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Conditions and prospects for cooperation between Polish and Ukrainian local governments

Uwarunkowania i perspektywy współpracy jednostek samorządu terytorialnego Polski i Ukrainy

Abstract: The fact that Poland and Ukraine share a border, the convergence of the political goals of the peoples of both countries, and the constant efforts towards the development of democracy and decentralisation of public life determine the need to intensify cooperation in various areas of the functioning of society and the economy. An important sphere of cooperation is the public sector, in particular at the level of local government. The local government cooperation of both countries was already visible at the beginning of the social and political transformations after 1990. The development of this cooperation, with varying results, took place in the 1990s and, to an even greater extent, after Poland's accession to the European Union. In the last three decades, local and regional communities in Ukraine have become an important partner for Polish local governments, both at the local and regional levels. The local government cooperation that has been implemented is based on the diversification and multidimensionality of forms and models. Some result from legal regulations, while others are based on mutual experiences, previous contacts, and sympathies of public authorities. The aim of the study is to analyse and present the conditions and forms of Polish-Ukrainian local government cooperation. The aim is also to show the barriers to cooperation and to define proposed solutions to improve partner contacts of territorial units. The local government cooperation of the two countries is undoubtedly hindered by the fact that Ukraine is not a member of the EU, and often by mutual misunderstanding and non-acceptance of historical experiences. On the other hand, common goals at different levels of social, public, and economic life are a significant factor motivating parties to increase cooperation and achieve a synergistic effect thanks to it.

Keywords: local government cooperation, local government, cross-border cooperation, partnership, good-neighborliness

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Streszczenie: Bliskie sąsiedztwo Polski i Ukrainy, zbieżność celów politycznych narodów obu państw oraz ciągle dążenia w kierunku rozwoju demokracji i decentralizacji życia publicznego determinują potrzebę intensyfikacji współpracy w różnych obszarach funkcjonowania społeczeństwa i gospodarki. Ważną sferą współpracy jest sektor publiczny, w szczególności zaś na poziomie samorządu terytorialnego. Współpraca samorządowa obu krajów była widoczna już na początku przemian społeczno-ustrojowych i politycznych po 1990 r. Rozwój tej współpracy, z różnym skutkiem dokonywał się w okresie lat dziewięćdziesiątych XX w., zaś w jeszcze większym stopniu po wejściu Polski do Unii Europejskiej. W ostatnim trzydziestoleciu społeczności lokalne i regionalne na Ukrainie stały się ważnym partnerem polskich samorządów terytorialnych, zarówno na poziomie lokalnym, jak i regionalnym. Realizowana współpraca samorządowa opiera się na zróżnicowaniu i wielowymiarowości form i modeli. Jedne wynikają z przepisów prawa, inne zaś oparte są na wzajemnym doświadczeniach, dotychczasowych kontaktach i sympatiach władz publicznych. Celem opracowania jest analiza i prezentacja uwarunkowań oraz form polsko-ukraińskiej współpracy samorządowej. Celem jest także ukazanie barier współpracy oraz określenie propozycji rozwiązań usprawniających kontakty partnerskie jednostek terytorialnych. Współpracę samorządową obu państw utrudnia niewątpliwie brak członkostwa Ukrainy w UE, a także często wzajemne niezrozumienie i nieakceptowanie doświadczeń historycznych. Z drugiej strony, wspólne cele na różnych poziomach życia społecznego, publicznego i gospodarczego stanowią znaczący czynnik motywujący do zacieśniania współpracy i osiągnięcia dzięki niej efektu synergicznego.

Słowa kluczowe: współpraca samorządowa, samorząd terytorialny, współpraca transgraniczna, partnerstwo, dobrosąsiedztwo

Introduction

The process of social and economic reforms after 1989 that took place in the countries of the so-called former Eastern Bloc, as well as the intensification of socio-economic and political integration in Europe, determined the need for changes in the activities of local and regional authorities in the direction of more frequent foreign contacts. At the national and European levels, many institutional and financial instruments have been created to foster foreign cooperation between local and regional communities.

Foreign cooperation of local administrations is gaining importance due to the progressive integration process between countries, regions and economic entities.¹ The reasons for the increased interest of local governments in cooperation with foreign partners are varied. One is, for example, the reaction of local governments to the emergence of

1 T. Nowak, *Ruch miast i gmin bliźniaczych w województwie mazowieckim*, "Samorząd Terytorialny", 2011, no. 12, pp. 48-49.

supranational structures, while another is the need for local governments to follow their own aspirations and interests.²

International cooperation brings specific effects. It deepens mutual trust, understanding and relations among people. The exchange of information, experience and knowledge is also improved. As a result, the quality of local and regional development management increases.³ This leads to the formation of friendships between local communities of the countries concerned.⁴

Local government cooperation is an element of local government diplomacy, which is defined as 'conducting activities in the field of cross-border cooperation between local government bodies belonging to regions of different countries.' The local government diplomacy supplements or continues the government's concept of public diplomacy. It should be consistent with the country's foreign policy. At the same time, however, local governments are to be free to choose the directions and means of action.⁵

A form of local governmental cooperation is cross-border and inter-territorial cooperation. The former refers to joint undertakings of local governmental bodies from different countries that neighbour one another across a common border. It is characterised mainly by the local or regional level of cooperation and the proximity of contacts. On the other hand, interterritorial cooperation is a partnership of authorities that do not directly border one another. It is also the participation of local governments in international organisations, associations and institutions of local and regional bodies.⁶

The decentralisation processes after 1989 in Central and Eastern European countries determined the need for cooperation between local government organisations in the international sphere, while the

2 Ł. Buczkowski, L. J. Żukowski, *Formy współpracy międzynarodowej lokalnych jednostek samorządu terytorialnego*, pp. 13-14, <http://www.wspia.eu/file/18697/05-Buczkowski+Żukowski.pdf> [05.07.2021].

3 T. Nowak, op. cit., pp. 48-49.

4 J. Pasiut, *Założenia polityki zagranicznej miast w odniesieniu do aktualnej polityki zagranicznej Rzeczypospolitej Polskiej*, "Samorząd Terytorialny", 2014, no. 11, pp. 32-33.

5 J. Poleszczuk et al., *Samorządowa i obywatelska współpraca transgraniczna w województwie podlaskim*, Białystok 2013, pp. 13-14.

6 Ż. Osikowicz, *Współpraca transgraniczna Ukrainy i Polski w strukturze stosunków międzynarodowych na przykładzie wybranych euroregionów (zarys i problematyka)*, "Zarządzanie w Kulturze", 2017, vol. 2, no. 18, p. 238.

foreign cooperation of local government bodies has become an important element of international relations.

1. Formal and legal conditions of international cooperation of local governments

The legal framework in Poland for international cooperation of local governments is contained in many acts of national and international law. The Resolution of the European Parliament of 15 March 2007 on local authorities and development cooperation (2006/2235(INI)) should be mentioned here. It draws attention to supporting and strengthening direct cooperation between European local authorities and their international partners.⁷ The right to join an international association of local communities and to cooperate with other communities in order to protect and develop their common interests is also guaranteed to local communities by the European Charter of Local Self-Government in Article 10(2) and (3).⁸ Also, in the Act of 7 November 2008 on the European Grouping of Territorial Cooperation (EGTC),⁹ local authorities were given the possibility of cooperation abroad. However, experience has shown that the European Groupings of Territorial Cooperation (EGTCs), which were created to facilitate territorial cooperation and to strengthen economic, social and territorial cohesion of the European Union, are not an attractive form of cooperation for the eastern Euroregions.¹⁰ None of the three Euroregions operating on Poland's eastern border has been involved in this initiative so far.¹¹

The legal foundation for foreign cooperation of local governments in Poland is provided primarily by the Constitution of the Republic of Poland of 1997. Pursuant to Article 172 par. 2 of the Constitution, a local authority has the right to join international associations of local

7 European Parliament resolution of 15 March 2007 on local authorities and development cooperation (2006/2235(INI)), OJ C 301E, 13.12.2007, pp. 249-256.

8 The European Charter of Local Self-Government, Dz. U. 1994, no. 124, item 607.

9 Act of 7 November 2008 on the European Grouping of Territorial Cooperation, Dz. U. 2008, no. 218, item 1390.

10 The Ministry of Foreign Affairs, *List of European Groupings of Territorial Cooperation*, <https://www.gov.pl/web/dyplomacja/wykaz-europejskich-ugrupowan-wspolpracy-terytorialnej> [03.07.2021].

11 See: European Committee of the Regions, *List of European Groupings of Territorial Cooperation*, https://portal.cor.europa.eu/egtc/CoRActivities/Documents/Official_List_of_the_EGTCs.pdf?Web=0 [03.07.2021].

and regional communities, and to cooperate with local and regional communities of other countries.¹² Supplementary detailed provisions in this respect are provided both in the Constitution (Article 172, section 3) and in the laws regulating the system and organisation of local government bodies in Poland: Act of 8 March 1990 on communal self-government (art. 84a),¹³ Act of 5 June 1998 on district self-government (art. 75a)¹⁴ and Act of 5 June 1998 on voivodeship self-government (art. 76 par. 3).¹⁵ The Act of 15 September 2000 on the rules of accession of local authorities to international associations of local and regional communities is also an important act implementing the provisions of the Constitution of the Republic of Poland.¹⁶ It sets out the principles under which local government bodies can join international associations¹⁷ of local and regional communities.¹⁸

The legal basis for Polish-Ukrainian territorial cooperation was also defined in the Treaty between the Republic of Poland and Ukraine on Good Neighbourliness, Friendly Relations and Cooperation signed in Warsaw on 18 May 1992. Article 10 of the Treaty states: "The Parties shall contribute to the establishment and development of direct communication and cooperation among regions, cities and administrative and territorial units of the Republic of Poland and Ukraine. Particular attention shall be paid to cooperation in border areas. The Parties shall cooperate in planning the potential development of border areas. To that end, an intergovernmental commission on inter-regional cooperation shall be established. The Parties shall increase the number of border crossings and ensure that customs and border

12 The Constitution of the Republic of Poland, 2 April 1997, Dz. U. 1997, no. 78, item 483.

13 Act of 8 March 1990 on municipal self-government, Dz. U. 2013, item 594.

14 Act of 5 June 1998 on county government, Dz. U. 2013, item 595.

15 Act of 5 June 1998 on province self-government, Dz. U. 2013, item 596.

16 Act of 15 September 2000 on the rules of accession of local authorities to international associations of local and regional communities, Dz. U. 2000, no. 91, item 1009.

17 The associations referred to in the Act are understood to be organisations, unions and associations established by local communities of at least two countries in accordance with their internal law (art. 1, para. 2). See: Dz. U. 2000, no. 91, item 1009.

18 See more: R. Kusiak-Winter, *Uwagi o zasadach przystępowania jednostek samorządu terytorialnego do międzynarodowych zrzeszeń społeczności lokalnych i regionalnych*, "Acta Universitatis Wratislaviensis. Przegląd Prawa i Administracji", 2003, no. 53, pp. 59-72; R. Sowiński, *Udział polskich samorządów w zrzeszeniach międzynarodowych*, "Samorząd Terytorialny", 2002, no. 6, pp. 25-29; M. Woźniak, *Współpraca międzynarodowa jednostek samorządu terytorialnego w świetle prawa polskiego i standardów międzynarodowych*, "Samorząd Terytorialny", 2005, no. 4, pp. 12-26.

checks are carried out.¹⁹ In 1995, the Polish-Ukrainian Intergovernmental Coordination Council on Interregional Cooperation was established. So far, the Council has held 15 meetings.

On 24 May 1993, the Agreement between the Government of the Republic of Poland and the Government of Ukraine on Interregional Cooperation was signed in Kiev. Article 4 of the Agreement states that the parties will comprehensively promote cooperation in the development of regions, cities and rural areas, in particular, in such areas as: construction and spatial management, transport, municipal management, industry, trade, agriculture (development of agrarian culture, processing and marketing of agricultural production), nature protection (national and landscape parks, recreation areas and facilities), environmental protection (combating water, air and soil pollution), education, vocational training, teaching of Polish and Ukrainian as the second language in schools (especially in the border zone), culture and arts, health protection, tourism and sports, mutual information and assistance in case of catastrophes and environmental disasters (epidemics, floods, fires, disasters, transport accidents), other areas of mutual interest.²⁰ It also creates a legal framework for concluding bilateral agreements on cooperation in the above areas.

Public law in Ukraine also grants the possibility of foreign cooperation for local authorities. The basic entitlement in this respect is contained in the recently amended 1997 Law on Local Self-Government in Ukraine. Article 15 (2) of this law states that local government bodies and their associations may be members of relevant international associations and other voluntary associations of local government bodies.²¹ In April 2021, the Ukrainian government also issued a decree on the State Program for the Development of Cross-Border Cooperation for 2021-2027. Among other things, the goal of the programme is to

19 The Treaty between the Republic of Poland and Ukraine on Good Neighbourliness, Friendly Relations and Cooperation signed in Warsaw on 18 May 1992, Dz. U. 1993, no. 125, item 573.

20 The Agreement between the Government of the Republic of Poland and the Government of Ukraine on Interregional Cooperation of 24 May 1993, <https://www.gov.pl/web/mswia/ukraina> [03.07.2021].

21 Закон України 'Про місцеве самоврядування в Україні', Відомості Верховної Ради України (ВВР), 1997, № 24, ст. 170, від 21 травня 1997 р., [Zakon Ukraini 'Pro misceve samovrjaduvannja v Ukraini', Vidomosti Verhovnoi Radi Ukraini (VVR), 1997, no. 24, st. 170, vid 21 travnja 1997 r.], <https://zakon.rada.gov.ua/> [03.07.2021].

increase the level of competitiveness of the regions of Ukraine by intensifying and developing cross-border cooperation, promoting the establishment and deepening of economic, social, scientific, technological, environmental, cultural, tourist and other relations between the subjects and participants of such relations between Ukraine and other countries. It is worth mentioning that this programme has very little direct involvement of newly established local government bodies in Ukraine in the implementation of its objectives. It is noteworthy that the programme emphasises the importance of cooperation within the structures of the European Union, the Carpathian region and the Danube region, but makes no mention of cooperation with Polish regions.²²

2. The origin and forms of local governmental cooperation between Poland and Ukraine

Tomasz Kaczmarek has indicated the subjective and objective character of local authorities reasons for cooperation. The author has stated that the subjective reasons result from the legal and constitutional position of the unit, its administrative status, scope of activities and competences, economic and social potential, as well as spatial characteristics such as: area, population, natural conditions and geographical location. The scope of cooperation is determined by factors, such as: 1) distribution of population; 2) layout of communication network, municipal infrastructure; 3) location of workplaces; 4) type of provided services and related mobility of residents; 5) traditions of cooperation; 6) openness of residents; 7) activity of local authorities. The subjective reasons for cooperation are mainly related to the types of tasks performed by the local authority.²³

The development of cooperation correlated with the progressive decentralisation in the 1990s taking place especially in Poland. A special stage in the process of transborder cooperation development was

22 See: The Cabinet of Ministers of Ukraine Decree of 14 April 2021 No. 408 on approval of the State Programme of Development of Cross-Border Cooperation for 2021-2027, <https://zakon.rada.gov.ua/laws/show/408-2021-%D0%BF#Text> [15.10.2021].

23 T. Kaczmarek, *Struktury terytorialno-administracyjne i ich reformy w krajach europejskich*, Poznań 2005, p. 266.

the creation of the Cross-Border Association Euroregion BUG in 1995. It was the intention of the initiators of the project to establish an instrument for bringing border regions closer together, in which 'development policy must be aimed at achieving the objectives of the various entities that make up these regions in the processes of their own activity.'²⁴

Since the beginning of the 1990s, institutionalised forms of cooperation at the local government level have emerged in Polish-Ukrainian relations. The basis for joint action was created by the Polish-Ukrainian Intergovernmental Coordination Council for Interregional Cooperation, whose main task is to coordinate and determine the directions for cross-border and interregional cooperation, among other things, with regard to the possibility of expanding interregional cooperation, as well as cooperation in spatial planning, environmental protection and crisis situations. Six intergovernmental commissions have been established within the Council.²⁵

Another form of cooperation is cross-border agreements and contracts. These are concluded on the basis of treaty arrangements and inter-state agreements. They may concern, for example, cross-border development strategies or common environmental protection programmes. An example of such a form of cooperation is the implementation of the project and working out of assumptions 'The strategy of spa tourism development in the Polish-Ukrainian part of the Carpathian Euroregion.'²⁶

The third form of local government cooperation is Euroregional agreements. These are not only about cooperation within the frame-

24 S. Skowron, Ł. Skowron, M. Gąsior, *Szanse i bariery współpracy gospodarczej przygranicznych regionów Polski i Ukrainy z perspektywy wybranych instytucji dialogu społecznego*, "Studia i Prace WNEiZ US", 2016, vol. 44, no. 2, p. 280.

25 These were the following organs: Commission for Border Crossings and Border Infrastructure; Commission for the Use of European Union Funds; Commission for Border Cooperation; Commission for Interregional Cooperation; Commission for Humanitarian Cooperation; Commission for Spatial Planning. See: B. Kawalko, *Wybrane problemy polsko-ukraińskiej współpracy transgranicznej*, "Barometr Regionalny", 2011, vol. 24, no. 2, pp. 43-46.

26 Euroregion Karpacki, *Strategia rozwoju turystyki uzdrowiskowej w polsko-ukraińskiej części Euroregionu Karpackiego*, <http://www.karpacki.pl/stowarzyszenie-karpaty/projekty-wlasne-zakonczone/strategia-rozwoju-turystyki-uzdrowiskowej-w-polsko-ukraińskiej-c> [01.07.2021].

work of Euroregional associations,²⁷ but also about cooperation and undertaking of various other joint partner initiatives. This category of cooperation is referred to as cross-border cooperation²⁸. The European legal basis for this cooperation is laid down in the European Framework Convention on Transfrontier Co-operation between Territorial Communities and Authorities of 21 May 1980,²⁹ whilst the financial basis for this cooperation is provided mainly by the European Union. Both under the Phare and TACIS CBC pre-accession programmes,³⁰ and the Interreg initiative, which has been in operation since 2004, Polish local government bodies have the opportunity to implement various activities together with partners from, among others, Ukraine.³¹

- 27 The Euroregion is considered as a geographically defined area encompassing border areas of two or more countries that wish to cooperate and coordinate the activities of local communities in various fields. See: S. Czarnow, *Niektóre aspekty prawne współpracy transgranicznej i euroregionów*, "Państwo i Prawo", 1997, no. 10, p. 55. From a practical point of view, the definition of Waldemar Adamczyk seems to be more accurate, as he defined the Euroregion as an international association of associations of local government units or cross-border associations acting in a border area, with a formal organizational structure. The purpose of the Euroregion is, among other things, the development of economic cooperation, environmental protection, tourism, and educational and cultural activities. See: W. Adamczyk, *Phare – zarządzanie środkami Funduszu Małych Projektów przez stowarzyszenia jednostek samorządu terytorialnego*, "Kontrola Państwowa", 2003, no. 2, p. 85.
- 28 The Framework Convention on Transfrontier Cooperation defines it as any action intended to strengthen and develop neighbourly relations between the communities and territorial authorities of two or more Contracting Parties. See: K. Kaczmarczyk, *Wybrane aspekty współpracy transgranicznej*, "Samorząd Terytorialny", 2001, no. 7-8, p. 32. Marek Zielinski, on the contrary, defined transborder cooperation as neighbourly cooperation in all areas of life between bordering areas, regions or municipal or other authorities in border regions. See: M. Zieliński, *Współpraca transgraniczna między władzami lokalnymi państw Unii Europejskiej*, [in:] *Polska w Unii Europejskiej. Perspektywy, warunki, szanse i zagrożenia*, C. Mik (ed.), Toruń 1997, p. 227. See also: S. M. Grochalski, *Transgraniczność – potencjalny element dezintegracji?*, [in:] *Samorząd – Rozwój – Integracja*, M. Barański (ed.), Katowice 2003, pp. 61-63 et seq.; R. Kusiak, *Możliwości prawne transgranicznej współpracy samorządowej w świetle konwencji i umów zawartych przez Polskę*, "Acta Universitatis Wratislaviensis. Przegląd Prawa i Administracji", 1997, no. 38, pp. 119-126.
- 29 Poland ratified this Convention on 19 March 1993. See more: Dz. U. 1993, no. 61, item 288; S. Małarski, *Formy i środki prawne współpracy zagranicznej społeczności lokalnych i samorządów terytorialnych*, "Śląsk Opolski", 2001, no. 2, pp. 96-97.
- 30 Tacis Crossborder Co-operation. More on transborder cooperation of Southeastern Poland in: K. Kaczmarczyk, *Rozwój lokalnych form współpracy transgranicznej w Polsce południowo-wschodniej*, [in:] *Prawo i ustrój Rzeczypospolitej Polskiej w perspektywie integracji z Unią Europejską*, M. Grzybowski, M. Berdel-Dudzińska (eds.), Rzeszów 2002, pp. 93-112.
- 31 See also: A. Wejner, *Nowy kierunek Wschód*, "Wspólnota Powiatowa", 2000, no. 6, p. 4; A. Wejner, *Informacja przede wszystkim. Powiatowa współpraca międzynarodowa*, "Wspólnota", 2000, no. 41, p. 13; A. Mierosławska, *Czynniki aktywizujące i hamujące rozwój współpracy transgranicznej*, "Samorząd Terytorialny", 2004, no. 3, pp. 43-47.

It should be stated that international and interregional cross-border cooperation is an important element of the development policy of Polish voivodeships. The effects of such cooperation are often multi-dimensional: they ensure the flow of experience between regions from different countries; support activities aimed at increasing the quality of functioning of local governmental institutions; facilitate the development of tourism; ensure coordination of infrastructure development on both sides of the state border; lead to cultural and educational development of the region; and are a tool for promotion.³² One form of interregional cooperation comprises bilateral agreements (voivodeship-region).

Other practical forms of local government cooperation include agreements between local governments of municipalities and towns in both border and non-border regions.³³ This type of cooperation is becoming increasingly important. Within the framework of signed agreements and contracts, partnered municipalities exchange experience in the planning and implementation of development policy, generate business cooperation, jointly work on elaboration and implementation of projects, and conduct sporting, educational or cultural exchanges.³⁴ For example, an interesting model of cooperation functions in the partnership between the towns of Jawor and Berdychiv in the Zhytomyr Oblast in Ukraine, where both local governments invite each other every year to participate in major events. In Berdychiv, this includes the Days of Polish Culture, and in Jawor, the Festival of Bread and Gingerbread.³⁵ Another example of commitment to local government partnership is the annual 'St Nicholas Parcel for Zbarazh' campaign. All schools from the Bolesławiec community are involved. The initiative involves the collection of donations for students from Zbarazh.³⁶ An important form of local government cooperation with

32 J. P. Gwizdała, *Euroregiony jako forma współpracy transgranicznej w Europie*, "Zeszyty Naukowe Uniwersytetu Szczecińskiego. Finanse, Rynki Finansowe, Ubezpieczenia", 2015, vol. 2, no. 74, pp. 449-450.

33 See more: B. Kawalko, op. cit., pp. 43-46.

34 W. J. Musiał, *Bilateralna współpraca gmin na przykładzie Białegostoku i Grodna*, "Białostockie Studia Prawnicze", 2012, no. 12, pp. 221-222.

35 B. Ostrowski, *Współpraca samorządów Dolnego Śląska ze Wschodem. Raport z badań i rekomendacje*, Wojnowice 2020, pp. 9-17.

36 Ibidem.

Ukraine is also the cooperation with Poles. It often consists of supporting and assisting Polish communities living in Ukrainian local governments. This type of cooperation is the subject of partnerships between Jelcz-Laskowice in Poland and Shchyrets in Ukraine, and between Bolesławiec and Zbarazh, and Syców and Yampil.³⁷

In a survey conducted among local governments of the Subcarpathian Voivodeship in 2014, respondents marked the most frequent forms of foreign cooperation, including with the partners from Ukraine. The most popular forms of cooperation included: organisation of joint cyclical and one-time international projects (60% of indications), cyclical presentations of mutual achievements and accomplishments (54% of indications) and joint conferences and congresses (49% of indications). In fourth place in terms of frequency of indications was preliminary negotiations of the planned cooperation (32% indications). A quarter of indications, i.e. 25%, were related to the option of participation in tourism, business and investment fairs.³⁸

The Carpathian Euroregion was the first Euroregion to become a platform for Polish-Ukrainian local governmental cooperation. It was established on 14 February 1993. In Debrecen, representatives of regional authorities of Poland, Slovakia, Hungary and Ukraine signed an agreement on the creation of the Interregional Union Carpathian Euroregion. The development of cooperation since the creation of the Euroregion has been determined by the occurrence of various phenomena and changes on political, economic, administrative, awareness and personal levels.³⁹ Similarly, the development of Polish-Ukrainian cooperation took place in the second important Euroregion in this part of Europe – the Euroregion BUG, created in 1995. It is also worth mentioning the initiative to create the Euroregion Roztocze, which was successfully completed and at the beginning of 2021 received the Polish Ministry of Foreign Affairs' approval for local governments to

37 Ibidem.

38 Ł. Buczkowski, L. J. Żukowski, op. cit., pp. 56-57.

39 Euroregion Karpacki, *Historia Euroregionu*, <http://www.karpacki.pl/euroregion-karpacki/historia-euroregionu/> [03.07.2021].

join the international association of local communities under the name Cross-Border Association Euroregion Roztocze.⁴⁰

In recent years (until the outbreak of the COVID-19 pandemic) Polish-Ukrainian local government cooperation has developed dynamically. Particularly in the period before the final adoption of local government reform in Ukraine, a number of partnership projects were implemented, aimed mainly at sharing experience in the functioning of public administration and counteracting corruption at the local level.⁴¹

Based on the data collected by the Association of Polish Cities, 315 Polish municipalities and cities have signed contracts or agreements on cooperation with local administration bodies in Ukraine. In the case of powiat authorities, the number amounts to 93.⁴² It is worth mentioning that the partners from Ukraine and Germany are the leaders in this field. At the level of voivodeship local government, all bodies have signed agreements on cooperation with one or more regions in Ukraine. Most agreements were signed by the Lublin and Subcarpathian voivodeships.

3. Cooperation challenges and needs

Regardless of the intensification of cooperation between Polish and Ukrainian local government bodies in recent years, we still have to deal with many barriers, problems and often even conflicts, which have the effect that the assumed objectives of cooperation and the level of effectiveness of using available cooperation instruments are unsatisfactory. It may even be argued that over the past several years Polish-Ukrainian cooperation in the economic and business spheres has developed more effectively than in the local government sphere, despite the fact, that the decentralisation of public administration in Ukraine has advanced. Therefore, where should one look for the reasons for this state of affairs?

40 Euroregion Roztocze, *Historia powstania*, <https://euroregionroztocze.org.pl/stowarzyszenie-samorza%cc%a8dow-euroregion-roztocze/historia-powstania/> [03.07.2021].

41 A. Skorupska, *Wsparcie samorządowe dla Ukrainy*, "Biuletyn PISM", 2014, nr 27, pp. 1-2.

42 Związek Miast Polskich, *Współpraca miast partnerskich*, <https://www.miasta.pl/strony/wspolpraca-miast-partnerskich> [03.07.2021].

The authors of the above-mentioned survey, carried out among local government entities in Subcarpathian, also asked about the reasons for the lack of international cooperation. The most frequently indicated reason was a focus on the current needs of the community that makes it impossible to establish cooperation (65% of indications), followed by a lack of adequate forms of cooperation (35%), formal difficulties in establishing cooperation (25%) and insufficient information about cooperation (10%).⁴³

Whilst writing about the weaknesses and problems of local government cooperation with Ukraine, one should not forget about the historical background. There are still some historical resentments between Poland and Ukraine, which mean that in some cases, contacts between local communities of the countries may be disturbed. Most often, especially in recent years, such a situation concerns Ukrainian partners. This is mainly related to the glorification of nationalist symbols. One example is the suspension of cooperation between Zamosc and Ternopil because of the naming of the local stadium by Ternopil city councillors on 5 March 2021 after Roman Shukhevych, the founder of the Ukrainian Insurgent Army and inspirer of the slaughter of Poles in Volhynia.⁴⁴

One of the important factors that negatively influence the effective use of opportunities for cooperation between local governments and Ukraine is the lack of a comprehensive strategy for cooperation between local communities on both sides of the border, formulated and implemented at the national level. Another problem is the low level of participation in cross-border cooperation of entities from the business sector and non-governmental organisations, which usually undertake cooperation ad hoc, within the framework of projects financed from external funds. Concerns are also raised about the attitude of Ukraine's central and regional authorities. In many cases, trans-border cooperation between the territorial entities is given low

43 Ł. Buczkowski, L. J. Żukowski, op. cit., pp. 56-57.

44 *Historyczne resentymenty blokują współpracę z miastami na Ukrainie*, Rozmowa Janusza Króla z Prezydentem Zamościa Andrzejem Wnukiem, Wspólnota.org.pl, 24.05.2021, <https://wspolnota.org.pl/news/historyczne-resentymenty-blokuja-wspolprace-z-miastami-na-ukrainie> [03.07.2021].

priority. There is also a low awareness of the importance of this cooperation in territorial, spatial, social and economic development.⁴⁵

Tomasz Grzegorz Grosse, while analysing the possibilities of elaborating the EU strategy for the Carpathian region, has mentioned several other problematic determinants, which should be taken into consideration while formulating the policy of transboundary cooperation, also in the context of other regions. Among other things, the author has highlighted the problem of a lack of political will within the Carpathian region, especially at the intergovernmental level. There is also a deficit of 'properly motivated political leadership' on the Polish side. He has rightly emphasised that 'a consequence of the low level of political commitment is logistical and organisational weakness, [...] as well as the weakness of existing organisational, information and lobbying activities, both in the region itself and at the European level.'⁴⁶

In parallel to the problems and factors not conducive to undertaking and developing cooperation, local government bodies also express expectations in this sphere. The results of an empirical study conducted by researchers from the Lublin University of Technology, published in 2016, indicate that the most expected form of support is assistance in dealing with administrative procedures (41.6% of responses), followed by legal assistance in working contacts and disputes (37.8%). Also important for representatives of local communities is help in establishing contacts with local authorities (36.6%) and political and organisational support from embassies in the implementation of joint initiatives and projects. Based on the cited research, it was also found that entities with experience in international cooperation expect more support from the government administration than those without such experience. On the other hand, among the organisations without experience in cooperation, assistance in dealing with the administrative matters and legal assistance in working contacts were most frequently highlighted.⁴⁷

45 Ż. Osikowicz, op. cit., pp. 244-245.

46 See more: T. G. Grosse, *Strategia UE dla regionu Karpat?*, "Samorząd Terytorialny", 2016, no. 7-8, pp. 146-147.

47 S. Skowron, Ł. Skowron, M. Gąsior, op. cit., p. 286.

4. Recommendations

The research conducted in the recent years on Polish-Ukrainian local government cooperation has shown that the local governments do not have a separate documents defining foreign cooperation priorities. The exception is local government of voivodeships, which are obliged by the law to adopt the priorities of the region in the field of cooperation with foreign countries. Priorities define the geographical and content-related directions of foreign cooperation implementation. At the county and municipality level, foreign cooperation issues are most often included in the general development strategy of the territorial unit.⁴⁸ International cooperation strategies are an interesting idea, which could organise and permanently incorporate international cooperation of local government bodies into the local development policy. Such a document would be both a promotional instrument and would facilitate bilateral contacts of other entities from the territory of a given local government unit, such as entrepreneurs, educational institutions or non-governmental organisations.⁴⁹

The implementation of an approach based on the so-called triangulation model of international cooperation may also be important for the development of local government cooperation. It is based on cooperation among the entities representing the public, private and social sector. Therefore, the partners of agreements would be local government bodies, entrepreneurs and non-governmental organisations. Iwona Wieczorek and Marcin Szewczak have rightly emphasised that 'combining these groups of entities and using the threads of mutual connections which create many cooperation networks will allow for intensification of activities and bring success.'⁵⁰ Perhaps it would be worthwhile to consider the concept of creating entities that bring together representatives of various sectors, following the example of local action groups that operate in the EU under the Leader initiative. Of course, they would constitute a partnership consisting of the representatives of different sectors on both sides of the border, which in the first stage would work out the assumptions of a common local de-

48 B. Ostrowski, op. cit., pp. 9-17.

49 I. Wieczorek, M. Szewczak, *Współpraca międzynarodowa miast polskich. Doświadczenia JST*, Łódź 2018, pp. 126-127.

50 Ibidem.

velopment strategy. In the next stage, the partners could obtain external financing for undertakings planned in the strategy. Such a model could be initiated, for example, by the voivodeship administration or the Ministry of Foreign Affairs in the form of competitions.

Looking at local governmental cooperation between Poland and Ukraine at a national level, there is a lack of full information about the actual cooperation, its scope, forms and effects, particularly at the level of communes and districts. It is therefore appropriate to introduce a system that would oblige Polish local governments to inform the national government about foreign cooperation, regardless of its form. It is not, of course, a question of government interference in local governmental affairs, but rather about obtaining useful information to support other local governments that want to establish such cooperation, creating generally accessible databases and promoting good practices.⁵¹

The research report on the cooperation of local governments of Lower Silesia with the East indicates the desirability of establishing an association of twin towns, which would be in charge of planning, implementing and identifying further entities for cooperation as well as acquiring funding for it. Besides, an important role in the process of developing cooperation with Ukraine should be played by the support of communes and districts in establishing foreign partnerships by the local governments of the voivodeships. An element of the voivodeship's local governmental policy could be the creation of a fund to support the most interesting projects of partnership cooperation between local governments. The marshal's office should also, for example: prepare a database of potential financing sources for partnerships, prepare a handbook of good practices, and organise training and information meetings devoted to specific issues relevant to the local governments.⁵² The conclusions of the report also emphasise the role of the Ministry of Foreign Affairs in the development of the international cooperation of local governments. The most important recommendations include: 1) developing priorities for lo-

51 I. Ksenicz, *Polsko-ukraińska współpraca samorządowa – wnioski z badań*, "Samorząd Terytorialny", 2018, no. 7-8, pp. 159-168.

52 B. Ostrowski, op. cit., pp. 9-17.

cal government cooperation along the lines of the priorities of public and cultural diplomacy; 2) creating a flagship project that would be a 'brand of paradiplomacy'; 3) organising information meetings for those responsible for foreign cooperation in local governments; 4) co-financing the activities of regional cooperation funds; 5) developing a mechanism that would allow easy crossing of the Polish-Ukrainian land border for participants in partnership activities.⁵³

The expansion of local governmental cooperation may also be supported by the already existing and active Euroregional associations. The position of Euroregions operating on the eastern border of the Republic of Poland should be strengthened, and they should be involved in the creation of broader tri-sector partnerships coordinating, together with the voivodeship authority, the cooperation of other local governmental bodies.

Conclusions

Notwithstanding the complex and unstructured model and forms, the foreign cooperation of local government bodies is becoming more and more professional. Analysing the experience of cooperation between Polish and Ukrainian local governments, the basic form is still partnership agreements. Gradually, however, other forms of cooperation are developing, including, in particular, jointly implemented projects.⁵⁴

The reconstruction of local government in Poland in the early 1990s has become the basis for local communities to obtain legal opportunities for international cooperation. Wojciech Tomasz Modzelewski has rightly emphasised that the implemented spatial interactions together with economic, social or cultural links are quite diverse in nature: bilateral, multilateral; direct or indirect; cross-border or inter-territorial; implemented through signed agreements or without agreements; etc.⁵⁵

As Judyta Pasiut has stressed, the assumption that for local governments conducting international activities is a necessity does not

53 Ibidem.

54 J. Pasiut, op. cit., p. 44.

55 W. T. Modzelewski, *Dylematy w określaniu aktywności zagranicznej samorządów terytorialnych – kategoria paradplomacji*, "Samorząd Terytorialny", 2019, no. 3, p. 15.

seem to be entirely true.⁵⁶ Everything depends on the potential, willingness, needs and openness of the local government to take part in such cooperation. It is important, however, to promote good examples of activities which bring measurable social, economic and political benefits, not only for local authorities themselves, but also in the national dimension. In parallel, the local councillors and communities more and more often perceive the benefits of the international cooperation of local governments, connected mainly with business, cultural effects or promotion of local and regional products.⁵⁷

Local government cooperation between Poland and Ukraine results in the elimination of border barriers to relations between local communities, business and non-governmental organisations. It is crucial to conduct regular Polish-Ukrainian dialogue, consultations and meetings at higher levels in these relations. It is also necessary to formulate new initiatives for cooperation in various areas of social, public and economic life.⁵⁸

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⁵⁶ J. Pasiut, op. cit., pp. 44-45.

⁵⁷ M. Bierzyńska-Sudoł, *Dyplomacja samorządowa jako innowacyjny instrument zarządzania regionem*, "Rocznik Instytutu Nauk Politycznych Uniwersytetu Kazimierza Wielkiego w Bydgoszczy", 2016, vol. 15, p. 244.

⁵⁸ See more: J. M. Nowakowski, J. Kluczkowski, B. Luft, A. Magdziak-Miszewska, *Polityka Wschodnia Polski. Raport*, Warszawa 2019, p. 16, <https://ambasadorowiedotorg.files.wordpress.com/2020/01/polska-polityka-wschodnia.pdf> [03.07.2021].

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