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Legal and Functional Determinants of Cooperation Between Polish and Ukrainian Local Governments Since 1990

The social, economic, and political changes which occurred in both Poland and in Ukraine after 1989, led to the formation of mutual relations at various levels and in various spheres of public, social, and economic life. Subsequent administrative reforms introduced from the beginning of the 1990s had an impact on the development of the decentralization and democratization of the public sector. In Poland, these processes took place much more effectively than in Ukraine. Despite this, from the very beginning of the changes, the newly created communes, and after 1998, the poviats and voivodships, undertook cooperation with self-governing partners in Ukraine. In the last three decades, local and regional communities in Ukraine have become an important partner for Polish local and regional governments. Polish-Ukrainian self-government cooperation is implemented in many forms, based on various models and with different results. It also faces many barriers on legal, institutional, and psychological levels. The main obstacle is undoubtedly Ukraine's lack of membership in the European Union, as well as sometimes mutual misunderstanding and non-acceptance of historical experiences. The main goal of the study is to analyze the currently functioning forms of cooperation between local governments from Poland and Ukraine. The main thesis of this article is based on the assumption that despite the many opportunities existing for partnership and cooperation, local governments from Poland and Ukraine establish bilateral and multilateral cooperation too seldom. This is related to many barriers that hinder the development and initiation of cooperation, and affect its quality and expected outcomes. To verify the assumed thesis, institutional and legal methods, document analysis, factor analysis, and comparative methods were used.

Key words: cooperation, partnership, cooperation between Poland and Ukraine, local government, socio-economic development, good-neighborliness.

Правові та функціональні детермінанти співпраці між польськими та українськими органами місцевого самоврядування з 1990 року.

Суспільні та політичні зміни як у Польщі, так і в Україні після 1989 р. призвели до формування взаємних відносин на різних рівнях та у різних сферах суспільного, суспільного та економічного життя. Подальші адміністративні реформи, запроваджені з початку 1990-х років, вплинули на розвиток децентралізації та демократизації державного сектору. У Польщі ці процеси відбувалися набагато ефективніше, ніж в Україні. Незважаючи на це, з самого початку змін новостворені комуни, а після 1998 року повіти та воєводства розпочали співпрацю з партнерами місцевого самоврядування в Україні. За останні три десятиліття місцеві та регіональні громади в Україні стали важливим партнером для органів місцевого самоврядування Польщі, як на місцевому, так і на регіональному рівні. Співпраця польських та українських органів самоврядування здійснюється у багатьох формах, на основі різних моделей та з різними результатами. Вона також стикається з багатьма бар'єрами, як на юридичному, інституційному, так і на психологічному рівні. Головною перешкодою, безперечно, є відсутність в Україні членства в Європейському Союзі, а також іноді взаємне нерозуміння та неприйняття історичного досвіду. Основною метою дослідження є аналіз існуючих форм співпраці між органами місцевого самоврядування Польщі та України. Основна теза статті базується на припущенні, що, незважаючи

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на багато можливостей партнерського співробітництва, органи місцевого самоврядування з Польщі та України встановлюють двостороннє та багатостороннє співробітництво в занадто малих обсягах. Це пов'язано з багатьма бар'єрами, які перешкоджають розвитку та започаткуванню співпраці та впливають на її якість та передбачувані наслідки. Для перевірки припущеної тези були використані інституційно-правовий метод, аналіз документів, факторний аналіз та порівняльний метод.

Ключові слова: співробітництво, партнерство, співпраця між Польщею та Україною, місцеве самоврядування, соціально-економічний розвиток, добросусідство.

1. Introduction

The literature most often distinguishes two groups of phenomena that can be included among the sources of the increase in the international activity of local governments. The first group includes intensifying regional integration and globalization, and related to these processes, a growing interdependence between various levels such as ecology, security, and modern technologies. Therefore, local government units expand their cooperation in order to exchange experiences and good practices with other entities that may become their business partners in the future. The second group of phenomena includes the increasing role of regional and local entities and the rivalry between them. There are also more and more organizations associating local self-government units which, by becoming more independent from the state authority, gain strength, and their political and economic role has therefore grown significantly. The rivalry, on the other hand, is related to the fight for EU funds, which give municipalities and poviats a chance to increase investments, and thus make them more competitive in the fight for residents, tourists, or investors².

Partnership cooperation of local government units is a special form of establishing foreign contacts because it directly engages residents and local organizations, which gives them the opportunity to establish close relationships, exchange experiences, and cooperate. These partnerships are based on cooperation agreements, letters of intent, or other written agreements. Contacts can also be informal as there are no clear and precise definitions of town twinning in national and international law. This means that the conditions that must be met by the cooperating cities in order for their contacts to be defined as a twin relationship or partnership cooperation have not so far been specified³.

The development of decentralization after 1989 in the countries of the former Eastern bloc determined the need for cooperation between local government organizations in an international dimension. Foreign cooperation of local government units has become an important element of international relations. A number of institutional and financial instruments have been created at the national and European levels to foster international cooperation between local and regional communities. The openness to cooperation and exchange of experiences has also increased, in particular on the part of the so-called former Eastern Bloc. The cooperation itself is fostered by the ongoing process of administrative reforms towards further decentralization of the public sector. Thanks to this cooperation mutual trust, understanding, and bringing people closer to each other are deepened. There is also an improvement in the exchange of information, experience, and knowledge. As a result, the quality of local and regional development management is improving⁴. Friendships between local communities are also often established⁵.

For over a dozen years, analyses and research related to the effects and conditions of Polish-Ukrainian self-government cooperation have been conducted. As an example, it is worth mentioning the works of Ż. Osikowicz, or B. Kawalko, who analyzed the partnership cooperation between the Lubelskie Voivodeship and the oblasts in Ukraine. The experiences of Polish cities in cooperation with territorial units in Ukraine are also described by I. Wiczorek and M. Szewczak in their work entitled "International cooperation of Polish cities. Experiences of local government units". Publications that take into account the subject of self-government cooperation between Poland and Ukraine, how-

² Podgórska, J. (2010), *Współpraca zagraniczna jednostek samorządu terytorialnego: na przykładzie miast z woj. śląskiego i miast rosyjskich*, „Pisma Humanistyczne”, nr 7, p. 67.

³ Ibidem, p. 68.

⁴ Nowak, T. (2011), *Ruch miast i gmin bliźniaczych w województwie mazowieckim*, „Samorząd Terytorialny”, Nr 12, pp. 48-49.

⁵ Pasiut, J. (2014), *Założenia polityki zagranicznej miast w odniesieniu do aktualnej polityki zagranicznej Rzeczypospolitej Polskiej*, „Samorząd Terytorialny”, Nr 11, pp. 32-33.

ever, do not refer to the real effects and barriers related to cooperation to a large extent. They also do not contain recommendations that could be included in future partnership projects. The aim of this study is to present the forms of cooperation to date as well as the legal and functional conditions for their implementation. The aim is also to identify the main barriers to cooperation and ways to overcome them. The article also uses the results of empirical research conducted by the National Institute of Local Self-Government in Poland. The article also aims to assess the effects of cooperation and the main challenges in this area, which should be taken into account by decision-makers both in Poland and in Ukraine.

2. Legal conditions of cooperation

Legal grounds for international cooperation of local government units in Poland are contained both in the Constitution of the Republic of Poland of 1997 and in specific legislation. They reflect the principles of international cooperation contained in acts of international law, such as the Resolution of the European Parliament of 15 March 2007 on local self-government and development cooperation (2006/2235 (INI))⁶, or the European Charter of Local Self-Government, according to which local communities may cooperate with communities of other countries under the conditions provided for by law (Article 10 (2) and (3))⁷.

Another act of international law in this area is the Act of November 7, 2008, on the European grouping of territorial cooperation⁸. European groupings of territorial cooperation (EGTC) are a type of legal entity established by European Union law to facilitate territorial cooperation and to strengthen the economic, social, and territorial cohesion of the Union. The reason for its establishment was the conviction that, due to their legal framework, the possibilities of the growth of the Euroregions are expected to be limited⁹. It should be added, however, that none of the three Euroregions operating on the eastern border of Poland are involved in this initiative¹⁰.

Under Article 172 para. 2 of the Constitution of the Republic of Poland, a local government unit has the right to join international associations of local and regional communities and to cooperate with local and regional communities of other countries¹¹. Delegations to detailed provisions in this regard are included both in the Basic Act (Article 172, paragraph 3) and in the acts regulating the system and organization of local government units in Poland: the Act of March 8, 1990, on municipal self-government (Article 84a)¹², the Act of June 5, 1998, on the Poviats Self-Government (Art. 75a)¹³, and the Act of June 5, 1998, on the Self-Government of the Voivodeship (Art. 76 (3))¹⁴.

Based on Polish legislation, the principles of international cooperation of local government units are regulated by the Act of September 15, 2000, on the principles of accession of local government units to international associations of local and regional communities¹⁵. It defines the rules on which local government units may join international associations¹⁶ of local and regional communities¹⁷.

⁶ European Parliament resolution of 15 March 2007 on local government and development cooperation (2006/2235 (INI)) Official Journal, 301 E, 13/12/2007 P. 0249 – 0256.

⁷ European Charter of Local Self-Government, drawn up in Strasbourg on October 15, 1985. Dz. U. 1994, Nr 124, poz. 607.

⁸ Act of 7 November 2008 on the European Grouping of Territorial Cooperation, Dz. U. 2008, nr 218, poz. 1390.

⁹ List of European Groupings of Territorial Cooperation, Ministry of Foreign Affairs, <https://www.gov.pl/web/dyplomacja/wykaz-europejskich-ugrupowan-wspolpracy-terytorialnej>, [Access, 10.08.2021].

¹⁰ EU31/03/2021 List of European Groupings of Territorial Cooperation, https://portal.cor.europa.eu/egtc/CoR-Activities/Documents/Official_List_of_the_EGTCs.pdf?Web=0 [Access: 15.09.2021]

¹¹ The Constitution of the Republic of Poland of April 2, 1997, adopted by the National Assembly on April 2, 1997, adopted by the Nation in a constitutional referendum on May 25, 1997, signed by the President of the Republic of Poland on July 16, 1997. Dz.U. 1997 nr 78 poz. 483.

¹² Act of March 8, 1990 on the municipal self-government, Dz. U. 2013, poz. 594 ze zm.

¹³ Act of July 5, 1998 on the poviats self-government, Dz. U. 2013, poz. 595 ze zm.

¹⁴ Act of July 5, 1998, on the regional self-government, Dz. U. 2013, poz. 596 ze zm.

¹⁵ Act of September 15, 2000 on the principles of accession of local government units to international associations of local and regional communities Dz. U. 2000, Nr 91, poz. 1009.

¹⁶ The associations referred to in the Act are understood as organizations, unions and associations established by local communities of at least two countries in accordance with their domestic law (Article 1 (2)), Dz. U. 2000, Nr 91, poz. 1009.

In the field of international cooperation, the greatest scope of competencies has been assigned to the local government voivodship. In art. 12 of the Act on voivodship self-government, it was specified that when formulating the voivodship development strategy and implementing the regional development policy, the voivodship self-government cooperates, inter alia, with international organizations and regions of other countries, especially neighboring ones¹⁸.

The legal basis of Polish-Ukrainian territorial cooperation was also specified in the Treaty between the Republic of Poland and Ukraine on good neighborhood, friendly relations, and cooperation, signed in Warsaw on May 18, 1992. Article 10 of the Treaty states that “the parties will support the establishment and development of direct contacts and cooperation between regions, administrative and territorial units, and cities of the Republic of Poland and Ukraine. Particular attention will be paid to cooperation in border areas. The parties will cooperate in the field of planning the development of border regions. To implement these arrangements, an Intergovernmental Commission for Interregional Cooperation will be established¹⁹. In 1995, the Polish-Ukrainian Intergovernmental Coordination Council for Interregional Cooperation was established. So far, 15 meetings of the Council have been held. On May 24, 1993, an Agreement between the Government of the Republic of Poland and the Government of Ukraine on interregional cooperation was signed in Kyiv. In art. 4 of the Agreement, it was specified that the parties would comprehensively support the implementation of cooperation in the development of regions, cities, and rural areas, in such areas as: construction and spatial management, transport, municipal management, industry, trade, agriculture (development of agrarian culture, processing, and sale of agricultural production), nature protection (national and landscape parks, recreational areas, and facilities), environmental protection (combating water, air, and soil pollution), education and vocational training, teaching either Polish or Ukrainian as a second language in schools (especially in the border areas), culture and arts, health protection, tourism and sport, mutual information and assistance in the event of environmental catastrophes and disasters (epidemics, floods, fires, disasters, transport accidents), and other areas of mutual interest²⁰. The document also creates a legal framework for concluding bilateral agreements on cooperation in the above-mentioned areas.

Public law in Ukraine also grants the possibility of foreign cooperation to local territorial units. The basic power in this regard was included in the recently amended law of 1997 on local self-government in Ukraine. In art. 15 sec. 2 of this Act, it is stated that local government bodies and their unions may be members of relevant international associations and other voluntary associations of local government bodies²¹. In April 2021, the Ukrainian government also issued a decree on the State Program for the Development of Cross-Border Cooperation for 2021-2027. The aim of the program is, inter alia, to increase the level of competitiveness of Ukraine's regions by intensifying and developing cross-border cooperation, and by promoting the establishment and deepening of economic, social, scientific, technological, environmental, cultural, tourist, and other relations between entities and participants in such relations between Ukraine and other countries. It is worth adding that the newly created units of local self-government in Ukraine have very little direct involvement in the implementation of its objectives in this program. It is also worth adding that the program emphasizes the importance of cooperation within the structures of the European Union, the Carpathian region and the Danube region, but no mention is made of cooperation with Polish regions²².

¹⁷ Kusiak-Winter, R. (2003), *Uwagi o zasadach przystępowania jednostek samorządu terytorialnego do międzynarodowych zrzeszeń społeczności lokalnych i regionalnych*, „Acta Universitatis Wratislaviensis. Przegąd Prawa i Administracji”, Nr 53, p. 59-72; Sowiński, R. (2002), *Udział polskich samorządów w zrzeszeniach międzynarodowych*, „Samorząd Terytorialny”, nr 6, pp. 25-29.

¹⁸ Act of July 5, 1998, on the regional self-government, Dz. U. 2013, poz. 596 ze zm.

¹⁹ Treaty between the Republic of Poland and Ukraine on good neighborhood, friendly relations and cooperation, drawn up in Warsaw on May 18, 1992. Dz.U. 1993 nr 125 poz. 573.

²⁰ Agreement between the Government of the Republic of Poland and the Government of Ukraine on interregional cooperation of May 24, 1993, <https://www.gov.pl/web/mswia/ukraina> [Access: 10.09.2021].

²¹ Law of Ukraine “On Local Self-Government in Ukraine”, Bulletin of the Verkhovna Rada of Ukraine (VVR), 1997, № 24, Article 170, dated May 21, 1997. [Закон України «Про місцеве самоврядування в Україні», Відомості Верховної Ради України (ВВР), 1997, № 24, ст.170, від 21 травня 1997 р.], <https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#Text>, [Access: 3.07.2021].

²² See: Cabinet of Ministers of Ukraine Decree of April 14, 2021 № 408 Kiev On the approval of the State Program for the Development of Cross-Border Cooperation for 2021-2027.

3. Functional conditions of cooperation

The cooperation undertaken by local government units is determined by factors of various natures. These include geographic proximity, cultural ties, shared historical roots and experiences, socio-demographic features, and socio-economic level²³. Local and regional authorities in Ukraine often treat local government partners from Poland “as intermediaries in contacts with the European Union”. It is mainly related to the prospect of obtaining EU funds, i.e., based on more pragmatic and instrumental premises than based on mutual friendship²⁴.

The beginnings of self-government cooperation between Poland and Ukraine date back to 1992. A special stage in the process of development of cross-border cooperation was the establishment of the Euroregion Bug Cross-Border Association in 1995. The intention of the initiators of the project was to establish an instrument for bringing border regions closer together, in which “development policy must be directed towards the implementation of the goals of various entities that contribute to these regions in the processes of their own activity”²⁵.

From the beginning of the 1990s, institutionalized forms of cooperation emerged on the local government level in Polish-Ukrainian relations. The foundation 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 of cross-border and interregional cooperation, including the possibility of extending interregional cooperation, or cooperation in the field of spatial planning, environmental protection, and crises. Within the Council, six intergovernmental commissions have been set up: 1) the Commission on border crossings and border infrastructure; 2) the Commission for the use of European Union funds; 3) the Commission for cross-border cooperation; 4) the Commission for interregional cooperation; 5) the Commission for humanitarian cooperation; and 6) the spatial planning Commission²⁶.

Cross-border agreements and contracts are other forms of cooperation. They are concluded on the basis of a treaty and inter-state agreements. They may concern, for example, cross-border development strategies or joint environmental programs. An example of such a form of cooperation is the implementation of the project and the development of assumptions entitled “Strategy for the development of spa tourism in the Polish-Ukrainian part of the Carpathian Euroregion”²⁷.

The third form of local government cooperation is Euroregional agreements. It is not only about cooperation within euroregional associations²⁸, but also about undertaking various other joint partnership initiatives. This category of cooperation is known as cross-border cooperation²⁹. The European legal basis for this cooperation is contained in the European Framework Convention on Cross-Border

²³ Pasiut, J., op. cit., pp. 32-33.

²⁴ Ksenicz, I. (2018), *Polsko-ukraińska współpraca samorządowa – wnioski z badań*, „Samorząd Terytorialny”, nr 7-8, pp. 167-169.

²⁵ Skowron, S., Skowron, Ł., Gąsior, M. (2016), *Szanse i bariery współpracy gospodarczej przygranicznych regionów Polski i Ukrainy z perspektywy wybranych instytucji dialogu społecznego*, „Studia i Prace WNEiZ US”, nr 44/2, p. 280.

²⁶ Kawałko, B. (2011), *Wybrane problemy polsko-ukraińskiej współpracy transgranicznej*, „Barometr Regionalny”, Nr 2(24), pp. 43-46.

²⁷ Euroregion Karpacki (2014), *Strategia rozwoju turystyki uzdrowiskowej w polsko-ukraińskiej części Euroregionu Karpackiego*, Rzeszów, <http://www.karpacki.pl/stowarzyszenie-karpaty/projekty-wlasne-zakonczone/strategia-rozwoju-turystyki-uzdrowiskowej-w-polsko-ukrainskiej-c/>, [Acces: 1.07.2021].

²⁸ Czarnow, S. (1997), *Niektóre aspekty prawne współpracy transgranicznej i euroregionów*, „Państwo i Prawo”, Nr 10, p. 55; Adamczyk, W. (2003), *Phare – zarządzanie środkami Funduszu Małych Projektów przez stowarzyszenia jednostek samorządu terytorialnego*, „Kontrola Państwowa”, nr 2, p. 85.

²⁹ Kaczmarczyk, K. (2001), *Wybrane aspekty współpracy transgranicznej*, „Samorząd Terytorialny”, Nr 7-8, p. 32; Zieliński, M. (1997), *Współpraca transgraniczna między władzami lokalnymi państw Unii Europejskiej*, [in:] *Polska w Unii Europejskiej. Perspektywy, warunki, szanse i zagrożenia*, red. C. Mik, Toruń, p. 227; Grochalski, S. M. (2003), *Transgraniczność – potencjalny element dezintegracji?*, [w:] *Samorząd – Rozwój – Integracja*, red. M. Barański, Katowice, pp. 61-63; Kusiak, R. (1997), *Możliwości prawne transgranicznej współpracy samorządowej w świetle konwencji i umów zawartych przez Polskę*, „Acta Universitatis Wratislaviensis. Przegląd Prawa i Administracji”, Nr 38, pp. 119-126.

Cooperation between Communities and Territorial Authorities of May 21, 1980³⁰, and the financial foundations for this cooperation are mainly created by the European Union. Both under the Phare pre-accession program, TACIS CBC³¹, as well as the Interreg initiative that has been operating since 2004, Polish local government units have the possibility to implement various activities together with foreign partners, including those from Ukraine.

Other practical forms of local government cooperation include agreements between municipalities and cities of both border regions and non-border regions³². This type of cooperation is playing an increasingly important role. Under the signed agreements and contracts, communes and partner cities exchange experiences in planning and implementing development policy, generate business cooperation, work together to develop and implement projects, and conduct sport, educational and cultural exchanges³³.

Tomasz Kaczmarek indicates the subjective and objective nature of the reasons for cooperation by territorial units. The author claims that the subjective reasons result from the legal and systemic position of an individual, its administrative status, scope of activities and competences, economic and social potential, and spatial features, such as: area, population, natural conditions, and geographical location. The scope of cooperation is determined by such factors as: 1) population distribution; 2) the layout of the communication network, municipal infrastructure; 3) location of workplaces; 4) the type of services provided and the related mobility of residents; 5) traditions of cooperation; 6) openness of the inhabitants; and 7) the activity of local government authorities. The objective reasons for cooperation are mainly related to the types of tasks carried out by the territorial unit³⁴.

Local government cooperation may be imposed, i.e., it can be forced by certain objective circumstances, but it may also be initiated. In practice, we most often deal with initiated cooperation. Imposed cooperation results from the existence of certain circumstances which may include, for example, the need to counteract environmental threats, catastrophes, epidemics, or the need for cross-border exchange resulting from the movement of citizens from neighboring countries³⁵.

The results of research related to conducting foreign contacts by local government units in Poland indicate the most common benefits of cooperation. These include: creating opportunities for international exchange for residents; promotion of local government in the international arena; a chance to transfer good practices of foreign self-government units to the local ground; the possibility of applying for funds from European and international programs; development of knowledge and competences of officials of the local government unit and the partner unit through permanent exchange³⁶; prestige; seeking to influence decisions about local government taken by the EU institutions; and encouragement by the Polish administration (including the central administration)³⁷.

One of the important factors that negatively affects the effective use of the possibilities of local government cooperation with Ukraine is the lack of a comprehensive, formulated, and nationally im-

³⁰ Poland ratified this Convention on March 19, 1993, Dz. U. 1993, Nr 61, poz. 288; Malarski, S. (2001), *Formy i środki prawne współpracy zagranicznej społeczności lokalnych i samorządów terytorialnych*, „Śląsk Opolski”, Nr 2, s. 96-97.

³¹ *Tacis Crossborder Co-operation. More on the cross-border cooperation of south-eastern Poland* in: Kaczmarczyk, K. (2002), *Rozwój lokalnych form współpracy transgranicznej w Polsce południowo-wschodniej*, [w:] *Prawo i ustroj Rzeczypospolitej Polskiej w perspektywie integracji z Unią Europejską*, red. M. Grzybowski, M. Berdel-Dudzińska, Rzeszów, pp. 93-112.

³² More: Kawałko, B., op. cit., pp. 43-46.

³³ Musiał, W. J. (2012), *Bilateralna współpraca gmin na przykładzie Białegostoku i Grodna*, „Białostockie Studia Prawnicze”, Nr 12, pp. 221-222.

³⁴ Kaczmarek, T. (2005), *Struktury terytorialno-administracyjne i ich reformy w krajach europejskich*, Poznań, pp. 266-269.

³⁵ More: Piotrowska-Marczak, K. (2010), *Uwarunkowania współpracy międzynarodowej jednostek samorządu terytorialnego*, Zeszyty Naukowe Uniwersytetu Szczecińskiego, Nr 620 Ekonomiczne Problemy Usług, Nr 61, p. 303.

³⁶ Nitschke-Szram, B. (2017), *Międzynarodowa współpraca samorządów*, *Opinie i Ekspertyzy*, O-E 261, Biuro Analiz, Dokumentacji i Korespondencji, Kancelaria Senatu, Warszawa, pp. 16-17.

³⁷ Buczkowski, Ł., Żukowski, L. J. (2014), *Formy współpracy międzynarodowej lokalnych jednostek samorządu terytorialnego*, [in:] *10 lat doświadczeń polskiego samorządu terytorialnego w Unii Europejskiej*, (ed. Feret, E., Niemczuk, P., Wyższa Szkoła Prawa i Administracji, Przemyśl, pp. 13-14, <http://www.wspia.eu/file/18697/05-Buczkowski+Żukowski.pdf>. [Acces: 5.07.2021].

plemented, strategy for the cooperation of local communities on both sides of the border. Another problem is the low level of participation in cross-border cooperation of entities from the business sector and non-governmental organizations, which most often cooperate ad hoc, as part of projects co-financed from external funds. There are also reservations about the attitude of the central and regional authorities of Ukraine. In many cases, the cross-border cooperation of territorial units is treated with little priority. There is also little awareness of the importance of this cooperation in terms of territorial, spatial, social, and economic development³⁸.

While analyzing the possibilities of developing an EU strategy for the Carpathian region, Tomasz Grzegorz Grosse mentioned several other problematic conditions that should be taken into account when formulating a policy of cross-border cooperation, also in the context of other regions. The author drew attention to the problem of the lack of political will within the Carpathian region, especially at the intergovernmental level. There is also a deficit of “adequately motivated political leadership” on the Polish side. He rightly further emphasizes that “the consequence of a low level of political commitment is logistical and organizational weakness (...) as well as the weakness of organizational, information and lobbying activities carried out so far, both in the region itself and at European level”³⁹.

4. Conclusions

The studies conducted in recent years related to Polish-Ukrainian local government cooperation show that local governments do not have a separate document specifying the priorities of foreign cooperation. The exception is the voivodeship self-government, which is legally obliged to adopt the regional priorities in the field of cooperation with foreign countries by the sejmik. The priorities define the geographic and substantive directions for the implementation of foreign cooperation. At the powiat and commune level, the issues of foreign cooperation are most often included in the overall development strategy of a territorial unit⁴⁰. An interesting idea that could to a certain extent organize and permanently include international cooperation of local government units in the local development policy are the strategies of international cooperation. Such a document would be both a promotional instrument and would facilitate bilateral contacts between other entities from a given local government unit, such as entrepreneurs, educational institutions, or non-governmental organizations⁴¹.

Looking at self-government cooperation between Poland and Ukraine from a national perspective, there is no complete information on the current cooperation, its scope, forms, or effects; in particular at the level of communes and poviats. Therefore, it is advisable to introduce a system obliging Polish local governments to inform the government about foreign cooperation, regardless of its form. Of course, this is not about interfering in local government matters on the part of the government level, but rather obtaining useful information to support other local governments that want to establish such cooperation, creating public databases, and promoting good practices⁴².

The development of local government cooperation may also be supported by the existing and operating Euroregional associations. The position of the Euroregions operating on the eastern border of the Republic of Poland should be increased and their inclusion in the creation of wider three-sector partnerships coordinating the cooperation of other local government units together with the voivodeship self-government.

The reconstruction of local government in Poland in the early 1990s became the basis for local communities to obtain legal and actual opportunities for international cooperation. Wojciech Tomasz Modzelewski rightly emphasizes that the realized spatial interactions together with economic, social, and cultural connections are of a quite diverse nature: bilateral, multilateral; direct or indirect; on a

³⁸ See: Osikowicz, Ż. (2017), *Współpraca transgraniczna Ukrainy i Polski w strukturze stosunków Międzynarodowych na przykładzie wybranych euroregionów (zarys i problematyka)*, „Zarządzanie w Kulturze”, Nr 18, z. 2, pp. 244-245.

³⁹ More: Grosse, T. G. (2016), *Strategia UE dla regionu Karpat?*, „Samorząd Terytorialny”, Nr 7–8, pp. 146-147.

⁴⁰ Ostrowski, B. (2020), *Współpraca samorządów Dolnego Śląska ze Wschodem. Raport z badań i rekomendacje*, Kolegium Europy Wschodniej im. Jana Nowaka-Jeziorańskiego we Wrocławiu Wojnowice, pp. 9-17.

⁴¹ Wieczorek, I., Szewczak, M. (2018), *Współpraca międzynarodowa miast polskich. Doświadczenia JST*, Wydawnictwo Narodowego Instytutu Samorządu Terytorialnego, Łódź, pp. 65-71.

⁴² More: Ksenicz, I., op. cit.

cross-border or inter-territorial basis; implemented through signed contracts or without contracts, etc⁴³. Despite this diversity and disorderly model and forms of foreign cooperation of local government units, it is becoming more and more professional. When analyzing the experiences in cooperation between local governments from Poland and Ukraine, partnership agreements are still the basic form. Gradually, however, other forms of cooperation are developing, in particular as part of jointly implemented projects⁴⁴.

Self-government cooperation between Poland and Ukraine eliminates border barriers to relations between local communities, businesses, and non-governmental organizations. It is important to conduct regular Polish-Ukrainian dialogue, consultations, and meetings at higher levels in these relations. It is also necessary to formulate new initiatives of cooperation in various areas of social, public, and economic life⁴⁵.

Judyta Pasiut rightly notices here that the statement, based on the assumption that conducting international activity of local governments is a necessity, seems not entirely true⁴⁶. It all depends on the potential, willingness, needs, and openness of a given local government to such cooperation. It is important, however, to promote good examples of such cooperation, an activity that brings measurable social, economic, and political benefits, not only for the local authorities themselves, but also in the national dimension. On the other hand, councilors and local communities more and more often see the benefits of international cooperation of local governments, mainly related to business and cultural effects, or the promotion of local and regional products⁴⁷.

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⁴³ Modzelewski, W. T. (2019), *Dylematy w określaniu aktywności zagranicznej samorządów terytorialnych – kategoria paradyplomacji*, „Samorząd Terytorialny”, nr 3, p. 15.

⁴⁴ Pasiut, J. (2014), *Założenia polityki zagranicznej miast w odniesieniu do aktualnej polityki zagranicznej Rzeczypospolitej Polskiej*, „Samorząd Terytorialny”, Nr 11, p. 44.

⁴⁵ More: Nowakowski J. M., Kluczkowski J., Luft B., Magdziak-Miszewskiej A. (2019), *Polityka Wschodnia Polski, Raport*, Warszawa, wrzesień 2019 r., https://ec.europa.eu/poland/sites/default/files/docs/news/raport_polityka_wschodnia_polski.pdf, [Access: 3.07.2021].

⁴⁶ Pasiut, J., op. cit.

⁴⁷ See: Bierzyńska-Sudoł, M. (2016), *Dyplomacja samorządowa jako innowacyjny instrument zarządzania regionem*, *Świat Idei i Polityki*, Tom 15, p. 244. <https://repozytorium.ukw.edu.pl/bitstream/handle/item/4317/Dyplomacja%20samorządowa%20jako%20innowacyjny%20instrument%20zarządzania%20regionem.pdf?sequence=1&isAllowed=y>, [Access: 29.06.2021].

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