional cooperation in security—Nordic Defence Cooperation (NORDEFECO) for Norway, and the V4 for Poland. Both Norway and Poland should identify areas of possible cooperation between these two regional frameworks and exchange relevant experience from this type of cooperation.
- Both Norway and Poland have shown engagement in the work of the OSCE as the sole regional multilateral security organisation in which all European countries are present. OSCE also has a key role in the areas of collective security and crisis management.

Points of cross-over in the energy field:

- Norway is a significant global exporter of crude oil and natural gas, whilst Poland imports predominantly natural gas and oil from Russia. There is thus scope for them to exchange knowledge to better coordinate their energy policies and improve their understanding of global energy market developments.
- Poland, as a potential supplier of energy from shale gas, could adapt some of Norway's institutional solutions to design a system to manage the exploitation of its domestic resources.
- There is a potential overlap of interests when it comes to EU energy security, and the Polish-sponsored idea of an EU energy union could set the framework for closer cooperation between the EU and Norway. Nevertheless, Norway's interests as a producer and exporter are not always compatible with the interests of the EU, which uses its market power to improve import conditions.

Points of cross-over in the migration field:

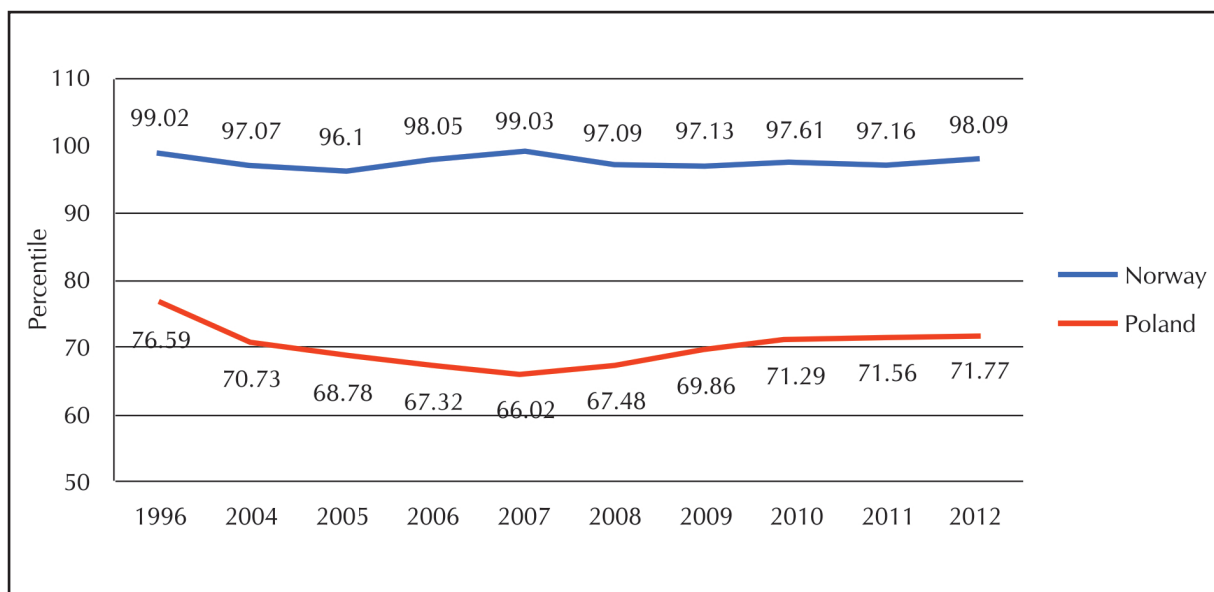
- The large and growing Polish diaspora in Norway demands close cooperation between the countries, especially in terms of understanding the motives and strategies of Poles. As this aspect of labour migration is regulated by the EU, the two countries should be interested in the EU adopting measures that will help both countries deal with their concerns as sending or receiving countries.
- Poland will have to address several demographic issues and encourage more migration, therefore it will face problems related to a growing population of immigrants and the need for their integration. Norway has much experience as a receiving country and its governance experience in the migration field may help Poland avoid some of the migration governance-related traps.
- On the EU level, Poland and Norway may utilize 10 years of free movement experience and define a common ground for cooperation, for instance by addressing the issue of welfare shopping and emigration in such a manner as to accommodate the interests of both sending and receiving countries in the EU.

The Importance of Domestic-Learning Mechanisms

The World Governance Index (WGI) is the world's most comprehensive index of its type, presenting the state of governance in 215 polities. It covers the period between 1996 and 2012 and presents aggregate and therefore at least partly comparable governance indicators in six categories ("Voice" and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption). These aggregated governance indicators are based on various studies and rankings conducted regularly by recognized bodies, expert groups and media. WGI data can therefore be used "as a first tool for broad cross-country comparisons and for evaluating broad trends over time."² For our purposes, however, that breadth is also something of a weakness. First, our particular focus is on governments and their capacity to define good policies, rather than on the overall governance set-up. **In particular, we pay special attention to the capacity of the government to effectively formulate and implement sound policies in three areas—national security, energy and migration.** Second, WGI data do not provide much by way of background or policy-specific factors. Third, we are interested in the particular challenges of governance in Europe, rather than worldwide. This section thus draws on WGI data only for a general analysis, while later sections will provide missing details.

According to WGI, the state of governance is radically different in Poland compared to Norway. Norway is consistently at the peak of the rankings, reaching sometimes 100% on some scores. By contrast, in Poland, even though since about 2007 all six dimensions seem to be slowly improving, there are still deep governance-related gaps with Norway. It has varied significantly in this period and ranges between 38% (Rule of Law, 2007) and 10% (Political Stability, 2012).³ The disparity remains visibly large and quite stable, especially in the government effectiveness dimension—between 2007 and 2012, Poland was estimated to improve by only 6% (see figure below). It may also seem that Poland's potential to improve its governance has reached a limit and in order to make the next step some additional reforms and some transfer of governance-related knowhow may be needed. Structural differences notwithstanding, Norway, with its very high governance ranking, may be regarded as a role model for Poland, at least in some fields.

WGI government effectiveness Norway and Poland 1996; 2004–2012



² See: <http://info.worldbank.org/governance/wgi/index.aspx#faq> (accessed 10 February 2014).

³ For more details on governance gaps between Poland and Norway as viewed in the WGI, see the tables in the appendix to this document.

Poland: A lack of effective institutional-learning capacities

The reasons for Poland's weak WGI results are manifold, but in our view they stem especially from the lack of a permanent, general, review and evaluation system of institutional performance. Poland, especially after the transformation process, has not been able to implement adequate and general mechanisms of institutional learning, a restriction which limits its strategic-state capacity.⁴ This prevents it from learning from its own and others' experiences. Instead, the learning has been reactive, based on adaptation to externally-imposed criteria and parameters (e.g., EU accession process and EU policy implementation programmes).

There are, of course, historical reasons for this. The state of governance in Poland was neither a public nor a political issue until 2002, and the lack of a learning mechanism was perhaps understandable. This is less the case today, following two high-profile events. The first was the "Rywin's lobbying affair." This incident showed how certain things could be achieved relatively easily by those who were in personal, political or economic relationships with public decision-makers. It helped to lift support for two new political parties—Law and Justice (*Prawo i Sprawiedliwość*), which won the 2005 parliamentary elections, and Civic Platform (*Platforma Obywatelska*), which came in second. The second event was the crash of the Polish government airplane near Smolensk on 10 April 2010 in which 96 high-ranking public figures lost their lives, including President Lech Kaczyński and his wife. Official reports revealed that state institutions were not working properly even when it came to the security of the most important political leaders in the country.

There are, however, signs that learning-mechanisms are being introduced. Today, at least nine integrated strategies are being developed. They concern different substantial fields, including general state efficiency, energy and security (but not migration). An OECD report on Polish strategic state-capability presents a long list of means by which the strategies could be implemented effectively.⁵ It argues for whole-of-government and evidence-based decision-making, and proposes tools such as risk-assessment, systematic *ex post* evaluation of regulations and regular reviews of the stock of regulations to measure their continued relevance, utility, effectiveness and efficiency in the achievement of policy outcomes; and systematic full *ex ante* consideration of alternatives to regulation. The implementation of these measures should result in the substantial strengthening of Polish governance capabilities. Also, private companies and international organizations are taking part in the process of enhancing the effectiveness of the Polish state.⁶ All strategies, however, are far from a form that would enable their direct implementation and evaluation.

Norway: governance review and learning

Unlike in Poland, a number of comprehensive official and non-official studies on the state of governance in Norway have been undertaken in recent times. Two official studies on power—*maktutredninger*—were conducted between 1972 and 1981, and then between 1998 and 2003.⁷ In addition, the *Study on Power and Globalization (Makt-og globaliseringsutredningen)* was conducted in the same period (1998-2003) by a group of independent scholars, focusing on various

⁴ A.Z. Kamiński, J. Stefanowicz, "Syndrom słabości państwa: wydolność strategiczna Polski XXI wieku" [State Weakness Syndrome: Polish strategic capacity in 21st century], *Ruch Prawniczy, Ekonomiczny i Społeczny*, 2011, no. 4, pp. 11–39.

⁵ *Poland: Implementing Strategic-State Capability*, OECD Public Governance Reviews, OECD Publishing 2013, available at: <http://dx.doi.org/10.1787/9789264201811-en> (accessed 20 March 2014).

⁶ Among the most active is Ernst and Young, which launched its programme for state effectiveness "Sprawne Państwo. Program EY" [Efficient State. EY Program]. All reports are available at: www.ey.com/PL/pl/Industries/Government-Public-Sector/Sprawne-Panstwo_Raporty (accessed 24 April 2014).

⁷ A complete overview of the publications produced by the second study on power can be found here: www.sv.uio.no/mutr/publikasjoner/andre.

aspects of power relations in Norway.⁸ The 2003 official study named challenges arising from transnational trends, including the fact that domestic governance was becoming less transparent, with a greater role being played by elite networks and greater fragmentation of the state. According to that study, globalization and Europeanization limit the role of democratically-elected authorities and give a greater say to state administrative bodies and strong market actors on the domestic arena, while supranational and transnational organs have greater impact on external governance. In order to respond to the challenges and adapt to the changing domestic and external circumstances, the Norwegian governance system has undergone an evolution between 1992 and 2007 that aims to make it more efficient.⁹

A subsequent study on the state of governance in Norway conducted by the Agency for Public Management and eGovernment (DIFI) in 2008¹⁰ drew attention to a new set of challenges: the greater integration of the work of the civil service and the political leadership, the professionalization of policymaking, and the greater relevance of communication challenges for policy implementation. A 2010 DIFI study¹¹ identified four key developments affecting the state of governance in Norway: the emergence of organs that were formally independent of political instruction; the emergence of organs that were informally independent of political instruction; the emergence of independent appeal tribunals and boards; and, the process of internationalization of national governance and exercise of authority. The question of how international governance frameworks influence national governance was addressed in the 2012 study *Outside and Inside. Norway's agreements with the European Union (Utenfor og innenfor. Norges avtaler med EU)*. This lengthy official government document presents the impact of European regulations on the practice of governance in Norway in many fields, including the three that are the focus of our study—security, energy and migration.

As in Poland, recent events have also triggered public debate on the government's effectiveness. The terrorist attack in Oslo and on Utøya on 22 July 2011, triggered much debate on security policy and crisis management.¹² The terrorist attack on the In Amenas gas facility in Algeria in 2013 in which five Norwegian citizens were killed raised the question of how Norway should cope with challenges linked to the greater internationalization of the Norwegian economy, including the greater international engagement of state-owned Statoil, raising issues pertinent not only to the state's and company's energy policies but also to the state's security and foreign policy. Norwegian participation in the "war on terror" in Afghanistan is another key topic of discussion on the future of the country's security policy and choices between expeditionary and collective defence-related objectives of the country's security and defence policy.

The impact of the EEA framework on migration to Norway has resulted in some calls for the need to revise the agreement or at least change some governance practices related to its implementation.¹³ The attempt at launching a huge carbon capture project in the Mongstad refinery that was presented as akin to a Norwegian moon landing but which had to be shelved due to the very

⁸ For a list of books published by members of this alternative Study on Power and Globalization, see: <http://bokkilden.no/SamboWeb/utvalg.do?term=serietittel:%22Makt-+og+globaliseringsutredningen%22>.

⁹ For a detailed study on that evolution, "Organisasjonsendringer i Staten 1992–2007," *DIFI Rapport*, 2008, no. 3, available at: www.difi.no/filearchive/difirapport-2008-03-organisasjonsendringer-i-staten-1992-2007.pdf.

¹⁰ "Forvaltningsutvalg 2007. Staten—Fakta om størrelse, struktur og endring," *DIFI Rapport*, 2008, no. 10, available at www.difi.no/filearchive/difirapport-2008-10-forvaltningsutvalg-2007_side-87.pdf.

¹¹ "Statlig men uavhengig. Myndighetsutøvelse gjennom forvaltningsvedtak," *DIFI-notat*, 2010, no. 1, available at: www.difi.no/filearchive/difi-notat-2010-1-statlig-men-uavhengig.pdf.

¹² For more details on the conclusions of the Commission on the events of 22 July, see www.regjeringen.no/smk/html/22julikommisjonen/22JULIKOMMISSJONEN_NO/INDEX.HTM.

¹³ For an interesting study on the expected impact of migration, including labour migration from the EEA area presented by The Welfare and Migration Committee, see www.regjeringen.no/upload/BLD/IMA/Velferdsutvalget/NOU_Velferd_og_migrasjon.pdf. An English translation of the conclusions is available at: www.regjeringen.no/upload/BLD/IMA/nou_2011_7_perspective_andsummary.pdf.

high cost and technological complexity has in turn raised several questions linked to Norway's energy and climate policy.¹⁴ All these events have revealed a number of soft spots and vulnerabilities in the national system of governance in various areas, and the authorities have been adopting several measures that are intended to help them cope. As clearly anticipated in several studies, the way Norway is to address these issues will be strongly influenced by Norway's "membership" in the EEA. The challenges in the three fields in question at both the national and EU levels, how the EU's policies in these three fields may influence Norwegian and Polish governance, and what both Norway and Poland can learn from each other in this process will be addressed in the next part of this study.

¹⁴ For more details on this issue, see: www.stortinget.no/no/Saker-og-publikasjoner/Saker/Sak/?p=58007.

Security Governance: Gaps and Vulnerabilities

Summary: Poland and Norway seem to come from very different starting points in their management of security—Poland is a member of the EU whilst Norway is not; Poland is heavily dependent on external powers for its energy supplies, whilst Norway does not—and yet, they both face similar dilemmas. Both are dependent on broader alliances to provide security; both are concerned about NATO’s creep away from its original mission of collective defence; both need the EU to fill the vacuum. Thus, the gaps between them are smaller than might be expected and their vulnerabilities comparable.

Governance gaps and overlaps between the two countries

Poland: Poland’s security policy, even after 15 years in NATO and 10 years in the European Union, is still largely influenced by its traumatic historical experiences and geographical location, and preoccupied predominantly with hard security and geopolitical concerns. The partition of Poland, the war with Bolshevik Russia in 1919–1921, and the post-Yalta system linger in Polish security thinking. The threat now posed by a neo-imperial Russia will likely further enhance these characteristics of Poland’s security policy.

To break the pattern of historical misfortune, Poland, just after regaining full independence after the dissolution of the Warsaw Pact and the fall of the Soviet Union, decided to integrate as closely as possible with the main political, economic and military structures of the West. The same reasoning lay behind forging close political and security relationships with the United States. Polish elites have believed that these goals were worth significant investments. That’s why Poland was willing to actively engage with its partners on international security issues even with at best very indirect links to its national security interests, such as sending troops to U.S. and NATO operations in Haiti and Bosnia and Herzegovina in the mid-1990s to the most recent military engagement in Afghanistan, Mali, and Central African Republic.

Since the mid-1990s, Poland’s security policy has been NATO-centric. Both pre-accession preparations and subsequent membership in the Alliance have had a very significant impact on the development of Poland’s defence and military policy and its armed forces. Between 1999 and 2008, more than 1,000 Polish officers have served in NATO’s command structures.¹⁵ NATO’s requirements, goals and informal expectations have significantly influenced such issues as Poland’s armed forces structures, doctrine, equipment and draft policies. Poland also belongs to the shrinking group of NATO European members that still invest in defence. In 2001, Poland introduced a law that obliges the government to spend 1.95% of GDP on defence, and apart from a few exceptions caused by severe budgetary situations, this legal provision has been observed. By 2022, Poland intends to spend PLN 139 billion (\$46.3 billion) on its most ambitious and expensive military modernization programme since 1989.

Although the EU launched its Common European Security and Defence Policy (ESDP, now CSDP) in 1999—the same year Poland joined NATO—EU security goals (e.g., *Helsinki Headline Goal* of 1999 and *2010 Headline Goal* of 2004) have never played an important role domestically. Initially, Polish officials shared the same concerns as the Danes and the British about the development of independent European military structures and capabilities undermining the preeminent position of NATO in European security. Moreover, because of very serious budgetary constraints, by the mid-2000s Poland had great difficulties fulfilling NATO goals and was in no position to

¹⁵ F. Gaĝor, “Dziesięć lat w NATO” [Ten Years in NATO], *Kwartalnik Bellona*, 2009, no. 1, pp. 7–25.

develop further capabilities dedicated to possible EU operations (one of a few exceptions was the Polish–Slovak–Czech brigade formed in 2002).

However, by the end of the decade the Polish attitude towards CSDP had undergone significant evolution and Warsaw began to see this policy in much brighter terms. The most important reasons for this change were the view of CSDP as an alternative to NATO and cause of transatlantic tension or division had virtually disappeared, U.S. engagement in European security was inevitably bound to diminish and the need for independent European crisis-management capabilities has become apparent also to Warsaw. As a result, Poland has become an unexpectedly staunch supporter of CSDP at a time when many Western leaders, after years of disappointment, have lost any interest in it.

Poland supports CSDP despite the fact that there are still two important areas of divergence between the EU goals and Poland's national interests. The first of these, at least before Russia's forceful takeover of Crimea, was that the issue of traditional security threats stemming from the aggressive behaviour of a state-actor was practically non-existent in the EU's priorities. Even now, CSDP is likely to remain almost exclusively about crisis-management and stability operations. The second major point of divergence is on the issue of defence procurement and the question of consolidation of the European defence industry. While the EU heads towards reducing various kinds of national preferences in European defence markets, Poland is attempting to ensure the maximum possible participation of Polish firms in its huge 10-year modernization plan, thus trying to combine the fulfilment of national defence needs with obtaining substantial economic and technological gains. In practise, however, these differences between the EU and Polish goals don't seem to be unbridgeable. Instead of distancing themselves from CSDP, Polish leaders seek to play an active role in order to influence its course and content. Moreover, Poland is interested in a significant deepening of cooperation between Polish and European defence industries, so even here there is some conformity between the Polish and EU goals.

However, this is currently hampered by the fact that the process of adopting defence policy goals and priorities in Poland has often lacked transparency and inclusiveness. The network of actors involved in security governance in Poland is typically divided into three circles. The inner circle is composed of the main institutions responsible for national security, namely the office of the president of Poland and the attached National Security Bureau, the office of the prime minister and Council of Ministers, and the Ministry of Defence and highest military commanders. The second consists of defence companies and various formal and informal lobbies. The outer circle includes various entities dealing with security issues, such as think tanks, publications, scientific institutions, individual scholars and independent experts. In practice, however, the policymaking process involves mainly actors only from the first circle. The lack of permanent dialogue between the Ministry of Defence and the defence industry, for example, led to many inefficiencies, unnecessary expenditures and lost opportunities.

Norway: Norway, like Poland, is a medium-size European country in terms of territory, and yet it is small in terms of its demographic and military potential. At the same time, however, the country is an important global energy producer and exporter and controls one of the greatest economic zones in Europe with vast hydrocarbon and maritime resources.¹⁶ Norway is therefore considered a special case, as the country faces a number of security challenges and tasks that are atypical for small countries, and the gap between the limited capabilities and the great scope of tasks is a crucial factor shaping Norwegian thinking on security matters.

Norway, with its oil-fuelled economy, has maintained a relatively high level of defence spending (1.44% of GDP in 2011, 1.43% in 2012 and 1.40% in 2013), belongs to a group of

¹⁶ For more on that, see: L. Lunde, H. Thune, et al (eds.), *National Interest. Foreign Policy for a Globalised World. The Case of Norway*, MFA 2009, pp. 47–51.

countries that have embarked on an ambitious program of modernization of their armed forces and has also managed to build its own weapons industry, making the country an important buyer and seller of military hardware in Europe, especially when measured per capita.¹⁷ The U.S. is the most important weapons supplier to Norway and the most important customer of the Norwegian weapons industry, while Poland was the fourth most-important buyer of Norwegian military hardware in 2012.

Also like Poland, historical experience drives security policy. In its short history of independence since 1905, the country managed to remain neutral during WWI, but during the next world war was dragged into battle then occupied by Nazi Germany. The inability of the Norwegian armed forces to effectively repel the German attack on Norway on 9 April 1940 has been the most important traumatic moment defining Norwegian security thinking. One of the options discussed in the wake of the war was closer security cooperation between the Nordic countries, aiming at establishing a Nordic defence union, but these plans were shelved and Norway, influenced by developments in Central Europe (the communist coup in Czechoslovakia in 1948), decided to join NATO as one of the founding members. NATO has played a central part in securing Norway's security interests ever since, and domestic support for Norwegian membership in the alliance remains high. According to data presented in October 2013, 63% of Norwegians say that Norway's NATO membership helps secure the country's interests, while 10% say this membership increases the possibility of attack on the country.¹⁸ Some 53% said Norway should cooperate on security with the EU, while 28% were sceptical of this position.

Again, like Poland, factors of geography also drive policy. Norwegian support for NATO membership has much to do with the perception of the strategic situation of the country.¹⁹ Norway's security is influenced by the country's relations with three centres of power—Europe/the EU, U.S./NATO, and Russia.²⁰ The most important strategic issues are the need to address the potential existential threat stemming from the country's geopolitical surroundings and the need to "import" security in crisis situations. As a small country with an immediate neighbour that still has strategic assets, Norway is faced with a serious security dilemma.²¹ Although NATO membership provided the country with sufficient deterrence, Norway decided to impose a number of restrictions on its membership in the alliance to reassure Moscow.²² These confidence-building, non-provocative, self-imposed measures sometimes were seen as problematic by Norway's allies, but the country's strategic location made it an important NATO member.²³ However, the end of the Cold War compelled NATO to embark on a new strategy of addressing new global risks and challenges, and Norway has shown some reluctance in welcoming those changes.²⁴ There was a

¹⁷ J.A. Snoen, "Oppblåst våpeneksport," 31 January 2011, available at: www.minervanett.no/oppblastvapeneksport.

¹⁸ For a detailed analysis of Norwegian popular support for NATO, see: www.folkogforsvar.no/resources/Rapport_Folk_og_Forsvar_okt.2013.pdf.

¹⁹ To learn more about Norwegian foreign and security policy, O. Riste, *Norway's Foreign Relations—A History* Oslo: Universitetsforlaget, and N. Græger & H. Leira, "Norwegian Strategic Culture after World War II: From a Local to a Global Perspective," *Cooperation and Conflict*, 2005, vol. 40, no. 1, pp. 45–67.

²⁰ I.B. Neumann, S. Ulriksen, "Norsk Forsvars- Og Sikkerhetspolitikk," in: TL. Knutsen, GSørbø, S. Gjerdåker (eds.) *Norges Utenrikspolitikk*, Oslo: Cappelen Akademisk Forlag 1995, pp. 94–123.

²¹ For a more general discussion of the issue from a Norwegian perspective, see A. Kjølberg, "Livet i hegemonens skygge – en småstats sikkerhetslogikk," *FFI/RAPPORT-2007/01626*, 2007 available at: <http://rapporter.ffi.no/rapporter/2007/01626.pdf>.

²² To learn about Norwegian foreign policy during that period, see J.J. Holst, "Norwegian Security Policy: The Strategic Dimension," in: J.J. Holst, K. Hunt, A.C. Sjaastad (eds.) *Deterrence and Defence in the North*, Oslo: Norwegian University Press 1985, pp. 93–132.

²³ N. Ørvik, "Norway: Deterrence versus Nonprovocation," in: N. Ørvik (ed.), *Semialignment and Western Security*, Beckenham: Croom Helm 1986, pp. 186–247.

²⁴ To learn more about that, see N. Græger, "Norsk NATO-debatt etter den kalde krigen," *Internasjonal Politikk*, 2005, vol. 63, no. 2–3, pp. 217–241, and S.V. Rottem, "The ambivalent ally: Norway in the new NATO," *Contemporary Security Policy*, 2007, no. 28 (3), pp. 619–637.

feeling that NATO had changed from being a collective defence organisation with clearly defined goals and tasks, towards being a vehicle of projection of democracy and stability, a collective security organisation and even a global security instrument used by the U.S.²⁵

The main reasons why Norway has had problems adapting to the new circumstances are the evolution of the Alliance, its focus on new tasks instead of on traditional ones, changes in Norway's international environment, and the lack of clarity on the future strategy of the Alliance. In recent years several new developments have contributed, however, to modifying both Norwegian attitudes and NATO's approach. The Russian actions in Georgia in August 2008 and armed occupation of Ukrainian territory in March 2014 have shown that Russia is willing to use military force to achieve its strategic goals. The growing Russian focus on the Arctic areas as well as Russia's rearmament and military activity along the Norwegian coast have also contributed to modifying the Norwegian stance. Also, NATO's decisions to adopt a new strategy,²⁶ withdraw from Afghanistan in 2014, and focus more on collective defence of the core territory of the alliance have been factors influencing Norwegian attitudes towards the alliance as a security provider.

Although not an EU member, Norway has also embarked on security cooperation with the EU. The EEA agreement provides a framework for some forms of this cooperation, such as following the EU's foreign policy declarations and sanctions towards third countries. Since the early 2000s, Norway has also been included, together with NATO countries that were not EU Member States and EU candidate countries, in a security policy dialogue with the EU. Norway was the third country that agreed on association with the European Defence Agency (EDA) and has a framework agreement with the EU that enables contribution to the EU's crisis management operations, as well as contributing forces to the EU's task forces.²⁷

Mores than Poland, which has tended to view cooperation with the other Visegrad states as a means of securing relations with more important and larger European states, a very special dimension of Norway's security cooperation has been the recent re-emergence of the idea of closer regional, Nordic cooperation. The so-called Stoltenberg report from 2009²⁸ outlined the potential scope of this cooperation while the agreement on NORDEFECO that was signed on 4 November 2009 was a practical attempt at implementation of at least some of the ideas presented in this study.²⁹ The main idea behind NORDEFECO is "to strengthen the participating nations' national defence, explore common synergies and facilitate efficient common solutions" in a period of economic constraints and increasing costs of procurement and maintenance of military material.

Domestic and external governance vulnerabilities

The vulnerabilities faced by Poland can be divided into two broad categories—external and internal. As regards external factors, due to the changing global and regional security context, Poland, like Norway, is not self-sufficient in security terms and has to rely on external security providers. But unlike Norway, Poland still depends on supplies of Russian gas. This challenge is now more serious than ever in the post-Cold War period because of the simultaneous occurrence of three unfavourable developments. The U.S., in the face of a rising and more assertive China, has diminished its military presence in Europe and withdrawn all its heavy land forces. Russia's

²⁵ For more on that changing role of the Alliance, see R. van den Akker, M. Rühle, "Putting NATO's Riga Summit into Context," *Russia in Global Affairs*, 2007, vol. 5, no. 2, pp. 84–92.

²⁶ For more on this, see J.M. Godzimirski, N. Græger, K.M. Haugevik, *Towards a NATO à la Carte? Assessing the alliance's adaptation to new tasks and changing relationships*, Oslo: NUPI 2010.

²⁷ "Utenfor og innenfor. Norges avtaler med EU," *NOU* 2012, no. 2, MFA, 2012 chapters 23 and 26. For an overview of Norway's agreements with the EU in the field of security and defence policy, see p. 730.

²⁸ T. Stoltenberg, *Nordisk samarbeid om utenriks- og sikkerhetspolitikk*, MFA 2009, available at: www.regjeringen.no/nb/dep/ud/dok/rapporter_planer/rapporter/2009/rapport_ths.html?id=545170.

²⁹ For more on NORDEFECO, see: www.nordefco.org/The-basics-about-NORDEFECO.

annexation of Crimea may reverse this trend for a while but it seems certain that the U.S. pre-occupation with the balance of power in the Asia-Pacific region can only increase in the coming years and that will seriously limit U.S. involvement in European security. The lighter U.S. military footprint in Europe has not been offset by stronger European capabilities; on the contrary, these capabilities have significantly shrunk in recent years due to deep cuts in defence budgets. At the same time, Russia's military expenditures have been on the rise and now its military forces are stronger than ever since the collapse of the Soviet Union. Moscow, aware of its stronger position vs. the West, is now ready to use force to advance its interests.

As for internal factors, due to the fragmentation of the decision-making process, Poland faces the threat of an inefficient security policy management system. One of the most important deficiencies of Poland's national security system is its fragmentation. According to the White Book on National Security of the Republic of Poland, prepared by the President's National Security Bureau, the system is de facto an amalgamation of several subsystems.³⁰ Additionally, unclear law and lack of adequate divisions of power and responsibilities leads on the one hand to unnecessary duplication of administrative structures and efforts, and on the other to competence gaps. Another widely acknowledged problem is little coordination between various state agencies responsible for different aspects of security on various levels of government. It's still too early to judge how successfully the military modernization programme will be implemented, but experience with similar programs in the past suggests that soon some delays are likely to occur.

Nevertheless, there are signs that at least some of these vulnerabilities are being addressed. As to the external factors, Moscow's aggressive policy against Ukraine and its open threats of using force in "defence" of a Russian minority abroad will likely mobilise the Western community to take some preventive measures. Poland's dependence on Russian gas supplies has diminished in recent years and it will further decrease in the near future thanks to the opening of the LNG terminal in Świnoujście. Poland has just accomplished reform of its military command structures, and further restructuring of military units, bases, and educational and medical systems are likely to occur. And as to the internal weaknesses, despite persistent problems with ensuring proper military-industrial cooperation, in the last decade Poland successfully deployed several military platforms and probably will be able to complete most of its planned armament goals, even if it fails to achieve all expected economic and technological gains.

Norway's vulnerabilities are primarily external. Due to the gulf between national tasks and capabilities, and the disparity of power between Norway and Russia, traditionally viewed as a source of a strategic or even existential threat, Norway is not self-sufficient in security terms and has to rely on other actors to provide security. Due to its geographical location, Norway has to address its security concerns and operate in an international environment in which Russia has far greater military, demographic and economic capabilities than Norway and has many times in recent history shown disrespect for other countries' sovereignty and regionally-accepted rules of the security game. Being a NATO founding member, Norway has based its security policy on the hope that NATO and the U.S. would automatically step in and help Norway in a serious crisis situation, but there have also been some doubts as to what constitutes an Article 5 action. This, and the nature of new emerging security threats, means that Norway requires new alliances and partnerships.

These same tensions do, however, play out in internal factors, where there is a clear gap between national security objectives and tasks and national Norwegian capabilities. For a country that has increasingly looked to the European Union as security provider, it may also be said that its domestic structures are insufficiently Europeanised, which in turn dents its capacity to influence

³⁰ *White Book of National Security of the Republic of Poland*, Warsaw: National Security Bureau 2013, available at: www.spsbn.gov.pl/download/4/15016/WhiteBookNationalSecurityPL2013.pdf (accessed 3 April 2014).

decisions taken in that forum. What can decrease at least some of these vulnerabilities is the fact that many of Norway's actual and potential allies share not only values but also interests with Norway, and that Norway has been investing in its own security, not only in economic but also in political and strategic terms. Some of the measures taken by Norwegian policymakers, such as participation in the missions in the Balkans and in Afghanistan, its very active role in Libya in 2011, and relatively high level of defence spending, thus addressing the issue of burden-sharing, have confirmed Norway's transatlantic commitment and made it an attractive and reliable security partner.

One should also expect that Norway's importance as energy supplier to the EU internal market in a situation in which most of the EU countries will strive to reduce their energy dependence on Russia will also give Norway a greater say in the process of shaping EU security policy. Norway can influence the EU policy processes indirectly by seeking closer cooperation with some EU members, including Poland, who may use the experimentalist governance framework to make the EU reformulate its goals and measures in both security and energy policy, and make them more consistent with Norway's long-term interests.

Energy Governance: Gaps and Vulnerabilities

Summary: Norway's interests as a major producer and exporter of energy do not necessarily correspond with the energy interests of Poland, which imports an increasingly higher share of energy resources to meet its needs. There is, however, a certain level of complementarity between the two. Norway needs markets for its energy resources and Poland has many times expressed interest in tightening energy cooperation with Norway. Energy supplies from Norway are treated both in Poland and in the rest of the EU as politically much safer than those coming from other places, which may facilitate both bilateral, as in Polish–Norwegian, and multilateral energy cooperation within the EU/EEA framework. As the second-largest energy supplier to the EU, Norway could use its structural energy power to influence development of EU energy policy, even though Norway as a non-member does not have direct access to the European energy policymaking table. Energy cooperation between Norway and Poland and Norway and the EU could therefore help Poland and the EU deal with at least some of the energy governance-related challenges. Such cooperation could also improve Poland's overall security in a situation in which both the national and European debates on the importance of energy security have gained momentum in the wake of the Russia–Ukraine conflict. In addition, Poland strives to put in place an institutional and legal framework for shale gas extraction, and thus could still learn from the Norwegian experience with organization of the country's state-centric system of "hydrocarbon governance," considered to be one of the most effective in the world.

Governance gaps and overlaps between the two countries

Poland: Poland is a relatively resource-rich country whose present day energy governance is determined by the policies shaped in the 1960s and '70s and by its endowment with natural resources. However, it is under pressure to enhance its energy mix to include more renewable energy sources, quite opposite Norway, which, for example, produces the majority of electricity from renewable sources. In 2010, 89.13% of power generation in Poland was based on thermal power plants (fuelled by lignite and hard coal). It is estimated that Poland has enormous deposits of lignite (at least 22 billion tonnes, with reserves-to-production ratio at current production level longer than 300 years) and significant amounts of coal, sufficient for at least 50 years of production. In addition to this, 30% of domestic consumption of natural gas comes from Polish reservoirs.³¹ Moreover, several shale gas and oil exploration projects have been launched, but the estimations regarding the size of these reservoirs vary radically. In addition, there is also a national debate on plans to produce energy from nuclear power plants.

Since the communist era, Poland has enjoyed a relatively low level of energy import dependence. However, the lack of a market economy and public debate on energy issues—present in Norway since the end of the 1960s—stimulated by the oil crisis in the Western European countries, blocked the development of a sustainable energy system. The availability of resources determines the present day energy structure of consumption, with power generation based on coal and lignite. Two pipelines, Druzhba (for oil) and Yamal (for natural gas), cross Polish territory. At present, the power transmission infrastructure requires large investments.

Unlike in Norway, up to now there has not been a single policy towards energy issues nor a comprehensive system of resources management. The most significant recent legal framework for Polish energy-related activities is provided by its *Energy Law* (1997) and *Geological and Mining Law* (2011). The first defines energy security and focuses on the long-term economic needs

³¹ Polish Geological Institute, *Minerals Yearbook of Poland 2012*, Warsaw: WGI 2013.

of consumers in the context of sustainable development.³² The second includes regulations for mining, licensing and exploration activities.³³ Polish energy policy is strongly influenced by EU legislation, especially that related to building a common energy market and preventing climate change. One significant issue in Polish–EU relations is the question of CO₂ emissions (*including* the greenhouse gas allowance trading scheme). Poland, with its coal-based power and heat generation sector, has to meet goals set by EU climate policy, including the more rigorous ones formulated in the EU Energy Road Map 2050 (by up to 80–95%). Although the new goals were vetoed by Poland for reasons already stated, it cannot be excluded that the issue will return in the future.³⁴ However, within the framework of the current regulation, many issues still remain unanswered (e.g., taxation and royalties). As of 1 April 2014, there is still no new law on renewable energy (project version 6.3 is being discussed), whereas the existing legislation is widely criticized for its inefficiency in promoting the production of renewables. What is more, although by 2020 carbon emissions should not be a problem, the long-term perspective of CO₂ reductions pose a huge threat to the existing energy production patterns. In addition, Poland could be hit by the Dutch disease in case its high shale gas expectations were to materialize.

The state that owns or co-owns dominant companies in the hard-coal sector,³⁵ oil sector,³⁶ and power and heat generation and distribution sector³⁷ is a dominant actor, but lacks regulatory capacities. This has been an important factor influencing recent development of the natural gas sector.³⁸ The shale gas resource potential has attracted foreign companies to Poland, but some of them have withdrawn at least partly due to the lack of a predictable legal and institutional environment. The debate on the future of the gas sector involves not only several state structures but also other important actors such as think tanks,³⁹ environmental organizations,⁴⁰ universities,⁴¹ scientific institutions,⁴² and local communities.

Shale gas exploration poses several challenges to energy governance that has to take into account the EU's approach to the issue. This might be a significant testing ground for the effectiveness of Polish energy governance, as there are many controversial environmental issues surrounding shale gas production (e.g., AEA 2012)⁴³ and Poland has been striving to convince some of EU members and institutions that shale gas production should not be viewed as a threat but as an

³² Energy security is defined as “a state of economy allowing for full coverage of the current and perspective fuel and energy demand of consumers in a way that is technically and economically justified, with the respect for environmental protection regulations,” see: *Ustawa z dnia 10 kwietnia 1997 r. Prawo energetyczne*, Dz.U. 1997, nr 54 poz. 348, art. 3, poz.16.

³³ See: *Ustawa z dnia 9 czerwca 2011 r. Prawo geologiczne i górnicze*, Dz.U. 2011, nr 163, poz. 981.

³⁴ This regards especially two EU directives: 2009/72/EC, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0055:0093:EN:PDF>, and 2009/73/EC, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0094:0136:en:PDF> (accessed 2 April 2014).

³⁵ Kompania Węglowa—the biggest mining company in Europe—is state-owned; Jastrzębska Spółka Węglowa, 55% of shares are owned by the state; Lubelski Węgiel Bogdanka S.A is privately owned.

³⁶ Orlen is minority state-owned, Lotos is majority state-owned and together, they hold 100% of the oil refinement capacity in Poland.

³⁷ PGE Group has 62% of shares state-owned; Energa is 50%; Enea is 52%; Tauron is 30%; and PSE Group is entirely state-owned.

³⁸ PGNiG (70% of shares state-owned) is the dominant supplier and producer of natural gas and is largely dependent on gas imported from the east. The operator and owner of the majority of the transmission infrastructure in Poland is state-owned Gaz-System, along with the joint venture joint-venture EuroPolGaz, which is the owner of the Yamal pipeline.

³⁹ Private: Instytut Kościuszki, Instytut Sobieskiego; state-owned—Centre for Eastern Studies, Polish Institute of International Affairs; American: the state-owned German Marshall Fund.

⁴⁰ These are, for example, Klub Gaja, Greenpeace.

⁴¹ These are, for example, Warsaw University of Technology.

⁴² These are, for example, Polish Geological Institute of Polish Academy of Sciences.

⁴³ “Support to the identification of potential risks for the environment and human health arising from hydrocarbons operations involving hydraulic fracturing in Europe,” Report for European Commission DG Environment, AEA/R/ED57281, no. 17c, 10 October 2012.

opportunity. Poland has also been very active in putting energy security higher on the EU agenda with its numerous calls for more energy solidarity mechanisms and more cautious approach to energy cooperation with Russia.

As much of the external energy supplies of natural gas, oil, and coal come from the Russian Federation, it is viewed as an important, albeit problematic energy partner. Germany also plays a special role as it may help diversify energy supplies. However, Germany's close cooperation with Russia on such projects as Nord Stream is somewhat controversial (from the Polish point of view). Germany is also very important because of its focus on promotion of renewable energy and reluctance to further develop atomic energy. France is cooperating with Poland in its efforts to alter the European energy security system and, contrary to Germany, is actively advocating the idea of the development of the nuclear sector in Poland as a major supplier of technology.

Although the Polish government seems to be a major player in a complex network of domestic and foreign actors of public and private nature, one of its main challenges concerns the effective coordination of energy-related activities within the public institutional framework. There are many bodies involved in the energy governance process. In terms of legislation, all important decisions are made by the Sejm (parliament) but the executive landscape is far more complex. The Ministry of Economy coordinates the macro-aspects of energy (imports, exports, production patterns). The Ministry of the Treasury appoints the management and supervisory boards in companies and oversees the financial results of their activities. The Ministry of Environment is responsible for concessions and environmental management. Although theoretically the Ministry of Foreign Affairs has no competences in terms of running energy policy, the international character of the majority of ventures means it also has a role to play. This particularly applies to shale gas development. The Polish Energy Regulatory Office (Urząd Regulacji Energetyki), is responsible for regulating the everyday aspects of energy production (e.g., prices). The Competition and Consumer Protection Office (Urząd Ochrony Konkurencji i Konsumentów) provides protection to individual consumers. There are also many regional and local authorities that have a direct and indirect impact on energy governance, e.g., State Mining Authority and its local branches, various local inspections (e.g., local sanitary, environmental protection, labour and other inspections), etc. The Interministerial Team for Implementation of Energy Policy of Poland (Międzyresortowy Zespół do spraw Realizacji, Polityki energetycznej Polski do 2030 roku), which was introduced in 2010, is formally subordinated to the prime minister and his chancellor; however, it has a fairly weak legal basis as its work is regulated by a resolution of the prime minister and not by a parliamentary act. As its name suggests, all ministries are treated equally. The lack of a single strategic document and institutional centre coordinating the implementation of energy policy along with conflicting existing laws⁴⁴ further undermines the effectiveness of energy governance in Poland. All of these factors may suggest that closer cooperation with Norway, which over the last four decades has shown an amazing ability to adapt to new energy realities and thus has built an efficient system of energy governance, may help Poland improve its own energy governance.

Norway: Over the last four decades, Norway has developed from a "normal" Western importer of hydrocarbons to a key regional and global energy player. Norwegian energy production reached its peak in 2003. According to data from the last pre-crisis year (2007), oil represented 57%, gas 36%, renewables 6% and solid fuels 1% of Norwegian energy production. Norway exports almost eight times more energy than it consumes. Renewable energy, almost exclusively hydropower, represented 45%, oil 35%, gas 17% and solid fuels 3% of gross inland energy consumption in Norway.

⁴⁴ A. Hucko, J. Talarowski, "Arbitraż PGNiG S.A. vs. OAO Gazprom—prawna istota sporu" [PGNiG S.A. vs. OAO Gazprom Arbitration—The Legal Essence of Dispute], *Gazeta Finansowa*, 14 January 2012, available at: www.gf24.pl/6478/arbitraz-pgnig-s-a-vs-oao-gazprom-%E2%80%93-prawna-istota-sporu (accessed 3 April 2014).

These specific features of the Norwegian energy sector also play a special part in the way the governance of the energy sector in Norway is organized. The issue of political and institutional control over the development of the energy sector in Norway was solved with the announcement in 1971 of the Norwegian “10 oil commandments,” underlining the need for national supervision and control of all operations on the Norwegian Continental Shelf (NCS).

The adoption of that set of rules and their mostly successful implementation have been made possible partly due to the previous Norwegian experience with the development of domestic hydropower energy resources under strict state control based on the principle of the right of reversion. Also, Norway’s mature political culture and consolidated democracy have been factors reducing the possibility of a resource curse in Norway.⁴⁵

The Norwegian model of ownership and management of natural resources is characterized by the central role of the state not only in the petroleum sector but also in electricity, through the right of reversion. Implementation of this policy has resulted in the state being able to absorb about 80% of the resource rent through the use of various fiscal instruments that have not seemingly prevented a huge inflow of foreign capital and companies to the Norwegian energy sector.⁴⁶ Securing such a high share of resource rent has been crucial for realization of the Norwegian grand strategy of social and economic development, and Poland should definitely look into this experience when developing its own hydrocarbon resources. Thanks to tight political and state control of the management of the nation’s energy resources and revenues, Norway is one of the few resource-abundant countries that have consistently performed well in economic, political and social terms.

However, it is not only the political oversight that has secured this success. In addition, the way the work of the sector was organised administratively plays a crucial part. The Norwegian parliament (the *Storting*) provides political guidelines for development of the country’s energy resources by passing legislation and adopting *proposals*. The *Storting* also supervises the work of the government and the public administration.

The Ministry of Petroleum and Energy is responsible for resource management and for the sector as a whole. The Ministry of Labour has the responsibility for health, the work environment and safety in the energy sector, also through The Petroleum Safety Authority, which is responsible for technical and operational safety. The Ministry of Finance deals with the collection, management and distribution of state revenues from the energy sector, and a special role in the process is played by the Petroleum Tax Office, which ensures correct levying and payment of taxes and fees, The Directorate of Customs and Excise is responsible for levying and payment of the NOx tax, and finally the Government Pension Fund-Global is responsible for management of revenues generated by the petroleum sector. The Ministry of Fisheries and Coastal Affairs and the Norwegian Coastal Administration have the main responsibility for oil-spill contingency measures and the Ministry of Environment is responsible for the external environment and for upholding environmental standards in the energy sector.

There are also other bodies and organizations working specifically on energy-related matters. The most important of these are the Norwegian Petroleum Directorate (NPD), Petoro, Gassco, Gassnova and Statoil, all dealing with petroleum-related issues, and the Norwegian Water Resources and Energy Directorate (NVE), Statnett and Enova, in the electricity sector, which represents more than 45% of the country’s energy mix.

NPD is responsible for the management of Norway’s petroleum resources, and acts as an important advisory body for the Ministry of Petroleum and Energy. Petoro is a state-owned cor-

⁴⁵ T. Gylfason, “A Nordic Perspective on Natural Resources Abundance,” in: R.M. Auty (ed.), *Resource Abundance and Economic Development*, Oxford: Oxford University Press 2001, pp. 296–311.

⁴⁶ *Ibidem*.

poration responsible for the operations of the State's Direct Financial Interest (SDFI) on behalf of the state. Gassco is a state-owned corporation responsible for the transport of natural gas from the NCS, while Gassnova is an administrative agency tasked with promoting and supporting innovation and the development of environmentally friendly gas-power technology.

The NVE is the regulator for Norway's electricity industry and its hydro-assets, and is responsible for the administration of the country's water and energy resources. Statnett is responsible for the construction and operation of the central electricity grid. It owns about 87% of the central grid and operates the entire system. Enova is an autonomous public enterprise responsible for promoting energy savings, new renewables, and environmentally-friendly natural gas solutions.

A very specifically Norwegian solution is *the Senior Management Forum (Topplederforum)*, established in 2000 and chaired by the minister of Petroleum and Energy. This body was intended as a discussion forum and did not take any formal decisions on oil and gas policy, although between 2000 and 2009 it was seen as an important meeting place for state and non-state actors operating in the Norwegian energy sector.⁴⁷

More than 50 companies operating on the Norwegian continental shelf play an important part in Norway's energy governance. Statoil, the national state-owned oil and gas company, generates 9% of GDP, 13% of state revenue and 18% of export revenue, which makes it an important stakeholder and actor in the country's energy sector.

In addition to the political parties that have the overall political responsibility, administrative bodies that are responsible for implementation of the policy, and corporate actors who operate in the sector, there are also many other national and international stakeholders whose interests and actions play a part in shaping Norwegian energy governance, including NGOs such as Bellona, Naturvernforbundet (The Norwegian Society for the Conservation of Nature), various environmental associations and organizations, and professional organizations.

Norwegian energy governance is also influenced by choices, decisions and steps taken by other actors. Some of those actors are direct or indirect competitors on regional and global energy markets, while others are important customers and buyers of Norwegian energy commodities. Due to its key position on the Norwegian energy interest map and its ability to project its regulatory power the EU is undoubtedly the most important of these external energy agenda setters and it is namely within this EU regulatory energy framework that both Polish and Norwegian energy policies are today shaped.

Domestic and external governance vulnerabilities

Poland: There is a number of external and internal factors that make Polish energy governance vulnerable. As to external aspects, due to relatively large amounts of energy resources already explored (lignite and coal), Poland needs to balance its role in the EU and global markets. This puts it in a difficult situation in terms of sustaining its economic growth based on present and future reserves of energy resources. To now, Poland has not been capable of promoting its energy interests in the RES Directive formulation process within the EU. However, the Russian aggression against Ukraine opened a new window for revival of the idea supported by the Polish government that coal should be treated as one of the important elements of the European energy mix (March 2014). The second external factor making Polish energy governance vulnerable is the growing energy import dependence, especially import dependence on a Russia that has decided to challenge the European post-Cold War order by its actions in and around Ukraine. Poland could deal

⁴⁷ For more information about this new organization, see www.energirike.no.

with some of the external energy vulnerabilities by addressing some domestic vulnerabilities in energy governance.

A major internal weakness and vulnerability in Poland is the lack of a single body designing and coordinating the implementation of the country's energy policy. Most importantly, the large number of state institutions involved in the energy governance process results in the lack of clarity on the basic goals and means of energy policy. This is visible in both the failure to agree on setting up a NOKE (National Operator of Energy Resources) and the inability to introduce resource management tools. The political elites seem to be aware of the problems caused by the ineffective institutional design, but the idea of delegating the tasks to a single body with authoritative power has not been implemented yet. The institutional fragmentation enhances the malfunction of the policymaking process and prevents the implementation of adequate regulatory means. This situation might further limit control over important factors affecting the country resources management.

Norway also faces several external and internal vulnerabilities in the field of energy, but Norwegian energy governance seems to be much better coordinated than Poland's and the vulnerabilities have mostly a structural character stemming from Norway's role as an important regional and global energy actor.

On the domestic front and due to the high share of hydropower in domestic energy consumption, the issue of climate risk mitigation is important. The response to this challenge / vulnerability has been both internal and external in nature. Internally it is about development of infrastructure that could help reduce local risks by making the country's energy system more flexible and better interconnected. Externally, it has been the launching of close energy cooperation with other regional actors, whose energy resources can complement the Norwegian ones and be used to supply Norway with energy in critical periods.

The major external vulnerability is caused by the fact that 95% of gas and more than 80% of oil is exported and Norway is therefore exposed to external energy trends and has to cope with issues such as price volatility and external regulation of energy markets. As most of Norway's energy resources are exported to the EU and since the country is also party to the EEA agreement, Norwegian energy governance is to a large extent influenced by EU-imposed rules and regulations, which can pose a challenge due to the lack of direct access to EU decision-making and policymaking bodies. As the EU's energy policy has been increasingly focused on sustainability and climate-related issues Norway has also had to cope with the environmental footprint of its energy sector, both domestically and internationally.

Another long-term vulnerability is Norway's overdependence on revenues generated by the country's energy sector and a possible negative impact if they fall on the country's economy. The question was addressed by the introduction in 2001 of the so-called budgetary rule (*håndlingsregel*) that states that a maximum of 4% of the fund's value should be allocated to the yearly government budget in order to secure sustainable development of the country for many decades to come and to avoid the Dutch disease. Since revenues generated by the country's energy sector play an important role in the country's economy and secure the functioning of the country's welfare system, not only now but also in the future (the Government Pension Fund-Global, or GPF-G), Norwegian governance structures also have to work to reduce the exposure of this national sovereign wealth fund to global and regional investment risks and cope with various ethical, social, political and economic concerns related to management of the fund.

Migration Governance: Gaps and Vulnerabilities

Summary: Polish and Norwegian perspectives on migration differ. Poland is a sending country that has to deal with the outflow of migrants and labour, while Norway, a receiving country faces a different set of migration-related challenges. Nevertheless, Poland still can learn much from Norway when it comes to migration governance. Faced with this huge outflow, Poland will have to embark on establishing more active migration policy and encouraging citizens of other countries to come to Poland to fill the demographic gap caused by negative demographic trends, including migration of Poles to other European countries. Learning from the Norwegian experience as a receiving country could help Poland avoid at least some migration-related pitfalls and traps. In addition, it is in the interest of both Poland and Norway that the EU designs and implements a comprehensive common policy on free movement of people and migration. Poland, the key sending country, and Norway, the key receiving country, may play a constructive part in this process by working closer together and by sharing their experience with other European actors facing similar dilemmas.

Governance gaps and overlaps between the two countries

Poland: Polish migration governance is *in statu nascendi*. Unlike in Norway, migration problems are not vital in Poland, although the issue might come higher on the agenda soon, especially when considering the recent situation in Ukraine. Migration issues were not a subject of interest for public institutions during the communist period, but the opening of borders after 1989, and especially Polish membership in the EU, has changed the picture and migration has become a more central topic in the public debate. There are several reasons for that. First, after 1989 and even more so after 2004, more Poles could travel and settle abroad. Second, the collapse of the Soviet Union has resulted in more focus on the fate of Poles living in the post-Soviet space. Third, Poland has experienced long periods of relatively quick economic growth that when combined with Polish membership in the EU has made it more attractive as a target country to migrants from various parts of the world. For almost 60 years after WWII, Poland had been an ethnically homogeneous country, and according to the most recent national census, in 2011 the immigrant population in Poland was still only 0.1% of the total population.⁴⁸ But this is probably about to change and this change will require a more comprehensive and effective approach to the issue of migration on the part of state institutions and society in general.

At the moment, Poland is one of a few countries in the European Union with a negative balance of migration, which means that more people are leaving the country than arriving. After the collapse of the communist bloc, three waves of emigration took place—at the very beginning of the 1990's, after 2004 (EU accession) and between 2008–2010 (economic crisis). Each of the waves was predominantly economically driven, due to the high unemployment rate in Poland, and problems with the development of the labour market. Poles were looking for job opportunities outside the country, mostly within the EU. In 2013, about 14% Poles declared that since Poland had joined the EU they had experience working abroad.⁴⁹

One of the obvious effects of the long history of Polish migration is the very large Polish diaspora abroad, but its exact description in statistical terms is extremely difficult and burdened with high risk. A particularly characteristic feature of Polish migration policy after 1989 are actions taken towards citizens and their descendants remaining outside of the territory of the Second Re-

⁴⁸ See: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-12-031/EN/KS-SF-12-031-EN.PDF.

⁴⁹ "Poakcesyjne migracje zarobkowe" [Post-Accession Labour Migration], *Komunikat z badań*, BS/166/2013, CBOS 2013, available at: www.cbos.pl/SPISKOM.POL/2013/K_166_13.PDF (accessed 14 April 2014).

public of Poland, who at the end of World War II were found on the territory of the Soviet Union. In 2007, the parliament passed the Law on the Polish Charter (Karta Polaka), addressed to the citizens of the former Soviet Union member states. The scale of “repatriation” to Poland proved to be small though—since the end of 2011 until today, as part of the repatriation programme only 5,215 people have resettled. A large effort by state bodies was aimed at strengthening the position of the Polish community and improvement of the situation of Poles in the countries of residence. However, the Polish government is still concerned with the situation of Polish minorities in neighbouring countries, especially in Lithuania and Belarus. In Lithuania, Poles who are so-called autochthons form 6% of the population. In Belarus, according to Polish estimates there are about 200 000 people of Polish origin residing in the Minsk district.⁵⁰

As far as migration to Poland is concerned, Poland has attracted mostly non-EU citizens (e.g. Armenians, Vietnamese, Ukrainians and Belarusians). In the first half of the 2013, the groups that most often applied for a permit to settle in Poland were Ukrainians, Belarusians, Russians and Armenians. More than 117,000 valid residence cards have been issued by that time. Most of them were issued to Ukrainians (31%), Vietnamese and Russians (both 11%), and Belarusians (9%). Most foreigners (39%) live in the Mazowieckie voivodship.⁵¹ Poland is often considered not as a target point but as a transit country. In effect, the diversification of Polish society, different than in Norway, does not progress at a fast pace, and Poland has not been prompted to create a coherent migration policy.

Today, migration is still not a strategic or pivotal issue in Poland. However, its significance is growing, especially as regards EU external borders and security.⁵² At the same time, migration has a large potential of being an important social issue, and Poland is on the verge of problem recognition. In 2012, Eurobarometer showed that 68% of Poles responded that legal immigrants from outside the EU “should have the same rights as nationals of that country.”⁵³ This places Poland in the middle of the European countries.

Poland faces two major problems regarding migrants. First, it struggles with the underdeveloped awareness and tools needed for integration of foreign immigrants in Poland. It simply lacks legal and organizational means useful for their reception. The second problem is how to entice Polish emigrants to return to Poland to best utilize their social and economic experience and capital. However, the effectiveness of public programmes in this field is very limited.

The legal and institutional framework for migration policy has developed rather slowly. In 1997, the Act on Foreigners replaced regulations from 1963 that had been previously frequently amended. In 2001, the Office for Foreigners was established, and in 2007 the Interministerial Team/Group for Migration was set up within the Chancellery of the Prime Ministry. The process of putting migration issues on the agenda was a long one, led mostly by state institutions and with limited public participation. Polish migration policy is today designed and implemented by parliament and several state bodies. The Ministry of Internal Affairs, Ministry of Labour and Social

⁵⁰ The estimates have been done by the Minsk District Consular Department of the Embassy of the Republic of Poland covering four circuits (Minsk, Vitebsk, Mogilev and Gomel). www.minsk.msz.gov.pl/pl/wspolpraca_dwustronna/polonina_na_bialorusi/polacy_na_bialorusi;jsessionid=5823D8F3FEBF3028ADB5FE5955356936.cmsap1p (accessed 14 April 2014).

⁵¹ See: www.udsc.gov.pl/Dane,liczbowe,dotyczace,postepowan,prowadzonych,wobec,cudzoziemcow,w,piarwszej,polowie,2013,roku,2225.html (accessed 14 April 2014).

⁵² A. Bobrowska, “Migracje Polaków po przystąpieniu do Unii Europejskiej” [Migrations of Poles after EU accession], *kwartalnik Colloquium Wydziału Nauk Humanistycznych i Społecznych*, 2013, no. 2, pp. 49–64, www publikacjeonline.wnhis.iq.pl/numery/X/AB.pdf (accessed 14 April 2014).

⁵³ J. Suchecka, M. Urzędowska, P. Pacewicz, “Polska dla Polaków. Dwie trzecie Polaków nie chce u nas więcej imigrantów” [Poland for Poles: Two-thirds of Poles don’t want more immigrants], *Gazeta Wyborcza*, 25 October 2013, available at: http://wyborcza.pl/1,75478,14839180,Polska_dla_Polakow__Dwie_trzecie_Polakow_nie_chce.html#ixzz2yaJSlwS6 (accessed 14 April 2014).

Policy, Ministry of Foreign Affairs and the Office for Foreigners are the key executive actors. This shows that migration policy is conceptualized at the central level. However, Poland still manages migration horizontally, where the division of powers between several institutions is not clear. This complicates functioning of immigrants in Poland and realization of the country's migration policy.

Migration Policy of Poland—the current state and further actions (2012) is a strategic document in the process of implementation. It shows that the government understands the issue, but does not support policy formulation in a substantial manner. This has resulted in the lack of coordination in the legal field and chaotic activities by public institutions on all authority levels. For example, there were no clear provisions and procedures regarding the mode of traffic and stay for foreigners.⁵⁴ However, Polish legislation is being constantly amended. The most recent amendment to the Aliens Act from 12 December 2013 includes a new package of solutions that facilitates foreigners to work and study in Poland and those who wish to legalize their stay.⁵⁵ The law entered into force on 1 May 2014.⁵⁶

The Polish government has successfully influenced the EU on Small Border Traffic. The agreement enables free traffic of people living in areas close to the EU external border (Kaliningrad, Ukraine and Belarus), which was an exception to the rules previously followed by the European Union. In fact, since the beginning, migration policy in Poland is in some sense subordinated and results from initiatives that are taken at the EU level. However, realistically Poland tries to influence and shape the EU's external policy on migration, in which the change and implementation of new rules on small border traffic are the best example.

Norway: The issue of migration is one of the key issues in the Norwegian public debate. This has to do with the fact that the Norwegian society over the last few decades has undergone a deep transformation caused partly by migration. Since the 1960s, more people have been moving to Norway than moving from Norway—in 2011, migration skyrocketed to more than 47,000. In 2012, labour migrants were the most significant group, followed by family migrants and forced migrants (refugees and asylum seekers). Two-thirds of 25,500 labour migrants who came in 2012 came from the new EU countries, and, of these, nearly half came from Poland. The two biggest groups among 7,100 forced migrants were Somalis and Eritreans.

By 1 January 2012, there were 407,262 foreign citizens and 655,170 persons who were either born abroad or had two parents who were born abroad. They represented 8.2% and 13.1% of the whole population of the country, respectively. Some 41.8% of migrants in Norway came from the West (EU/EEA area, Switzerland, the U.S., Canada, Australia, New Zealand) and 58.2% had a non-Western background. By 1 January 2013, migrants from Poland, Sweden, Pakistan, Somalia, Lithuania, Iraq, Germany, Vietnam and Denmark were the biggest groups, represented by more than 20,000 individuals each.

The process of diversification of Norwegian society has made the issue of migration one of the most divisive topics in the domestic Norwegian debate and has some impact on Norwegian foreign policy. According to the most recent study on public attitudes towards migration,⁵⁷ 72% had a mostly positive attitude towards migrants' role in the economy, while 35% supported the

⁵⁴ The Centre of Migration Research (CMR) is an interdisciplinary inter-faculty research unit of the University of Warsaw, specializing in studies on migration processes in Poland and in Europe. However, there are some other academic centres (The Research Committee on Migration PAN) think tanks and NGOs also dealing with the problems of migration.

⁵⁵ "Od 1 maja ułatwienia dla cudzoziemców mieszkających, studiujących i pracujących w Polsce," 8 January 2014, Urząd do Spraw Cudzoziemców, available at: www.udsc.gov.pl/Nowa_ustawa_o_cudzoziemcach_podpisana_przez_Prezzydenta_RP_2242.html (accessed 14 April 2014).

⁵⁶ *Ustawa z dnia 12 grudnia 2013 r. o cudzoziemcach*, poz. 1650, available at: www.udsc.gov.pl/files/prawo/ustawy/Ustawa%20o%20cudzoziemcach%20z%20dnia%2012%20grudnia%202013%20r.pdf (accessed 14 April 2014).

⁵⁷ S. Blom, "Holdninger til innvandrere og innvandring 2013," *SSB Reports*, 2013, no. 64, available at: www.ssb.no/befolkning/artikler-og-publikasjoner/_attachment/154475?_ts=142fff59d60 (accessed 25 March 2014).

statement that “most immigrants are a cause of insecurity in society,” with 52% expressing the opposite view.

The country’s system of state governance has had to adapt to these new migratory circumstances. A very good overview of the institutional dimension of Norwegian migration governance is provided in the recent DIFI study on Norway’s participation in Schengen.⁵⁸ Also, annual reports on migration in Norway, the last of which was published in 2013,⁵⁹ and the iFacts series published annually by the Directorate of Integration and Diversity (IMDi)⁶⁰ give good insights into how governance of that complex field is organized in Norway.

Political oversight over migration is the responsibility of the Storting, which formulates political guidelines and shapes policies for refugees, immigration and integration and sets the framework for municipal integration work through the Norwegian Introduction Act. The implementation of the policy is the responsibility of several state bodies and organs. The Ministry of Justice and Public Security has the overall administrative responsibility and oversees the work of the Norwegian Directorate of Immigration (UDI), the Immigration Appeals Board (UNE) and the National Police Immigration Service. The UDI is the central agency in the field that implements and helps to develop the government’s immigration and refugee policy while UNE is an independent administrative body that considers appeals against the UDI’s decisions pursuant to the Immigration Act and the Norwegian Nationality Act. The main duties of the National Police Immigration Service are to register asylum seekers, to investigate asylum seekers’ travel routes and ascertain their identities, to prepare and implement final rejections in asylum cases, and to coordinate and ensure all deportations from Norway. The integration of migrants is the responsibility of the Ministry of Children, Equality and Social Inclusion that also oversees the work of the Norwegian Directorate of Integration and Diversity (IMDi). IMDi’s task is to implement and help develop the government’s integration and diversity policy in close cooperation with municipalities, government agencies, the private sector and various types of voluntary organisations and NGOs. Also, the Ministry of Foreign Affairs and Norwegian diplomatic missions abroad play a part as a first-line service for foreign nationals who want to visit or move to Norway.

Migration policy is regulated by several legal acts such as the Immigration Act, the Norwegian Nationality Act and the Introduction Act. The Norwegian Nationality Act of 10 June 2005, which entered into force on 1 September 2006, regulates the issue of citizenship and is based on the principle of single citizenship. The Introduction Act that entered into force on 1 September 2005 stipulates that all newly arrived foreign nationals between 18 and 55 years of age—with the exception of Nordic citizens and foreign nationals covered by the Agreement on the European Economic Area (the EEA Agreement)—have the right and the obligation to participate in an introduction programme. The programme is to help them adapt to their new situation by providing basic Norwegian language skills, basic insights into Norwegian society and by preparing them for participation in working life. The Immigration Act of 15 May 2008 regulates the entry of foreigners into Norway and their right to stay and work in the country. The act and the corresponding Immigration Regulation entered into force on 1 January 2010. There are four categories of people who can be admitted as migrants to Norway: 1) labour immigrants, i.e., persons who have received a concrete job offer; 2) persons with close family ties to somebody residing in Norway; 3) students,

⁵⁸ *Norsk medvirkning i visumsamarbeidet innenfor Schengen. En gjennomgang av organisering og arbeidsformer*, DIFI Rapport, 2012, no. 3, available at: www.difi.no/filearchive/difi_rapport_2012_3_norsk_medvirkning_i_visumsamarbeidet_innenfor_schengen.pdf.

⁵⁹ E. Thorud, “International Migration 2012–2013,” IMO Report for Norway, Oslo: Ministry of Children, Equality and Social Inclusion, Ministry of Justice and Public Security, Ministry of Labour, Ministry of Education and Research 2013, available at: www.regjeringen.no/upload/JD/Vedlegg/Rapporter/Norway_IMO_report_2012_2013-final.pdf.

⁶⁰ „Fact booklet about immigrants and integration,” *iFact 2013*, IMDI, available at: www.imdi.no/Documents/BrosjyrerHefterHaandbok/iFACTS2013.pdf.

trainees, au pairs and participants in exchange programmes; 4) refugees and persons who qualify for a residence permit on humanitarian grounds.

Norwegian migration policy is influenced also by agreements between Norway and the European Union.⁶¹ The three most important of these migration-related agreements are the EEA agreement (1992) on the participation in the EU's "Internal Market," regulating in part the issue of labour migration, the Schengen agreement (1999) on the common external border and free movement of people within Europe, and the Dublin agreements (2001–2003) on how asylum-seekers should be treated (including Eurodac cooperation). The EEA agreement has had a positive effect on cross-border economic activity, including labour migration. According to a 2012 study on Norway's agreements with the EU,⁶² Norway is among the countries in Europe that in relative terms has had the highest labour immigration from the new EU countries and these new migrants are today an integrated and necessary part of the Norwegian economy, contributing to its further development.

Domestic and external governance vulnerabilities

Poland: Polish migration governance is highly vulnerable due to the impact of predominantly internal factors. Although external processes, such as migration movements, seem to be present and influence the migration policies of other European countries, neither of the two is monitored in a comprehensive way by the Polish government. Moreover, Poland remains a "transit" country, and not many immigrants are willing to stay in the country permanently. For these reasons, Poland generally needs active management of migration. So far, authorities have focused on the liberalization of legalization issues and have not defined which groups of migrants should be encouraged to move to Poland. The immigration system is frequently abused, and Polish migration policy is not prepared for the problems stemming from the low level of cultural integration of immigrants. This results also from the lack of relevant expertise in the country.

The internal vulnerabilities of Polish migration governance stem from the weaknesses of its institutional design. The lack of state capability of monitoring migration movements (e.g., temporary or permanent emigration of Poles, illegal immigrants) in a holistic and coordinated manner, practically excludes the possibility of implementation of coherent strategy, suitable for Poland's economic, social and cultural situation. Migration policy is indeed reactive and not constructive enough in the longer-term perspective. Additionally, the power of the body responsible for migration policy strategy is relatively weak. It is only a quasi-coordination body, with an advisory and expert role. It is supposed to help determine the steps needed for implementation of migration policy objectives and identification of relevant actors (institutions and organizations, teams, NGOs) that might help with implementation of policy, integrating such specific issues as employment, education, visas, refugees, etc. In that respect, it relies on the means and modes of operation of secondary institutions, including a number of non-governmental organizations.

Norway: The relatively high and still increasing share of the migrant population in Norway poses a number of challenges to the country's system of governance, which has to deal with these issues on its own or in cooperation with others. The most important internal vulnerability is the lack of coherent and efficient policy of integration of migrants into Norwegian society, which is indeed of crucial importance in a society with an increasing share of migrants. Another internal/external vulnerability linked partly with the first one, stems from the fact that many forced mi-

⁶¹ For more on that, see: *Norsk flyktning- og migrasjonspolitik i et europeisk perspektiv*, Melding til Stortinget, 2009–2010, no. 9, available at: www.regjeringen.no/pages/2477057/PDFS/STM200920100009000DDDDPDFS.pdf.

⁶² *Utenfor og innenfor: Norges avtaler med EU*, NOU, 2012, no. 2, Departementenes servicesenter, Informasjonsforvaltning 2012, available at: www.regjeringen.no/pages/36797426/PDFS/NOU201220120002000DDPDFS.pdf.

grants come from conflict areas, may become radicalized and take active part in conflicts in their countries of origin or in other areas (most recently, Syria). This poses a challenge not only to the country's migration policy but also to its security policy as those radicalized groups may be prone to commit acts of terrorism also on Norwegian soil. The very existence of various ethnic diasporas with their own political agendas in Norway can also be viewed as a potential vulnerability and challenge to migration governance.⁶³ The great influx of labour migrants to Norway has been mostly viewed as a positive development in a time of high demand for labour, but may pose some social and economic problems in the future and strain the Norwegian welfare system.⁶⁴ In order to address the issue of labour migration Norway cannot act alone as labour migration to Norway is regulated mostly by Norway's agreements with the EU. Norway may therefore face a situation in which it will have to deal with a supranational body with which Norway has only limited ability to influence and which may be unwilling to accommodate Norway's political, economic or social interests. This lack of direct influence on decisions that partly regulate Norwegian migration policy can be viewed as a key external vulnerability of Norwegian migration governance.

⁶³ For more on this type of challenge, see J.M. Godzimirski, I.B. Neumann, S. Alghasi, *Norges nye vi: Diasporaer som faktor i norsk utenrikspolitikk*, Rapport til Utenriksdepartementet, NUPI 2011. See also. J.M. Godzimirski, "Diasporaer og norsk utenrikspolitikk," *Internasjonal Politikk*, 2011, no. 4, pp. 576–613.

⁶⁴ For more on that see G. Brochmann, *Velferd og migrasjon. Den norske modellens framtid*, NOU 2011, no. 7, Velferds- og migrasjonsutvalget, available at: www.regjeringen.no/pages/16413697/PDFS/NOU201120110007000DDDPDFS.pdf.

Conclusions and Policy Recommendations

The main aim of this brief study was to map, assess and compare the state of governance in Poland and Norway in three fields—security, energy and migration. In addition, the study was to map governance gaps between the two countries, identify various types of governance-related vulnerabilities of both domestic and external character and explore whether there is a need and possibility for governance learning. The study aimed also at addressing four more specific questions, the answers to which are sought in the GoodGov project.

1. To what extent is Polish and Norwegian governance in three key policy areas (migration, energy, security) proactive or reactive?
2. How can governance experimentalism, learning and revision improve the situation?
3. What can the two countries learn from each other?
4. How can they coordinate their policies on the European level in the three fields?

The main conclusions of the study can be summed up as:

- The study has revealed huge governance-related differences, not only between Poland and Norway but also in the three fields of governance (security, energy and migration).
- The current state of governance in both countries is the result of the interaction of various internal and external factors; historical experience and path dependence; geographical location and the challenges that poses; endowment with and access to various types of resources; institutional solutions and membership in various international organizations and frameworks that, as the EU is to Poland and the EEA is to Norway, set their own governance-related priorities, rules and solutions that also have direct and indirect impacts on national governance.
- Due to recent historical experience and evolution of the political systems, the governance system in Norway is more efficient than in Poland. This can be at least partly explained by the application of domestic learning mechanisms in Norway where governance reviewing and learning play an important part and by the apparent lack of institutional learning capacities in the case of Poland.
- Norway ranks higher than Poland in governance terms as assessed by the WGI in all six key governance categories. Transfer of governance-related knowledge between Norway and Poland should be therefore possible and Poland should be able to improve its governance by learning from Norwegian governance.
- However, the potential process of governance learning can be hampered by structural differences between Norway and Poland, by the fact that Poland and Norway belong to various categories in at least two fields of governance (energy and migration), and by the fact that Norway has decided to stay outside of the EU while Poland is a full-fledged member. This means that Poland participates in the EU's experimentalist governance, while Norway has no direct access to this common European governance-learning arena.
- What complicates the picture even more is the fact that the experimentalist approach to governance learning works better in some fields, such as energy and migration, and is much less present and efficient in other governance fields, such as security.
- All of the governance-related challenges notwithstanding, Poland and Norway should work closely together and, when possible, coordinate their policies and share their experience with other EU and NATO members to improve the quality of governance in these two organizations that are the mainstay of their social, economic and traditional security.

Recommendations

Based on the results of the study, we can formulate some general and field-specific policy recommendations that can address at least some of the vulnerabilities revealed in this analysis and help close some governance gaps between Poland and Norway. The most important conclusion and recommendation from that study is the need to address the question of the lack of institutional-learning capacity in Poland, which seems to limit the ability of the Polish policymaking community to improve the state of governance in the country.

Recommendations for security

Polish and Norwegian interests in the field of security overlap. Recommendations presented here are based on our findings, on the identification of vulnerabilities in the field and are to improve the security situation not only in the two respective countries but also in the area of responsibility of the Alliance to which they both are members.

Poland

- Poland has to complete the process of building a comprehensive national security system in which different state agencies and services should communicate and better co-operate with each other, in which their powers and competences are clearly specified and divided, and which operate under a unified and effective command subsystem.
- In order to build a viable national deterrence potential, the future structure, tasks and equipment of the armed forces need to be further defined and long-term financing assured.
- Poland has to strike the right balance between investing in European defence capabilities, that will be primarily dedicated to out-of-area operations, and enhancing its own military capacity to defend its territory and borders.
- The innovation stemming from the defence industry activities should be better utilized by the companies on the civil market.

Norway

- To confirm its commitment to NATO, in a situation in which Norway's economic situation is much better than that of most of its NATO allies, and in the view of the current developments in its close strategic neighbourhood, Norway should consider increasing the level of military spending to 2% of GDP as encouraged by the Alliance and spend this on projects related to collective defence and strengthening Norway's position in the region.
- Norway should consider how to make its regional security cooperation with some EU members (Sweden, Finland and Denmark) serve the purpose of strengthening its security cooperation with the EU in a situation when the perspective of becoming a full-fledged member of the EU with full access to the EU's security policymaking table is bleak.
- Recent developments in Europe have confirmed that Norway's neighbour, Russia, still considers the use of various forms of military power to be an important instrument of its policy. Due to the disparity of potential, Norway has had to rely on its allies for securing a sufficient level of deterrence/threshold defence vis-à-vis potential threats but at the same time has chosen to provide some reassurance to its neighbour. As this double deterrence/reassurance approach has proven efficient, exemplified by the fact that Norway and Russia managed to solve a border issue in the Barents Sea in 2010, Norway should continue to follow this line in its relations with Russia in this new strategic situation.

Recommendations for energy

Although Polish and Norwegian interests in the energy field differ, the recommendations aim at improving energy security in both the countries in question and in Europe in more general terms.

Poland

- Poland should step up its efforts to build a more balanced energy mix in line with EU requirements and expectations and take active part in setting up a pan-European cooperation network promoting a common European energy security policy.
- The national energy policy itself has to be put into reasonable form, by limiting its objectives and presenting a clear and understandable hierarchy.
- The state should coordinate its works more efficiently, perhaps by establishing one body to coordinate national energy policy. Also, more effective resource management tools should be introduced.
- The state and non-state actors should be more involved in dialogue amongst themselves in order to better understand their own needs and expectations at each level.

Norway

- In order to minimize climate-related risks to energy provision caused by the high share of hydropower in the domestic energy mix, Norway has to diversify sources of domestically available energy, develop domestic energy infrastructure and increase the level of energy cooperation with other actors that can provide Norway with needed backup capacity.
- Although this could result in further integration of the Norwegian grid with the European one and could have some short-term negative consequences for Norwegian domestic energy consumers, Norway should consider allowing the use of its hydro-resources as a “stabilizer” of the green energy system under development in Europe.
- As an important energy exporter, Norway is exposed to external energy trends and has to cope with price volatility and external regulation of energy markets. In order to be able to operate in a more predictable energy environment Norwegian energy actors have to strike a balance between their own and other energy market actors’ partly conflicting interests. The idea of linking the price of gas in new contracts to spot price and not to oil price is an example of what a compromise solution might look like.
- Norway should strengthen its energy cooperation with the EU as the most important current and future market for Norwegian energy commodities. Although not a member of the EU, Norway should help the EU develop a pan-European internal energy market to which most Norwegian gas and some electricity should have access.
- Norway should invest more in the development of economically viable CCS technology to be used to reduce the environmental footprint of its energy sector in close cooperation with other actors who face a similar challenge. Denmark, Germany and Poland are EU members with a high share of polluting hard coal and lignite in their energy mixes and should be viewed as natural partners for cooperation in the development of this type of technology, a process that should receive financial support from the EU, where solid fuels still represent almost 17% of gross inland consumption of energy. Development of such technology would be an important contribution to EU-led attempts to address the question of climate change on the global level.

Recommendations for migration

Polish and Norwegian interests in the field of migration can be best described as complementary in the current situation, but possibly partly conflicting in the mid- and long-term perspectives. Norway needs labour migrants to keep the economic wheels going for now, but an end to the economic boom may cause serious tensions. For Poland, labour migration is part of the solution in the short-term perspective and can become a part of the problem in the long-term perspective if the best and the brightest were to leave permanently, leading to an unacceptable and permanent loss of human capital in a situation of dramatic demographic collapse. The recommendations given below are to address at least some of the most burning issues.

Poland

- Poland should begin in-depth monitoring and analysis of migration processes in order to be able to define the main issues and objectives in the area. The next step should be the formulation of a strategy, along with implementation and evaluation tools. This would probably stop the problem of ad-hoc solutions and include a holistic approach to the issue of migration.
- In order to build the mechanisms of long-term thinking on migration, Poland should centralize more on national structures responsible for migration policy. The body responsible for migration and integration policy should be strengthened.
- In the short term, Poland should simplify migration procedures for foreigners and enhance the effectiveness of programmes aimed at Polish diasporas.

Norway

- Norway should pay more attention to integration of migrants who have already arrived, and integration programs should be available not only to forced migrants, which is the case today, but also to at least some groups of labour migrants who express interest in more permanent settlement in Norway.
- Bearing in mind that most migrants coming over the last decade are labour migrants who have arrived due to good economic prospects in the country, Norway should strengthen its ability to react to the impact a possible worsening of the economic situation may have on the situation of this group of migrants. Norwegian authorities should work out some 'contingency plans' to be able to react and make the country's welfare system better prepared to meet such a future challenge without violating EU /EEA regulations, which is in line with the recommendations of the 2011 Brochmann report.
- Norway should strengthen cooperation with other countries with diasporas from conflict areas. The aim is to coordinate international efforts and to limit the negative effects that conflicts in these migrants' areas of origin may have on the situation of diasporas and security in host countries. Norway could initiate this type of cooperation in NATO, which has the issue of conflict management as one of its core tasks. This is a highly relevant question in light of the radicalizing effect the current conflict in Syria has had on some diasporas in Europe.

Appendix

World Governance Index Data on Governance in Poland and Norway

Norway and Poland: Governance gaps 1996 and 2004–2012 as measured by WGI, by category and time, percentile ranks

| Indicator | Year | Norway | Poland | Gap (Poland–Norway) |
|--|-------|--------|--------|------------------------|
| Voice and Accountability | 1996 | 98.56 | 78.37 | -20.19 |
| | 2004 | 98.56 | 81.25 | -17.31 |
| | 2005 | 98.08 | 75.96 | -22.12 |
| | 2006 | 99.04 | 71.63 | -27.41 |
| | 2007 | 100 | 73.08 | -26.92 |
| | 2008 | 99.52 | 74.52 | -25 |
| | 2009 | 99.53 | 79.15 | -20.38 |
| | 2010 | 100 | 79.62 | -20.38 |
| | 2011 | 100 | 77.93 | -22.07 |
| 2012 | 100 | 81.04 | -18.96 | |
| Political Stability and Absence of Violence/Terrorism | 1996 | 99.52 | 70.19 | -29.33 |
| | 2004 | 91.83 | 50 | -41.83 |
| | 2005 | 92.31 | 56.73 | -35.58 |
| | 2006 | 93.27 | 55.29 | -37.98 |
| | 2007 | 89.42 | 69.71 | -19.71 |
| | 2008 | 95.22 | 77.51 | -17.71 |
| | 2009 | 91.94 | 80.09 | -11.85 |
| | 2010 | 93.87 | 83.02 | -10.85 |
| | 2011 | 95.28 | 83.96 | -11.32 |
| 2012 | 93.84 | 83.41 | -10.43 | |
| Government Effectiveness | 1996 | 99.02 | 76.59 | -22.43 |
| | 2004 | 97.07 | 70.73 | -26.34 |
| | 2005 | 96.1 | 68.78 | -27.32 |
| | 2006 | 98.05 | 67.32 | -30.73 |
| | 2007 | 99.03 | 66.02 | -33.01 |
| | 2008 | 97.09 | 67.48 | -29.61 |
| | 2009 | 97.13 | 69.86 | -27.27 |
| | 2010 | 97.61 | 71.29 | -26.32 |
| | 2011 | 97.16 | 71.56 | -25.6 |
| 2012 | 98.09 | 71.77 | -26.32 | |

| Indicator | Year | Norway | Poland | Gap (Poland–Norway) |
|-----------------------|------|--------|--------|------------------------|
| Regulatory Quality | 1996 | 93.63 | 70.59 | -23.04 |
| | 2004 | 90.69 | 75.49 | -15.2 |
| | 2005 | 91.18 | 72.06 | -19.12 |
| | 2006 | 86.27 | 72.06 | -14.21 |
| | 2007 | 87.38 | 72.33 | -15.05 |
| | 2008 | 90.29 | 75.24 | -15.05 |
| | 2009 | 92.34 | 78.95 | -13.39 |
| | 2010 | 92.82 | 79.9 | -12.92 |
| | 2011 | 94.31 | 78.67 | -15.64 |
| | 2012 | 91.87 | 78.47 | -13.4 |
| Rule of Law | 1996 | 99.52 | 66.03 | -33.49 |
| | 2004 | 100 | 62.68 | -37.32 |
| | 2005 | 98.56 | 61.72 | -36.84 |
| | 2006 | 99.04 | 60.77 | -38.27 |
| | 2007 | 99.04 | 60.77 | -38.27 |
| | 2008 | 100 | 65.87 | -34.13 |
| | 2009 | 98.1 | 66.35 | -31.75 |
| | 2010 | 99.05 | 68.25 | -30.8 |
| | 2011 | 98.12 | 72.3 | -25.82 |
| | 2012 | 100 | 72.04 | -27.96 |
| Control of Corruption | 1996 | 98.54 | 72.68 | -25.86 |
| | 2004 | 95.12 | 58.54 | -36.58 |
| | 2005 | 96.59 | 60.98 | -35.61 |
| | 2006 | 97.07 | 61.46 | -35.61 |
| | 2007 | 94.17 | 61.17 | -33 |
| | 2008 | 93.69 | 66.99 | -26.7 |
| | 2009 | 95.22 | 69.86 | -25.36 |
| | 2010 | 97.14 | 70 | -27.14 |
| | 2011 | 98.1 | 71.09 | -27.01 |
| | 2012 | 98.56 | 71.77 | -26.79 |

Norway and Poland—governance gaps, WGI, in descending order, from deepest gap, in 2012

| Indicator | Norway | Poland | Gap (Poland–Norway) |
|---|--------|--------|---------------------|
| Rule of Law | 100 | 72.04 | -27.96 |
| Control of Corruption | 98.56 | 71.77 | -26.79 |
| Government Effectiveness | 98.09 | 71.77 | -26.32 |
| Voice and Accountability | 100 | 81.04 | -18.96 |
| Regulatory Quality | 91.87 | 78.47 | -13.4 |
| Political Stability and Absence of Violence/Terrorism | 93.84 | 83.41 | -10.43 |

The **Polish Institute of International Affairs (PISM)** is rated among the 20 most influential government-affiliated think tanks worldwide. It promotes the flow of ideas that inform and enhance the foreign policy of Poland. PISM provides independent analysis and advice to all branches of government, contributes to wider debates on international relations and houses one of the best specialist libraries in Central Europe.



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The **Norwegian Institute of International Relations (NUPI)** has more than 50 years of experience and is Norway's leading independent centre for research and information on international political and economic issues. It undertakes long-term basic research as well as short-term applied research and advisory services. NUPI has been ranked among the top international think tanks in several recent rankings.

Project GoodGov—“National and European Governance: Polish and Norwegian Cooperation Towards More Efficient Security, Energy and Migration Policies”—is a Polish–Norwegian research project conducted by PISM in cooperation with NUPI and ISP PAN.

The project explores how Poland and Norway can learn from each other in the crucial policy areas of security, energy and migration. This paper is one of three initial analyses: how unequal partners can learn from each other; how this process can be structured within the EU and EEA frameworks; and how this would function specifically between the two countries in the three chosen fields. The project is conducted by PISM in cooperation with the Norwegian Institute of International Affairs and the Institute of Political Studies of the Polish Academy of Sciences. The project is managed by Lidia Puka (PISM). The content editor is Roderick Parkes (PISM). More information: goodgov.pism.pl.

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