

CROSS-BORDER COOPERATION PROGRAMME

POLAND – BELARUS – UKRAINE

2007-2013

FINAL DRAFT

September 2008

Contents:

Executive summary	3
Chapter 1 6	
1. Description and analysis of the geographical areas concerned by the programme	6
1.1. Basic characteristics including demography	6
1.2. Economic structure	8
1.3. Infrastructure	10
1.4. Education, research, culture	12
1.5. Environment and nature	12
2. SWOT analysis	14
3. Coherence with other programmes and existing strategies	17
4. Objectives, priorities and measures of the programme	20
4.1. Context of the programme	20
4.2. Priority 1. Increasing competitiveness of the border area	21
4.2.1 Measure 1.1. Better conditions for entrepreneurship	21
4.2.2 Measure 1.2. Tourism development	23
4.2.3 Measure 1.3. Improving access to the region	24
4.3. Priority 2. Improving the quality of life	25
4.3.1 Measure 2.1. Natural environment protection in the borderland	25
4.3.2 Measure 2.2. Efficient and secure borders	27
4.4. Priority 3. Networking and people-to-people cooperation	28
4.4.1 Measure 3.1. Regional and local cross-border cooperation capacity building	29
4.4.2 Measure 3.2. Local communities' initiatives	30
4.5. Technical Assistance	31
5. Indicators	33
6. Indicative Financing Plan	34
Chapter 2 37	
1. Joint structures and competent authorities	37
1.1. Joint Monitoring Committee	37
1.2. Joint Managing Authority	39
1.3. Joint Technical Secretariat	42
2. Implementation	45
2.1. Application and contracting procedures	45
2.2. Financial flows	49
2.3. Monitoring, control and audit	51
2.4. Implementation at project level	54
2.5. Information, promotion and use of languages	56
Annex 1. Information and communication plan	57
Annex 2. Environmental assessment	62
Annex 3. Selected data: Sub-regions in 2005	77
Annex 4. Maps	83

EXECUTIVE SUMMARY

The Cross-border Cooperation Programme Poland-Belarus-Ukraine 2007-2013 (hereinafter “the programme”), under the European Neighbourhood and Partnership Instrument (ENPI) continues and broadens the cooperation in the border zone areas of the three countries, which so far has been developed within the framework of the Neighbourhood Programme Poland-Belarus-Ukraine INTERREG IIIA / Tacis CBC 2004–2006 (Neighbourhood Programme).

Despite substantial progress in cross-border cooperation, the level of integration in the programme area needs further improvement in order to realise and utilise the full social and economic potential of the region. All the more so, since the programme area’s economic development is still insufficient, with a comparatively low GDP per capita, a very high unemployment rate on the Polish side of the border, high share of agriculture in the employment structure, a relatively low innovativeness of SMEs, R&D spending and technical environmental standards.

The programme will enable cross-border cooperation by bringing the different actors – people, institutions and organisations, enterprises and communities – closer to each other, in order to better exploit the opportunities offered by the joint development of the cross-border area.

The programme has been elaborated by the Joint Task Force, which consisted of representatives of central and regional authorities of the three countries, in accordance with the *Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument*. The coordinating role has been conferred on the Ministry of Regional Development of Poland to be the Joint Managing Authority of the programme.

Joint Task Force meetings took place as follows :

- 17th July 2006, Lublin, Poland
- 18th October 2006, Bialystok, Poland
- 29-30th November 2006, Lviv, Ukraine
- 5th July 2007, Warsaw, Poland
- 6th March 2008, Warsaw, Poland

Public consultations on the draft programme document were organized in all programme countries/regions. The draft programme was posted on the websites of the JMA and several meetings were organized in the regions covered by the programme. The programme was presented to local governments, social and economic partners, non-governmental organizations, educational institutions and other potential beneficiaries as

well as national institutions responsible for sectoral policies. Suggestions from public consultations have been taken into account in the final draft of the programme.

Environmental issues were addressed during the drafting process. A Strategic Environmental Assessment (SEA) was carried out and included further public consultations. The SEA Environmental Report found that it was unlikely that the programme would have a significant negative impact on the environment and that the implementation of the Priorities 2 and 3 were in fact likely to have a positive impact on the quality of the environment and public health. Recommendations made during the SEA consultations have been considered and taken into account in the final draft of the programme.

The core objective of the programme is support for cross-border development processes. The programme objectives will be realised through non-commercial projects implemented within the following priorities and measures:

- Priority 1. Increasing competitiveness of the border area:
 - Measure 1.1. Better conditions for entrepreneurship;
 - Measure 1.2. Tourism development;
 - Measure 1.3. Improving access to the region;
- Priority 2. Improving the quality of life:
 - Measure 2.1. Natural environment protection in the borderland;
 - Measure 2.2. Efficient and secure borders;
- Priority 3. Networking and people-to-people cooperation:
 - Measure 3.1. Regional and local cross-border cooperation capacity building;
 - Measure 3.2. Local communities' initiatives;

The core objective of the programme is consistent with the EC *European Neighbourhood and Partnership Instrument Cross-Border Cooperation Strategy Paper 2007-2013 (Strategy Paper)* and the four objectives set there.

The three measures under the first priority are consistent with Objective 1 (Promoting economic and social development in regions on both sides of common borders) as set out in the *Strategy Paper*. The two measures under the second priority are consistent with Objective 2 (Working together to address common challenges, in fields such as the environment, public health and the prevention of and the fight against organised crime) of the *Strategy Paper*. Measure 2.2. is also consistent with Objective 3 (Ensuring efficient and secure borders) of the *Strategy Paper*. The two measures under Priority 3 are consistent with Objective 4 (Promoting local cross-border “people-to-people” actions) as set out in the *Strategy Paper*.

This programme document is structured into two main chapters.

Chapter 1 is the strategic part of the programme. It is divided into 6 sub-chapters. The first one contains a description of the programme area and an its socio-economic analysis. Sub-chapter 2 presents the SWOT test, summarizing the analysis from the first part. Sub-chapter 3 provides information about coherence of the programme with other programmes and existing strategies. The objectives, priorities and measures of the programme are presented in sub-chapter 4, followed by the programme indicators (sub-chapter 5) and the Indicative Financing Plan (sub-chapter 6).

Chapter 2 covers implementing structures and procedures. It is divided into 2 sub-chapters. The first one describes programme implementing structures. Programme implementing provisions, including a description of the application and contracting procedures, financial flows, monitoring and publicity measures are presented in sub-chapter 2.

There are four annexes to the programme. Annex 1 contains the information and communication plan. Environmental assessment is presented in Annex 2. The last two annexes contain selected data and maps of the programme area.

CHAPTER 1

1. DESCRIPTION AND ANALYSIS OF THE GEOGRAPHICAL AREAS CONCERNED BY THE PROGRAMME

1.1. Basic characteristics including demography

The programme area consists of cooperation areas and adjacent cooperation areas¹ and it includes the following administrative units:

- in Poland: Krosniensko-przemyski sub-region (in Podkarpackie voivodship), Bialostocko-suwalcki sub-region (in Podlaskie voivodship), Bialskopodlaski and Chelmsko-zamojski sub-regions (in Lubelskie voivodship), Ostrolecko-siedlecki sub-region (in Mazowieckie voivodship) and also as adjacent cooperation areas: Rzeszowsko-tarnobrzanski sub-region (in Podkarpackie voivodship), Lomzynski sub-region (in Podlaskie voivodship), and Lubelski sub-region (in Lubelskie voivodship)
- in Belarus: Grodno Oblast, Brest Oblast, seven western districts of Minsk Oblast: Miadel, Vileika, Molodechno, Volozhin, Stolbtsy, Niesvizh, Kletsk and as adjacent cooperation areas: eastern part of the Minsk Oblast (15 districts and the city of Minsk) and Gomel Oblast
- in Ukraine: Lvivska, Volynska, Zakarpatska Oblasts and as adjacent cooperation areas: Rivnenska, Ternopilska and Ivano-Frankivska Oblasts

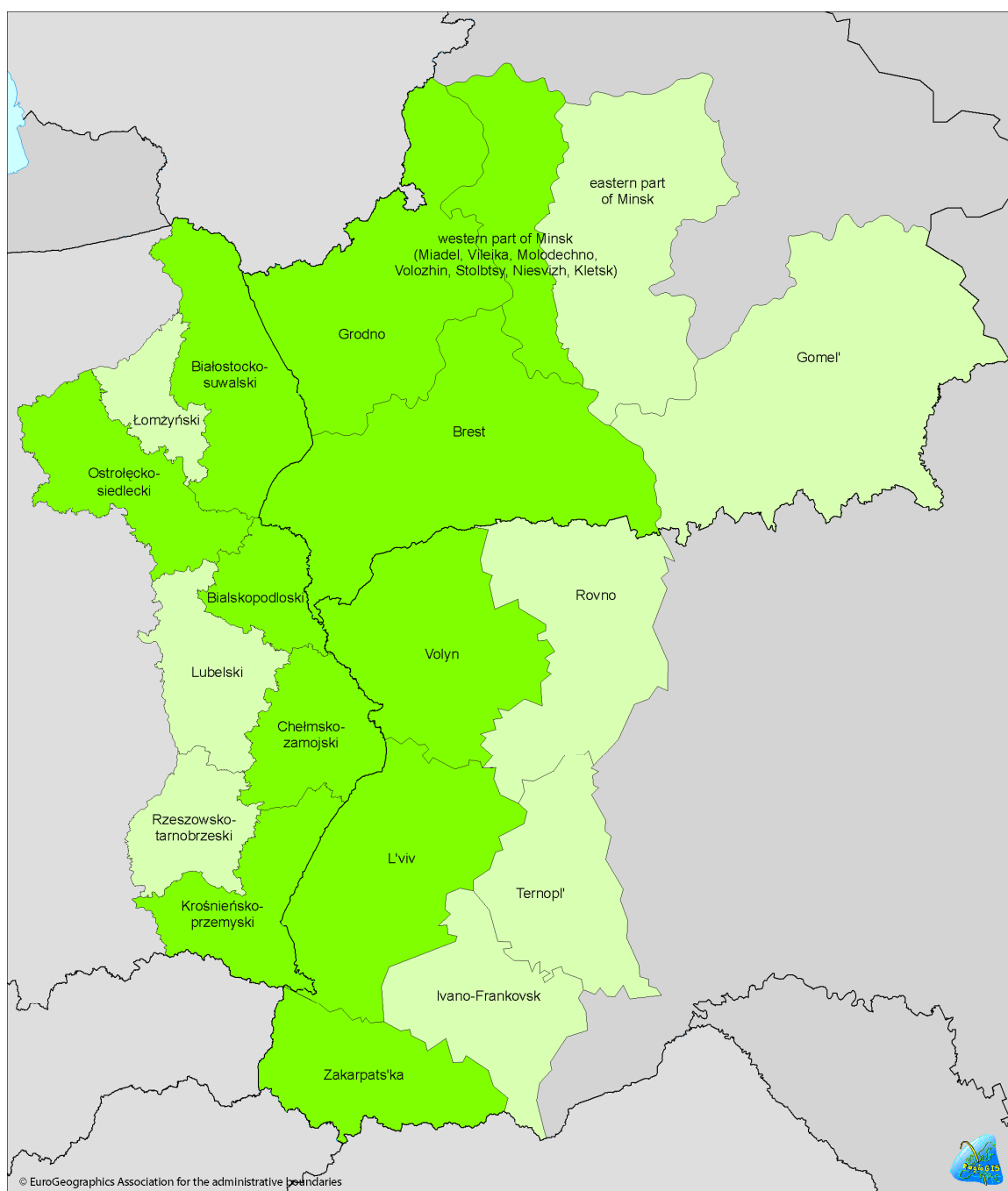
The total area of territorial units eligible for the programme amounts to 316.3 thousand km² comprising:

- Polish part of the programme area of 75.3 thousand km² (including 22.7 thousand km² of adjacent cooperation areas)
- Belarusian part of 138.5 thousand km² (including 68.9 thousand km² of adjacent cooperation areas)
- Ukrainian part of 102.5 thousand km² (including 47.8 thousand km² of adjacent cooperation areas)

The length of the border between Poland and Belarus is 418 km, between Poland and Ukraine 535 km and between Belarus and Ukraine, the part of the border in the programme area is 205 km.

¹ Corresponding to eligible border areas and adjoining areas as defined in the *European Neighbourhood and Partnership Instrument Cross-Border Cooperation Strategy Paper 2007-2013*.

The programme area:



Geographical Eligibility ENPI CBC 2007-2013

Crossborder Cooperation

Poland/Belarus/Ukraine

- Cooperation areas
- Adjacent cooperation areas

0 250 Km

The programme area is inhabited by 20.9 million people (2005), of which 5.1 million in the Polish part, 7.3 million in the Belarusian part and 8.5 million in the Ukrainian part. The average population density in the entire eligible area amounts to 70 inhabitants/km² (83 inhabitants/km² in the Polish part, 53 inhabitants/km² in the Belarusian part and 83 inhabitants/km² in the Ukrainian part, see Annex 3 and 4).

The number of inhabitants has been decreasing for the last few years in spite of positive population growth rate in the four Polish subregions: Rzeszowsko-tarnobrzieski, Krosniensko-przemyski, Ostrolecko-siedlecki and Lomzynski. Depopulation results from the negative migration balance in the entire border zone, which is further deepened by the negative population growth rate in most of the programme area.

The nationality structure (although quite homogenous within national borders)² and historical connections within the programme area, results in high cooperation potential.

In 2005 a major part of the programme area's population (65.3%) was of productive age. Of the programme area's population, 18.1% was of a pre-productive age and 16.6% of a post-productive age.

1.2. Economic structure

Compared to the EU average per capita GDP the programme area lags behind in terms of economic development and is characterised by a relatively high share of agriculture and industry in the employment as well as insufficient competitiveness and innovativeness of the economy. The highest share of agriculture in the employment structure is recorded in Ostrolecko-siedlecki, Bialskopodlaski, Chelmsko-zamojski and Lomzynski subregions (over 50%). In the Belarusian part of the programme area this share varies between 10% (Gomel Oblast) and over 16% (Grodno and Minsk Oblasts), whereas in the Ukrainian part between 26% (Ivano-Frankivska Oblast) and up to 29% (Zakarpatska Oblast). Only urban areas are characterised by a low share of agriculture and high share of services in the employment. By contrast, the average share of agriculture in the EU's employment structure was 4.9% in 2005. Since the agricultural sector plays such an important role, the development of post-harvest activity is required. It means that packing agricultural products in harmony with the marketing goal, means of transport, warehouses and logistic coordination are needed to ensure that the harvested goods reach the consumer in the best condition. For this, coordinated development of the rural road-network, vehicle stock and packaging is essential. Also if tourism is to increase its economic significance, local and regional transport infrastructure will need to be developed.

In 2005 the average per capita GDP amounted to some € 3 700 in the Polish part of the area and € 1 200 in the Ukrainian part. The average per capita GDP in 2005 in the Belarusian part of the programme area amounted to € 2.5 thousand. The average per capita GDP in the EU was € 23 400 in 2005. The border area demonstrates a positive

² Nationality structure – see Annex 3.

economic growth rate: in 2005 the annual GDP growth amounted to 9.2% in Belarus, 3.2% in Poland and 2.6% in Ukraine³. By contrast, average annual GDP growth rate in the EU was 1.7% in 2005.

The labour market in the programme area shows large disparities. The unemployment rate was between 15% and 21% in 2005 in the Polish part of the area, 7% and 10% in the Ukrainian part, whereas in the Belarusian part the officially recorded unemployment rate was below 2%. Long-term unemployment is a problem that is especially acute in the Polish part of the programme area, affecting over 50% of the unemployed. In the Polish part women constitute about 50% of all the unemployed, in the Belarusian part about 70% and in the Ukrainian some 60%.

The development of small and medium enterprises (SMEs) in the non-EU part of the programme area is much lower than in the EU. In 2005 the number of SMEs per 1,000 people in the programme area varied between 57 and 102 in the Polish part, 3 and 5 in the Ukrainian part, 2 and 3 in the Belarusian part. The average index for the EU in 2005 amounted to 47. Due to large differences in the institutional systems and the extent of the functioning of market mechanisms between Poland, Ukraine and Belarus, the framework for SME activities and development varies between those countries. However, even in the Polish part of the border zone, which due to the most advanced economic restructuring processes and EU membership has the best conditions for SMEs activities and support, the sector continues to face with numerous barriers and development problems (e.g. administrative and bureaucratic barriers). In connection with the level of economic development and the wealth level of the area's population, these barriers contribute to relatively difficult conditions for SMEs.

In comparison with the EU average, the economy of the programme area is characterised by insufficient competitiveness, especially in terms of quality and technological advancement, and insufficient innovativeness. Production and export in the programme area need to be supported by new added-value products and services, more technologically advanced and know-how based. This requires the development of potentially export-oriented branches manufacturing high quality consumption goods (e.g. food, furniture, paper, shoes, textiles, and packages).

Human Resources in Science and Technology (HRST) as a percentage of labour force in the EU amounted to 42.2% in 2005, while in the Polish sub-regions of the programme area it varied between 29.5% and 32.4%. Spending on Research and Development (R&D) is insufficient and cooperation between scientific institutions (especially higher education institutions) and the business world and the public administration is not well developed. In Poland in 2005, gross domestic expenditure on R&D amounted to 0.56% of its GDP, in Belarus it was 0.68%⁴, while in the EU it was 1.85%. In spite of numerous advantages, the flow of foreign direct investment (FDI) into the border zone is limited and there is significant unexplored potential. The main

³ The World Bank data.

⁴ Gross domestic expenditure, source of data: State Committee on Science and Technologies, the Republic of Belarus.

barriers limiting FDI include weak transport infrastructure, insufficient cross-border cooperation, disparities in institutional systems and insufficient economic promotion.

1.3. Infrastructure

The geographical location of the programme area has advantages in terms of the development potential for transport. The area is situated on the main transit routes between European and Asian networks and this is an important basis for the development of international road and rail transport. A significant share of cargo transit is taken by the transport of gas, crude oil and petrochemical products by pipelines. The Area is crossed by the following Pan-European Transport Corridors:

- II - Berlin – Warsaw – Minsk – Moscow – Nizhny Novgorod. This corridor will consist of the modernised railway route C-E 20 and the road route E 20, which on the territory of Poland will be A-2 motorway.
- III - Berlin – Dresden – Wrocław – Katowice – Krakow – Rzeszow – Medyka – Lviv – Kiev. The corridor consists among others of: the E 30 railway route (Dresden – Wrocław – Katowice – Krakow – Rzeszow – Medyka – Lviv – Rivne – Kiev) and the road route E 40 (Dresden – Wrocław – Krakow – Rzeszow – Korczowa – Lviv – Kiev), which on the territory of Poland will be A-4 motorway.
- IX - Kiev-Gomel-Vitebsk and branch Minsk-Vilnius.
- V - Kosyn – Chop – Lviv – Rivne – Minsk.
- Baltic Sea – Black Sea International Transport Corridor: Baltic Sea ports – Polish Baltic Sea ports – Dorohusk – Jagodyn – Kovel – Lutsk – Rivne – Ternopil – Black Sea ports.

There are plans to finish the A-4 motorway before 2013 (Berlin – Wrocław – Katowice – Krakow – Rzeszow – Lviv) and the S19 express way (Kuznica Bialostocka – Bialystok – Lublin – Rzeszow – Barwinek – Kosice – Bucharest), which cross the programme area.

Existing transport infrastructure⁵, especially roads, needs to be developed as regards both density and quality. The highest road density is found in the Polish sub-regions (between 40 and 78 km per 100 sq. km). In the Ukrainian part of the borderland the density varies between 25 and 38 km per 100 sq. km and in the Belarusian oblasts, between 27 and 47 km per 100 sq. km. There are standard-gauge and broad-gauge rail lines on both sides of the EU's external border that may be used for passenger traffic.

In order to benefit from the transit location, expressways and bypasses, railways and rail infrastructure and border infrastructure must be expanded and modernised. Transport safety also requires to be improved. Transport and logistics are of great importance

⁵ See Annex 4 (Transport infrastructure map).

because this plays a crucial role in channelling the programme area's production towards foreign markets.

There is a need to develop and upgrade existing border crossings and build new ones, to ensure smooth servicing of current traffic levels and to foster both business and tourism cross-border flows. There are 13 border crossings at the Polish-Belarusian border (8.8 million crossings in 2005, an 8.8% rise compared to 2004) and 12 border crossings at the Polish-Ukrainian border (17.8 million crossings in 2005, a 46.5% rise compared to 2004).

There are 7 international and 7 regional airports in the programme area. International airports are located in or near the following cities: Minsk (2 airports), Brest, Hrodna, Luck, Lviv, and Ternopil. Regional airports are situated in or close to: Rzeszow, Lublin, Ivano-Frankivsk, Rivne, Mukacevl, Gomel and Mazyr. Airport infrastructure requires modernisation and development to meet increasing demand for airport services.

Improvement is also needed as regards telecommunications accessibility and quality, although the development of mobile telephony has significantly improved access to telephone services in the entire Polish-Belarusian-Ukrainian programme area. Internet use is relatively low. The percentage of homes in Poland with internet access in 2005 was 30%, in Belarus – 25%⁶ and in Ukraine 15%, while in the EU it was 48%. Fixed-line telephony infrastructure is still insufficiently developed. The number of fixed telephone lines per 100 people in Poland in 2003 was 32, 23 in Ukraine and 36 in Belarus, compared to 50 in the EU. In 2003, 46% of Poles had a mobile phone provider (rising to 60% in 2004), 13% in Ukraine and 42% in Belarus, compared to 81% in the EU.

Public utilities infrastructure (public water conduits, public sewerage systems, wastewater treatment plants, landfills) also requires expansion and modernisation. In 2004, the public water conduit density was between 5.8 km per 100 sq. km in Rivne oblast and 375 km per 100 sq. km in the city of Minsk. The public sewerage system density varies between as low as 0.3 km per 100 sq. km in Minsk oblast and 185.4 km per 100 sq. km in the city of Minsk. In the Ukrainian part of the borderland the density varies between 2.5 and 10.0 km per 100 sq. km and in the Polish sub-regions, between 4.0 and 54.7 km per 100 sq. km. The relation between water conduits and sewage system is still not balanced.

Infrastructure for tourism is relatively weak, especially in terms of quality standards. All year round accommodation capacity measured by the number of bed places (116.9 thousand in 2005, see Annex 3) does not meet needs. Expansion and upgrading is necessary in order to exploit the potential for tourism in the programme area and to foster business and cultural exchanges.

⁶ The Republican Unitary Telecommunication Enterprise Beltelecom, the Republic of Belarus.

1.4. Education, research, culture

Educational infrastructure in the programme area is relatively well developed, but it should be modernised and adapted to meet the requirements of the labour market. There are 179 universities or higher education institutions and over 1.2 million students in the programme area.

The educational structure in the Polish-Belarusian-Ukrainian border zone is relatively good. However, the percentage of people with higher education needs to increase and the current education profile does not entirely reflect the needs of a modern economy. There is a shortage of specialists in market-oriented disciplines.

The highest share of people with higher education is recorded in the Minsk City (35%), the Lvivska (29%) and Rivnenska (27%) oblasts, whereas in the Polish part it varies between 12% and 21%. In other Belarusian sub-regions, the share varies between 18% and 19.8%.

The research financing system has not responded to the challenges of the knowledge-based economy. In comparison with the EU, there is less cooperation between R&D and the business sector, and the commercialisation of research is more limited. The relatively high potential of R&D in the programme area must be utilised. The numerous higher education institutions of a good scientific level could become the backbone of an effective innovation system based on cooperation between business, science and public administration (the “triple helix”).

The Polish-Belarusian-Ukrainian border zone has a rich tangible and intangible cultural heritage. Numerous monuments, including some of global significance, and many forms of intangible culture provide development advantages not only for tourism but also for local communities living in the area. Cultural infrastructure is abundant (theatres, operas, cinemas, libraries, local cultural centres), but requires money for essential upgrading.

1.5. Environment and nature

The Polish-Belarusian-Ukrainian borderland contains areas of outstanding landscape and nature, with low pollution. A large part of the cross-border area is located in the so-called “Green Lungs” of Europe. The sites located in the programme area make up a significant share (a total of 31 thousand km² in the borderland zone) of the European Environmental Network NATURA 2000. Protected areas constitute between 1% and 62% of the total area of the sub-regions covered by the programme, with the highest share in the Polish part.

With its relatively unspoilt natural conditions and resources, picturesque landscape and cultural heritage, the programme area has favourable conditions for the development of tourism of different types (incl. agro- and ecotourism, spa and wellness, pilgrimages). Low pollution, especially air, is a very good prerequisite for further sustainable economic development without increased risks for the environment and health.

The environmental protection infrastructure is inadequate. Many villages and smaller settlements lack sewerage and waste-water treatment systems. Modern waste collection systems, landfills and recycling plants are also lacking. The programme area not only faces high fire risk but also high flood risks due to inadequate flood defences.

The existing infrastructure needs to be expanded and modernised. The environmental awareness of the population in the border zone needs to be significantly raised. Because of its geographical characteristics (cross-border forest complexes, rivers and protected areas), the challenges of environmental protection require cross-border cooperation.

2. SWOT ANALYSIS

	Strengths	Weaknesses	Opportunities	Threats
Economy	<ul style="list-style-type: none"> • experience and tradition in certain industries such as: timber, meat processing, brewing, tobacco, chemical and light industry and crafts • favourable geographic location for development of trade with the EU, East Europe and Asia • commercial exchange traditions • high quality raw material base for food and timber processing and electromechanical industries • availability of mineral and mining resources • increasing numbers of SMEs 	<ul style="list-style-type: none"> • concentration of economic activity in declining sectors • concentration of economic activity only around urban agglomerations • low level of innovative activities in enterprises • poor technological level of enterprises • low level of investment and capital inflow • poorly developed business support institutions and commercial information systems • poor legislation on waste treatment infrastructure • low energy efficiency • legal and administrative barriers to business cooperation, including visa requirements 	<ul style="list-style-type: none"> • introduction of high-technologies • stimulation of economic activity, especially in the SMEs sector • capital inflow into the border areas • development of cross-border business cooperation • alleviation of visa requirements for business • joint / coordinated strategic cross-border regional development planning 	<ul style="list-style-type: none"> • increasing development gap between urban and rural areas • continued lack of joint / coordinated economic and spatial planning • competition for inbound investments • administrative barriers for free market competition, especially in the agricultural sector • further complication of the visa regime

Infrastructure	<ul style="list-style-type: none"> • convenient transit location for passenger and cargo traffic • sufficient density of transport network • good access to gas, oil and petroleum transport infrastructure 	<ul style="list-style-type: none"> • lack of highways and town bypasses • poor quality of road infrastructure • limited road capacity • inadequate number and low capacity of existing crossing points in relation to passenger and cargo traffic levels • lack of local border crossing points • insufficient access to telecommunication services (internet, mobile and fixed telephony) • inadequate sewage and waste treatment facilities • low number of renewable energy sources in use 	<ul style="list-style-type: none"> • development of border crossing infrastructure, including pedestrian border crossings • reopening of crossing points for small border traffic • modernisation and extension of roads, including highways and expressways • development of existing transport systems which may be used for international cargo transit • revitalisation of existing unused airports • development of tourist infrastructure along highways • development of information and communication infrastructure • development of technology and industrial parks 	<ul style="list-style-type: none"> • negative environmental impact caused by transport and communication infrastructure development • lack of funds for development and modernisation of transport and communication infrastructure, including new border crossings • lack of joint / coordinated cross-border spatial planning
Labour market, education, social institutions	<ul style="list-style-type: none"> • well developed higher education infrastructure • high share of population of working age • high quality of human capital in terms of education and skills • low labour cost • great entrepreneurial potential • high number of new NGOs • high population mobility • ethnic and cultural diversity 	<ul style="list-style-type: none"> • high level of registered and hidden unemployment • high unemployment levels among graduates • unfavourable employment structure • low level of per capita income • language barriers • insufficient social and educational infrastructure • lack of basic social infrastructure in rural areas • low institutional cooperation 	<ul style="list-style-type: none"> • higher accessibility and quality of educational system, including cross-border programmes and staff / student exchange • development of civic society • increased accessibility and integration of local labour markets • cross-border transfer of know-how and skills • facilitation of relations between local self-governments and local communities • exchange of experiences in the field of self-government 	<ul style="list-style-type: none"> • structural non-adjustment of the labour market • social exclusion and pathologies • insufficient authority and funds on the local level • emigration and brain-drain, especially among young and qualified people

Environment	<ul style="list-style-type: none"> • large area of protected zones, including existing and planned biosphere reserve sites UNESCO-MAB • low levels of environmental pollution • high biodiversity, especially of the forest and water and marsh ecosystems 	<ul style="list-style-type: none"> • insufficient protection of natural landscapes, habitats, flora and fauna against adverse anthropogenic impact • low environmental awareness among citizens • lack of common environmental programming, prevention and monitoring • lack of waste treatment facilities and technologies • high quantity of ecologically dangerous objects • insufficient recognition of nature • some parts of territories with high natural qualities are outside the system of protected areas 	<ul style="list-style-type: none"> • co-operation in respect to trans-boundary protected areas • development and application of advanced environmental protection technologies, especially in cooperation with scientific institutions • development of a common sustainable environmental policy • introduction of ISO standards • joint implementation of Kyoto protocol • development of common information systems for environmental impact monitoring 	<ul style="list-style-type: none"> • low availability of funding for environmental investments • lack of funding for unique wildlife and environment protection • continued pollution of surface waters and lakes • unsustainable economic development, especially increase of economic activities in protected areas • at high risk of ecological catastrophes • climate change • development of transport infrastructure and construction industry • changes in agriculture
Tourism and Culture	<ul style="list-style-type: none"> • outstanding natural landscape • numerous sites of high therapeutic value - spas, springs, health resorts etc. • common cultural and historical heritage • high number of places of historical interest and tourism potential • numerous cultural sites included in the UNESCO world heritage list • high number of agrotourism facilities • existing cooperation in tourism and culture, including common tourist products 	<ul style="list-style-type: none"> • low quality standards of tourism facilities • shortage of high quality accommodation in motels and hotels • inadequate sport and leisure infrastructure • underdeveloped tourist information systems • bad condition of monuments and historical sites • lack of common tourism strategy for border regions • poor promotion of regional tourist products • closure of border crossing points to local tourist traffic 	<ul style="list-style-type: none"> • revitalisation and development of tourist facilities • implementation of joint cross-border strategy for tourism • renovation of monuments and historical sites • development and improvement of cultural co-operation and networks • development of cultural products, events and initiatives, including those of cross-border and international character • rapid development of agro- and ecotourism • creation of tourist information centres • introduction of common tourist standards 	<ul style="list-style-type: none"> • insufficient level of investment in the tourism sector, including sports and leisure • lack of common tourism development strategy • lack of non-commercial regional tourism promotion • unsustainable tourism development

3. COHERENCE WITH OTHER PROGRAMMES AND EXISTING STRATEGIES

The Cross-border Cooperation Programme Poland-Belarus-Ukraine 2007-2013, under the European Neighbourhood and Partnership Instrument (ENPI), continues and broadens the cooperation in the border zone areas of the three countries, which was previously developed by the Neighbourhood Programme Poland-Belarus-Ukraine INTERREG III A/Tacis CBC 2004–2006 (Neighbourhood Programme).

The Polish ministry responsible for regional development managed the Neighbourhood Programme and its Joint Technical Secretariat was established in Poland. All stages of the management and implementation of the Neighbourhood Programme were conducted in close cooperation with the Belarusian and Ukrainian partners. In spite of differences in the financing of projects from ERDF and Tacis funds, a number of joint activities and enterprises of a visibly cross-border character were undertaken successfully in the programme area. The ENPI envisages the establishment of a cross-border cooperation programme under which the participating countries are subject to the same rules and have equal access to a single, shared budget.

The Neighbourhood Programme supported joint activities in numerous fields under three priorities: competitiveness of the border area through the modernisation and development of the cross-border infrastructure, human capital and institutional cross-border cooperation including security at the European Union's borders, and technical assistance.

Considerations for the ENPI Programme:

- The Neighbourhood Programme supported infrastructure, tourism, culture, environmental protection, human resources and people-to-people projects. The projects established new links between border regions and helped to break down the barriers in cross-border relationships. The role of the successor to the Neighbourhood Programme is to strengthen its achievements.
- The decentralisation of management and simplified procedures will speed up and improve the implementation of the ENPI Programme.
- The inclusion of a wider range of beneficiaries and ensuring the participation of more partners from Belarus and Ukraine (with co-financing) will promote the preparation of much more truly joint cross-border projects.
- An increase in the size of grants will allow the implementation of large investment projects.
- Priorities and measures should not be divided into investment and non-investment ones, as this might hinder the creation of many interesting projects.
- Add emphasis on the management system decentralisation, especially into the microprojects (projects up to € 50 000).

Before 2004, activities in the eastern border areas of Poland were supported under the PHARE - Polish Eastern Border Programme, which was created in 1997. The programme functioned as part of the National PHARE Programme. Funds were mostly allocated to measures aimed at strengthening security on the Polish eastern border. The programme contained more elements connected directly with cross-border cooperation, which included large infrastructure projects on the Polish eastern border, as well as the following:

- Small Projects Fund, managed by the Euroregions: Karpacki, Bug, Niemen, Puszcza Bialowieska – supporting small ‘people-to-people’ projects with a cross-border impact. Most projects aimed at cross-border cooperation in the fields of culture and tourism.
- Small Infrastructure Projects Fund, managed by the Euroregions: Karpacki, Bug, Niemen, Puszcza Bialowieska – supporting development in the fields of small-scale infrastructure activities across the border connected with tourism, environmental protection, cultural cooperation and economic development.
- Business Related Infrastructure Projects Fund, managed by the Euroregions: Karpacki, Bug, Niemen, Puszcza Bialowieska – developing business related cross-border cooperation between the Polish institutions situated on the eastern border and their foreign partners.

Since 1996, the Tacis CBC Programme became the most important funding source for EU-financed technical assistance to Belarus and Ukraine. The distribution of funds by sector (1996-1999 budgets for Belarus) was 42% for Border Networks including a border management programme, 55% for the environment and 3% for the Tacis CBC Small Project Facility. During 1996-2003 the assistance was provided to three priorities: border infrastructure, environment, and the development of border regions.

The project *Polish – Ukrainian Agency for Cross-Border Co-operation: Together towards the Future* was launched under the Tacis CBC Programme. This developed a strategy for the development of the border regions (two Polish: Lubelskie and Podkarpackie, and two Ukrainian: Lviv and Volyn), between 2005 and 2015. The aim of the strategy is to determine the areas of bi- and multilateral cross-border co-operation. Another project financed by the Tacis CBC Programme launched the *Brest Transboundary Info Centre* attached to Brest Regional Executive Committee. The aim of the Centre is to facilitate cross-border cooperation between Belarus and Poland.

In the processes of programming and introducing previous cross-border cooperation, four Euroregions located in the Polish-Belarusian-Ukrainian borderland, i.e. Niemen, Puszcza Bialowieska, Bug and Karpacki, have been strongly involved. They were responsible for managing the Small Projects Fund and the Small Infrastructure Projects Fund within the PHARE - Polish Eastern Border Programme. Within the Neighbourhood Programme the Euroregions were responsible for the implementation of

the Micro Project Facility, under Priority 2, Measure 2 - Support for local community initiatives.

The ENPI Programme's priorities are linked to the development priorities of Poland, Belarus and Ukraine, which are set out in the basic programming and planning documents adopted by the governments of the three countries, as well as to the strategies and development plans realised at the regional level.

In Poland the programme's priorities are in line with the National Development Strategy and the National Cohesion Strategy (National Strategic Reference Frameworks) 2007-2013, including the Operational Programme Development of Eastern Poland and Regional Operational Programmes.

The programme is coherent with the Schengen Facility for better controls at the EU's new external borders and for building up administrative and institutional structures. The External Borders Fund on the Polish side of the border region will support the infrastructure at crossing points, its modernisation and construction, and necessary equipment, as well as basic and specialised training for border control staff and operational officers.

The programme is in line with the strategic documents adopted by the Belarusian government:

- National Strategy for Sustainable Social-Economic Development of the Republic of Belarus until 2020;
- Programme of the Social-Economic Development of the Republic of Belarus for the period 2006-2010.

The programme's priorities are in line with the strategic goals of the following documents adopted by Ukrainian authorities:

- The State Programme of the Social and Economic Development of Ukraine;
- The National Strategy for the Regional Development of Ukraine 2004-2015;
- The law of trans-boundary cooperation;
- The Conception of the State Programme for the development of the trans-boundary cooperation 2007-2010;
- The Programme of Integration with the European Union;
- The EU-Ukraine Action Plan.

The programme is in line with other Cross-border Cooperation Programmes and Transnational Programmes such as:

- Lithuania-Poland;
- Poland-Slovakia;
- Hungary-Slovakia-Romania-Ukraine;
- Lithuania-Poland-Kaliningrad;
- Latvia-Lithuania-Belarus;
- Romania-Ukraine-Republic of Moldova;
- Baltic Sea;
- Central Europe.

4. OBJECTIVES, PRIORITIES AND MEASURES OF THE PROGRAMME

4.1. Context of the programme

The main conclusions from the analysis of the Polish-Belarusian-Ukrainian border region are as follows.

- **The economic development of the programme area is still insufficient**, with a comparatively low GDP per capita, a very high unemployment rate on the Polish side of the border, high share of agriculture in the employment structure, a relatively low innovativeness of SMEs and R&D spending.
- The programme area contains areas of outstanding landscape and nature, of low pollution – but **the environmental protection infrastructure and the environmental awareness of the borderland populations need to be improved**.
- The programme area has high potential for development of tourism, including agro-tourism, due to advantageous natural environmental conditions, low pollution and cultural heritage objects, but **tourist infrastructure requires improvement**.
- The geographical location of the programme area brings advantages and potential for the development of transport, which might substantially contribute to the economy, but **existing transport and border infrastructure need to be improved**.
- The programme area demonstrates **a relatively well-developed educational infrastructure, but it needs modernisation** and stronger compliance with the requirements of a knowledge-based economy.
- Despite substantial progress in cross-border cooperation, **the level of integration in the programme area needs further improvement** in order to realise and utilise the full social and economic potential of the region.
- In spite of positive effects from funds managed by the Euroregions, there is a shortage of effective, **permanent cooperation structures**.

The core objective of the programme, which reflects the above conclusions of the socio-economic analysis, is **support for cross-border development processes**.

The core objective of the programme is consistent with the EC *European Neighbourhood and Partnership Instrument Cross-Border Cooperation Strategy Paper 2007-2013 (Strategy Paper)*⁷ and the four objectives set out in the *Strategy Paper*. There are three priorities of the programme and seven measures through which the core objective is to be achieved. The three measures under the first priority are consistent with Objective 1 (Promoting economic and social development in regions on both sides of common borders) as set out in the *Strategy Paper*. The two measures under the second priority are consistent with Objective 2 (Working together to address common challenges, in fields such as the environment, public health and the prevention of and the fight against organised crime) of the *Strategy Paper*. Measure 2.2. is also consistent

⁷ Adopted on the basis of art. 7 p. 3 of the Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument, OJ L 310, 9.11.2006.

with Objective 3 (Ensuring efficient and secure borders) of the *Strategy Paper*. Two measures under Priority 3 are consistent with Objective 4 (Promoting local cross-border “people-to-people” actions) as set out in the *Strategy Paper*.

4.2. Priority 1. Increasing competitiveness of the border area

The focus of Priority 1 is on actions promoting and supporting better conditions for entrepreneurship, tourism development and transport connectivity.

The cross-border area lags behind in terms of its competitiveness. Increasing the competitiveness of the programme area requires the full development and utilisation of the existing social and economic potential. Enhancing competitiveness is one of the key common challenges of sustainable social and economic development in the Polish-Belarusian-Ukrainian cross-border area, and this therefore corresponds fully with the core objective of the programme. Since the programme area has insufficient employment (especially on the Polish side of the border), sustainable development requires facilitating the job creation processes.

As a result of socio-economic analysis, it is clear that increasing the competitiveness of the programme area is dependent on improving conditions for entrepreneurship (Measure 1.1), tourism development (Measure 1.2) and a significant improvement in the programme area’s accessibility (Measure 1.3). Actions under these three measures are aimed at raising attractiveness for investment and increasing development potential. Within Priority 1, it will also be possible to implement projects covering the preparation of plans and studies leading to the implementation of common initiatives.

Priority 1 will be implemented in the whole programme area. Investment activities (infrastructure) will be financed only in the cooperation areas (see the map of the programme area – page 7).

4.2.1 Measure 1.1. Better conditions for entrepreneurship

Measure 1.1 aims at improving the conditions for business development. Improvement of the quality and accessibility of infrastructure, including new technologies infrastructure, contributes to increasing the area’s investment attractiveness, for both internal and external investors. Measure 1.1 will also promote soft-type activities aimed at the socio-economic development of the eligible area. Support will be provided for activities targeting among others: regional marketing, trade and investment promotion, SME development, the development of local and regional labour markets, the development of an information society, new technologies, improvement of cooperation between research and business institutions, the socio-economic and environmental rehabilitation of technologically transformed and contaminated areas.

Measure 1.1 is consistent with Objective 1 (Promoting economic and social development in regions on both sides of common borders) as set out in the *Strategy Paper*.

Indicative actions:

- Joint initiatives aiming at regional marketing, trade and investment promotion
- Joint initiatives of intermediary support structures for SMEs (development agencies, business foundations, chambers of commerce and industry, chambers of crafts, technological parks, business incubators etc.) aimed at improving absorption of innovations and increased competences in the business sector
- Joint initiatives aiming at strengthening networks for better liaising between small and medium sized enterprises in the programme area
- Joint actions to promote and support cooperation between research and business institutions and enhancement of research networks (universities and R&D institutions) towards their better linkages to enterprises and local and regional governments
- Joint initiatives aiming at development of practical solutions increasing application of international research findings in a concrete business environment
- Joint actions to promote and support the socio-economic and environmental rehabilitation of technologically transformed and contaminated areas
- Joint actions by labour market institutions dedicated to an increase of the mobility and quality of the labour force
- Joint actions by labour market institutions dedicated to counteracting negative processes on the cross-border labour market (e.g. 'brain-drain', youth unemployment, exclusion of gender or age groups, ageing of the population etc.)
- Joint actions by labour offices, business organisations, unions and educational institutions, to prepare practical solutions in the field of education and lifelong learning, adaptable to changing requirements of the labour market
- Joint initiatives aiming at development of practical solutions to improve accessibility of educational services and availability of new forms of education (e.g. e-learning) on the labour markets in the programme area

Expected beneficiaries:

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf;
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level;
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- state organisations/institutions,
- non-governmental organisations and non-profit organisations, such as business support organisations, local enterprise agencies, development agencies,

chambers of commerce, tourism agencies, educational and training and research institutions; producers associations, labour unions, employment agencies,

- relevant Euroregions.

4.2.2 Measure 1.2. Tourism development

The main goal of Measure 1.2 is to improve and fully utilise the tourist potential of the region. The programme area has potential for tourism development, including agro-tourism, due to various natural environmental conditions and cultural heritage sites, but tourist infrastructure requires improvement. Support will therefore focus on the development of tourist infrastructure and services. Measure 1.2 will also promote “soft” activities targeting *inter alia*: regional promotion, tourism and agro-tourism development and the protection of cultural heritage.

Measure 1.2 is consistent with Objective 1 (Promoting economic and social development in regions on both sides of common borders) as set out in the *Strategy Paper*.

Indicative actions:

- Preparation and implementation of investments enhancing tourism and agro-tourism infrastructure and services
- Joint actions aiming at protection and promotion of cultural heritage
- Joint creation of sustainable tourism products (e.g. cross-border thematic routes) respecting protection needs for natural and cultural heritage
- Joint actions promoting the programme area as a tourist destination

Expected beneficiaries:

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf,
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level,
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- state organisations/institutions,
- non-governmental organisations and non-profit organisations such as business support organisations, local enterprise agencies, development agencies, chambers of commerce, tourism agencies, educational and training institutions, producers associations,
- relevant Euroregions.

4.2.3 Measure 1.3. Improving access to the region

The geographical location of the programme area has advantages in terms of the development potential for transport and this might contribute substantially to its economic development, but existing transport and border infrastructure needs upgrading. Therefore, activities supported within Measure 1.3 include improvements in the quality and accessibility of the social and economic infrastructure, with a focus on transport, energy, logistic systems, transport safety and water supply.

Infrastructure development will improve potential investors' access to the area, raise the living standards of inhabitants, and boost the tourist and economic attractiveness of the border areas.

Measure 1.3 is consistent with Objective 1 (Promoting economic and social development in regions on both sides of common borders) as set out in the *Strategy Paper*.

Indicative actions:

- Investment in the quality and accessibility of the social and economic infrastructure, with a focus on transport, energy, logistic systems, transport safety and water supply
- Preparation and implementation of feasibility studies for transport systems in the programme area
- Joint actions by infrastructure owners, cargo owners and traffic operators dedicated to quality improvement of transport connections and creation of new links
- Provision of practical solutions to increase the sustainability and quality of passenger and cargo transport services in the programme area

Expected beneficiaries:

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf,
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level,
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- state organisations/institutions,
- public road and rail management companies,
- public owned transport providers,
- non-governmental organisations,

- relevant Euroregions.

4.3. Priority 2. Improving the quality of life

The focus of Priority 2 is on management of environmental threats and actions promoting sustainable economic use of natural resources, development of renewable energy sources and energy saving, as well as increasing the efficiency of border infrastructure and procedures and improving border security.

Improving the quality of life and increasing the sustainable development potential of the programme area is dependent on improved protection of the cross-border natural environment (Measure 2.1). This will lead to better living standards for the borderland population and potential external investors. Greater border efficiency and safety of the borders (Measure 2.2) is also essential for a higher quality of life in the programme area. Investment and organisation activities in this area will contribute to increased speed and security of cross-border flows of people and goods. It will have a positive impact on the level of social and economic integration of the programme area and increase security. This is crucial for higher investment attractiveness and the competitiveness of the whole region. Within Priority 2, it will also be possible to co-finance projects aimed at the preparation of plans and studies leading to implementation of common initiatives.

Priority 2 will be implemented in the whole programme area. Investment activities (infrastructure) will be financed only in the cooperation areas (see the map of the programme area – page 7).

4.3.1 Measure 2.1. Natural environment protection in the borderland

Measure 2.1 aims at protecting and improve the quality of the natural environment. Improvement of the quality of the natural environment contributes to increasing inhabitants' living standards as well as boosting the area's tourist and investment attractiveness. This goal will be achieved mainly through investment in environmental infrastructure for regional or local impact and the improvement of cross-border cooperation on environmental protection.

This measure will promote activities focusing on environmental protection and natural heritage, especially on: improving solid waste management and waste-water treatment, monitoring of environmental conditions and preventing environmental threats, prevention of cross-border pollution displacement and pollution reduction. Systemic solutions and other activities for the management of environmental emergency situations will be supported, as well as the development and modernisation of the natural emergencies management system. Activities promoting energy saving and the wider use and development of renewable energy sources will also be supported. Initiatives aimed at improvement of cross-border cooperation in environmental protection, including river basin management, will be supported under this priority as well.

Measure 2.1 is consistent with Objective 2 (Working together to address common challenges, in fields such as the environment, public health and the prevention of and the fight against organised crime) as set out in the *Strategy Paper*.

Indicative actions:

- Investment in the environmental infrastructure for regional or local impact with particular attention for water and waste management
- Joint actions to enhance local and regional preparedness and response in case of natural and/or environmental disasters, including cross-border risk management systems and related infrastructure
- Competence building and co-operation between local and regional authorities in the field of local contingency planning and modern water management
- Exchange of knowledge, preparation and implementation of joint action plans on renewable energy sources and energy saving patterns
- Joint research, testing and preparation of small-scale pilot investments in the field of renewable energy
- Development of cross-border strategies for preservation and use of natural sites, areas, and landscapes
- Creation and management of cross-border protected areas

Expected beneficiaries:

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf,
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level,
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- state organisations/institutions,
- local and regional water management, waste water management, river protection and flood protection public bodies,
- local environment protection agencies,
- public institutions responsible for management of nature protection areas and nature parks and local forestry directorates,
- public road and rail management companies,
- public owned transport providers,
- emergency services,
- non-governmental organisations and non-profit organisations,

- relevant Euroregions.

4.3.2 Measure 2.2. Efficient and secure borders

Measure 2.2 has the objective of increasing the efficiency of border infrastructure and procedures and to improve border security. A higher throughput capacity at border crossing points and their security are critical for the achievement of the programme's objectives. In order to better utilise and expand the social and economic potential within the programme area, it is necessary to alleviate the administrative, institutional and infrastructural obstacles to the free movement of goods, services and people across borders. Support is planned for activities that increase the transparency and efficiency of border controls and customs procedures. These activities must aim at speeding up border procedures and result in fast and secure border passage. The measure will also support activities concerning local border traffic, including those implemented under the Local Border Traffic Regulation⁸. Border-related services should also be developed. Support will be provided for the construction of new border crossings in addition to the border infrastructure development projects financed within the External Borders Fund⁹. Within Measure 2.2, co-financing of large-scale strategic projects concerning new border crossings and modernization of existing border crossings is planned. These will be selected and agreed at a later stage by the Joint Monitoring Committee. Measure 2.2 will also cover activities aimed at increasing border security, especially focusing on the prevention and eradication of illegal migration and trafficking, the countering of organised crime, and the prevention of spreading human, animal and plant diseases, as well as prevention and elimination of illegal trade in rare and endangered species.

Measure 2.2 is consistent with Objective 3 (Ensuring efficient and secure borders) and Objective 2 (Working together to address common challenges, in fields such as the environment, public health and the prevention of and the fight against organised crime) as set out in the *Strategy Paper*.

Indicative actions:

- Joint activities that increase the transparency and efficiency of border controls and customs procedures
- Strategic projects concerning new border crossings and modernization of existing border crossings
- Joint activities aimed at increasing border security, especially focusing on the prevention and eradication of illegal migration and trafficking, the countering of organised crime, and the prevention of spreading human, animal and plant diseases.

Expected beneficiaries:

⁸ Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention, OJ L 405, 30.12.2006.

⁹ Any overlapping of financing between the two programmes will be excluded.

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf,
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level,
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- state organisations/institutions,
- regional divisions of Border Guard and customs authorities,
- non-governmental organisations and non-profit organisations,
- relevant Euroregions.

4.4. Priority 3. Networking and people-to-people cooperation

The focus of Priority 3 is on actions promoting and supporting cross-border cooperation in terms of institutional capacity building as well as local initiatives supporting people-to-people cooperation.

The social and economic integration of the programme area should be extended. The situation in this respect has gradually improved, due to previous cross-border cooperation. The sustainable social and economic development of the Polish-Belarusian-Ukrainian cross-border area requires further deepening and widening of cross-border cooperation to achieve a greater degree of integration. The aim of the priority is to promote social and economic activities and consequently to create better conditions for further development in the Polish-Belarusian-Ukrainian border region.

Measure 3.1 will mainly support the creation of permanent cooperative structures among the local and regional organisations and institutions so as to enhance the cross-border cooperation capacity. Sustainable social and economic development of the Polish-Belarusian-Ukrainian border region will only be possible when the area's local communities cooperate in as many areas as possible on a regular basis (Measure 3.2). Projects implemented under this priority will aim at enhancing various aspects of institutional co-operation with a particular focus on local and regional authorities, the business and scientific community, culture, education, and the labour market, as well as addressing common challenges of sustainable social and economic development. Effective cross-border cooperation leading to the integration of the local communities will be the programme's greatest contribution. Within Priority 3, it will also be possible to implement projects covering the preparation of plans and studies leading to the implementation of common initiatives.

Priority 3 will be implemented in the whole programme area. Investment activities (infrastructure) will be financed only in the cooperation areas (see the map of the programme area – page 7).

4.4.1 Measure 3.1. Regional and local cross-border cooperation capacity building

The goal of Measure 3.1 is to improve the cross-border cooperation capacity at the local and regional level. Support is planned mainly for activities aimed at increasing the institutional cooperation. It is expected to develop as a result of the creation of institutional forms of cross-border cooperation. Information exchange, experience sharing and networking cooperation will be promoted, including internet-based projects.

Cooperation among public institutions, especially territorial self-governments, is of high importance, particularly in the area of strategic and spatial planning. Joint initiatives in the respective areas will be promoted with a view to increasing the degree of integration of the programme's eligible areas. Within the programme's scope, particular emphasis will be laid on the dissemination of good practices. Additionally, it is planned to support the development and use of information and communication technologies for cross-border cooperation.

Measure 3.1 is consistent with the Objective 4 (Promoting local cross-border "people-to-people" actions) as set out in the *Strategy Paper*.

Indicative actions:

- Joint actions to create cross-border co-operation structures
- Establishment and development of durable networks between NGOs and non-profit organisations within specific fields of interest, e.g. culture and cultural heritage, environment and natural heritage, youth, social and health care, local community development etc.
- Capacity-building actions targeting cross-border networks of authorities responsible for management of specific fields of interest, e.g. culture and cultural heritage, tourism, environment and natural heritage, youth, social and health care, economic and social development etc.

Expected beneficiaries:

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf,
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level,
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- organisations and other public bodies involved in health and social development,
- schools, universities and educational institutions,
- organisations and institutions active in the fields of programme objectives,

- non-governmental organisations and non-profit organisations such as business support organisations, local enterprise agencies and organisations, development agencies, chambers of commerce, tourism agencies, educational and training institutions, organisations in the field of culture, producers associations and labour unions.

4.4.2 Measure 3.2. Local communities' initiatives

The overall objective is the social, scientific, educational and cultural integration of the border area. Within the scope of Measure 3.2, it is intended to support citizens' cross-border contacts and social initiatives, scientific and educational cooperation, and cultural and sporting events. Cross-border cooperation between schools and higher education institutions, including exchanges of students, pupils, teachers and scientists, and conferences and scientific seminars, will be supported. Support will also be provided for projects directed towards the development of social initiatives, cultural and sports events. Projects aimed at the promotion and cultivation of the common traditions of the borderland areas will also be eligible for assistance. Favourable conditions will be created with a view to facilitating mutual contacts between bordering communities. Assistance is also planned for projects concerning cultural diversity and national minorities, as well as the development of the civil society and local communities in its broader sense.

Communities inhabiting the borderlands are linked by cultural and historical ties. Despite the significant development of cooperation so far, it is still important to overcome remaining cultural, psychological or linguistic barriers. It is equally important to create new ties by supporting cross-border cooperation among a variety of actors, which will facilitate further integration. Networks of cities play a considerable role here. These activities will also contribute to the strengthening of the regional identity and mutual understanding as well as overcoming the existing barriers.

The development of multi-layer cooperation, including educational and cultural, will enhance knowledge of the region and promote its cultural and economic diversity, leading to the further integration of local communities. Intensified cooperation will also contribute to solving common problems.

Measure 3.2 is consistent with the Objective 4 (Promoting local cross-border "people-to-people" actions) as set out in the *Strategy Paper*.

Indicative actions:

- Joint events increasing involvement of local communities and institutions, administrative structures, media and NGOs within specific fields of interest, e.g. environmental protection, natural and cultural heritage, economic and social development, etc.
- Joint events increasing cross-border cooperation between schools and higher education institutions, including exchanges of students, pupils, teachers and scientists, and conferences and scientific seminars, etc.

- Conferences, training seminars and study visits for an exchange of good practices
- Preparation of cross-border cultural and sport events
- Preparation of pilot and innovative projects focusing on common challenges, such as environmental protection, gender equality, promotion of sustainable employment, economic and social development, etc.

Expected beneficiaries:

- regional and local authorities; bodies providing public services commissioned by these authorities; other legal entities with the participation of these authorities or acting on their behalf,
- central bodies, on behalf of regional and local representations responsible for carrying out public tasks at regional /local level,
- regional and local representations of central government, responsible for carrying out public tasks at a regional/local level,
- state organisations/institutions,
- educational and training institutions, organisations and other public bodies involved in cultural, social and sports activities,
- non-governmental organisations and non-profit organisations such as business support organisations, local enterprise agencies and organisations, development agencies, chambers of commerce, tourism agencies, producers associations, labour unions, employment agencies, organisations in the field of culture.

4.5. Technical Assistance

The goal of Technical Assistance is the effective implementation of the programme by providing competent preparation, management, implementation, monitoring, audit and control of the programme, as well as by supporting partner search initiatives and programme-related promotion and information activities.

In order to successfully implement the programme, it is necessary to prepare an appropriate management and implementation system. The institutions responsible for these processes must be supported by technical assistance. The provision of an effective programme promotion and information system is also crucial. Technical assistance will be earmarked to support the elaboration and assessment of projects, evaluations, and the preparation of programme documents, as well the employment of expertise.

Particular attention will be given to the enhancement of the final beneficiaries' capacity to absorb the programme's assistance. Projects contributing to human resources development will also be eligible. Support is planned as well for other projects aimed at enhancing the quality of the institutions involved in the programme's management and implementation, in particular those related to the activities of the Joint Managing

Authority, the Joint Monitoring Committee, and the Joint Technical Secretariat and branch offices.

Technical Assistance will also support projects connected with partner search initiatives and the programme's promotion and information. Such support will include informing potential beneficiaries about the possibilities of receiving assistance from the programme, consulting support for applicants, and the dissemination good practices. Support is also planned for information activities concerning the programme's management, monitoring and evaluation. Projects aimed at ensuring the appropriate flows of information among institutions and actors involved in project management and implementation will also be supported.

A range of other promotional and information activities will be possible under Technical Assistance. Training, seminars and conferences will be organised, among which will be those focused on raising awareness of the programme and its goals. Programme information will be disseminated by means of TV, radio, press, Internet sites, brochures, leaflets etc. Communications will be targeted at potential applicants, beneficiaries and the society in order to raise programme awareness.

Indicative actions:

- preparation, selection, appraisal and monitoring of projects
- meetings of Joint Monitoring Committee (including travel costs of JMC members), functioning of Joint Managing Authority, Joint Technical Secretariat and branch offices
- promotion and information actions concerning the programme (e.g. seminars, programme website and publications)
- supporting, consulting, and coordinating beneficiaries and institutions involved in the implementation of the programme
- analysis, surveys, researches and experts, evaluations and reports essential for implementing and managing the programme
- translations.

Expected beneficiaries:

- institutions/bodies involved in the programme management and implementation, in particular: the Joint Managing Authority, the Joint Technical Secretariat and branch offices, the Joint Monitoring Committee

5. INDICATORS

Priority	Input indicator	Output indicator	Result indicator
1. Increasing the competitiveness of the border area	30% of the total programme budget	Number of projects aimed at better conditions for entrepreneurship	Number of additional companies served by improved infrastructure Number of innovation initiatives for entrepreneurs Number of networks involving entrepreneurs / economic agents
		Number of projects aimed at tourism development	Additional population served by improved tourism infrastructure Number of cross-border tourism services and cross-border tourism products developed Number of joint events or information services aiming at extending attractiveness of the programme area
		Number of projects reducing isolation through improved access to transport, information and communication technologies networks and services	Additional population reached by improved access infrastructure Number of tools/methods/model solutions developed/tested aiming at increasing the integration of areas with low accessibility Number of new cross-border public transports created
2. Improving the quality of life	35% of the total programme budget	Number of projects aimed at the improvement of natural environment protection in the borderland	Additional population served by improved environmental infrastructure Additional population reached by environmental awareness-raising campaigns Number of tools/methods/model solutions developed/tested to protect environment Number of joint planning activities/initiatives
		Number of projects aiming at improvements in border efficiency and security	Number of tools / methods / model solutions developed or tested aiming at improvements in border efficiency and security Additional capacity of the new border crossings
3. Networking and people to people cooperation	25% of the total programme budget	Number of implemented projects aimed at the regional and local cross-border cooperation capacity building	Number of institutions that have established new cross-border contacts
		Number of implemented micro-projects aimed at supporting the local communities' initiatives	Number of people participating in joint cross-border local initiatives

6. INDICATIVE FINANCING PLAN

Indicative financing plan of the ENPI CBC PBU Programme, giving, for the whole programming period, the indicative amount of funding by priority <i>Priorities by source of funding (in euros):</i>				
	EC Funding (a) *	Co-financing (b)	Co-financing rate (in %) (c) **	Total funding (d) = (a)+(b)
Priority 1	55 860 410.10	5 586 041.01	10%	61 446 451.11
Priority 2	65 170 478.45	6 517 047.85	10%	71 687 526.30
Priority 3	46 550 341.75	4 655 034.18	10%	51 205 375.93
Technical Assistance	18 620 136.70	0.00	-	18 620 136.70
Total	186 201 367.00	16 758 123.03	9%	202 959 490.03

* In accordance with the Strategy Paper.

** Cofinancing rate shall be calculated on the basis of the Community contribution to the joint operational programme, minus the amount of technical assistance financed from the Community contribution (see: Article 20.1 of the Regulation n° 951/2007).

Programme financial table

	A	B	C	D
	INDICATIVE PROVISIONAL COMMITMENTS BY THE EC	CO-FINANCING	PROGRAMME'S INDICATIVE PROVISIONAL COMMITMENTS - EC funding -	PROGRAMME'S INDICATIVE PROVISIONAL PAYMENTS - EC funding -
2008				
Projects	25 596 969.00	0.00	0.00	0.00
TA		(not applicable)	931 005.84	931 005.84
TOTAL 2008			931 005.84	931 005.84
2009				
Projects	27 981 547.00	1 612 609.11	16 126 091.10	6 450 436.44

TA		(not applicable)	2 793 020.51	2 793 020.51
TOTAL 2009			18 919 111.61	9 243 456.95
2010				
Projects	28 541 178.00	5 007 551.63	50 075 516.34	20 030 206.54
TA		(not applicable)	2 793 020.51	2 793 020.51
TOTAL 2010			52 868 536.85	22 823 227.05
2011				
Projects	36 605 653.00	6 073 266.80	60 732 667.98	32 356 112.74
TA		(not applicable)	2 793 020.51	2 793 020.51
TOTAL 2011			63 525 688.49	35 149 133.25
2012				
Projects	37 187 893.00	3 246 916.15	32 469 161.49	39 638 031.88
TA		(not applicable)	2 793 020.51	2 793 020.51
TOTAL 2012			35 262 182.00	42 431 052.39
2013				
Projects	30 288 127.00	817 779.43	8 177 794.29	38 645 003.34
TA		(not applicable)	1 862 013.67	1 862 013.67
TOTAL 2013			10 039 807.96	40 507 017.01
2014				
Projects	N.A.	0.00	0.00	22 307 847.54
TA		(not applicable)	1 862 013.67	1 862 013.67

TOTAL 2014			1 862 013.67	24 169 861.21
2015				
Projects	N.A.	0.00	0.00	7 335 813.29
TA		(not applicable)	1 862 013.67	1 862 013.67
TOTAL 2015			1 862 013.67	9 197 826.96
2016				
Projects	N.A.	0.00	0.00	817 779.43
TA		(not applicable)	931 006.91	931 006.91
TOTAL 2016			931 006.91	1 748 786.34
X X				
TOTAL 2007-2016	186 201 367.00		186 201 367.00	186 201 367.00
TOTAL COFINANCING RATE				
			%	%

** Subject to a mid-term review of the programme

Technical assistance indicative budget*

Posts:	Planned budget (ENPI):	% of the overall TA budget supported by ENPI:
Staff costs (estimated number of staff, staff related costs, etc.)	9 868 672.45	53.00%
Organisation of Monitoring Committees	316 542.32	1.70%
Project's selection (external experts fees**, experts meetings, etc.)	1 955 114.35	10.50%
Communication Strategy (Website, leaflets etc.) and project generation (information days etc.)	1 862 013.67	10.00%
Annual Audits (audit of projects, external audit)	1 228 929.02	6.60%
Others (equipment, translations, database, evaluation, etc.)	3 388 864.88	18.20%
Total	18 620 136.70	100.00%
* The table is solely indicative. Any modification of the above during implementation will not be subject to a modification of the programme.		
** Where Evaluation Committee's members are public servants, it will be ensured that there is no double financing for their work.		

CHAPTER 2

1. JOINT STRUCTURES AND COMPETENT AUTHORITIES

In order to implement the programme the following joint structures will be set up:

- Joint Monitoring Committee (JMC),
- Joint Managing Authority (JMA) – the Ministry of Regional Development of the Republic of Poland,
- Joint Technical Secretariat (JTS) – located at the Cooperation Fund Foundation in Poland.

National Bodies (NB) in partner countries are:

- For Belarus: Ministry of Foreign Affairs of Belarus jointly with the Co-ordinating Unit of Belarus for the European Union's TACIS Programme,
- For Ukraine: Ministry of Economy of Ukraine.

National Bodies cooperate with the Joint Managing Authority in preparation and implementation period, and are responsible for coordination of programming and implementation process in participating countries.

Joint structures are established in accordance with *Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument*¹⁰ and *Commission Regulation (EC) No 951/2007 of 9 August 2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument ("Implementing Rules")*¹¹.

1.1. Joint Monitoring Committee

Responsibilities of Joint Monitoring Committee

The Joint Monitoring Committee (JMC) is responsible for the quality and efficiency of the implementation of the programme. As such, it will take, in particular, the following decisions concerning the programme:

- it approves the work programme of the JMA and the JTS and reviews the management decisions taken by the Joint Managing Authority,

¹⁰ OJ L 310, 9.11.2006.

¹¹ OJ L 210, 10.08.2007.

- it appoints the members of the Evaluation Committees,
- it decides the selection criteria to be applied and the final choice of the projects and grant amounts,
- it decides on the amounts and on the allocation of funds and resources for technical assistance including human resources,
- it reviews all the reports submitted by the Joint Managing Authority and takes the appropriate measures if necessary,
- at each of its meetings and on the basis of the documents submitted by the Joint Managing Authority, it evaluates and monitors accomplished progress to achieve the objectives of the programme,
- it examines the contentious cases of recovery notified by the Joint Managing Authority.

Composition of Joint Monitoring Committee

The Joint Monitoring Committee shall include representatives of the cooperation areas involved (one regional representative per one region), representatives of the central authorities responsible for the programme (two central representatives per one country), and other representatives appointed by each participating country. Maximum number of members per country is 8. Members of the Joint Monitoring Committee shall be appointed by participating countries within 3 months from the adoption of the programme by the Commission.

The following central institutions from Poland, Belarus and Ukraine will appoint a voting representative for the Joint Monitoring Committee: Ministry of Regional Development of Poland and Ministry of Foreign Affairs of Poland, Ministry of Foreign Affairs of Belarus and the Co-ordinating Unit of Belarus for the European Union's TACIS Programme, Ministry of Economy of Ukraine and Ministry of Foreign Affairs of Ukraine.

Each country may also nominate external observers of the JMC with no right to participate in the decision taking procedures. In compliance with Article 11 of Implementing Rules, in addition to the duly appointed representatives, in order to ensure the close association of different local stakeholders in the implementation of the joint operational programme other participants will have the right to participate in the meetings of the Committee, subject to the approval of the chairperson of the JMC.

The composition of JMC shall also ensure that environmental aspects are appropriately taken into account during the programme implementation process.

The Commission shall be invited to each meeting of the Joint Monitoring Committee at the same time as the participants and shall be informed of the results of its deliberations.

It may take part in all or part of each Committee meeting on its own initiative, as an observer and without any decision-making power¹².

Rules of procedures of Joint Monitoring Committee

The Joint Monitoring Committee shall take decisions by consensus. Each participating country has one vote. Details of the functioning of JMC shall be described in its rules of procedures, which shall be adopted by unanimity at the first JMC meeting.

The JMC shall be chaired by the JMA and may be co-chaired on a rotation basis, by a representative of the country, in which the JMC meeting takes place. A representative of the JTS acts as the secretary of the JMC.

The Joint Monitoring Committee shall meet as often as necessary and at least once a year. It shall be convened by JMA or following a duly justified request from one of its appointed members or from the European Commission. It may also take decisions through written procedure at the initiative of the Joint Managing Authority or one of the participating countries. In case of disagreement any member may request that the decision will be discussed at a meeting. First Joint Monitoring Committee is convened by the JMA.

Joint Technical Secretariat will be responsible for secretariat and organisation of the Joint Monitoring Committee meetings. After each meeting of the Joint Monitoring Committee, the chairperson and the secretary shall draw up the minutes of the meeting and circulate them to all members for approval. Final version of the minutes will be sent to each member, to external observers if nominated and to the Commission.

The Joint Managing Authority and National Bodies will support the members of the Joint Monitoring Committee in obtaining visas.

1.2. Joint Managing Authority

The Joint Managing Authority is the Ministry of Regional Development of Poland¹³.

General functions of Joint Managing Authority

The Joint Managing Authority (JMA) shall be responsible for the implementation of the programme in accordance with the principle of sound financial management, economy, efficiency and effectiveness as well as for the legality and regularity of its operations.

¹² In order to promote high effects of the cross-border activities from possible synergies and coherence with projects and programmes funded under other EU policies as well as to avoid duplication, information on activity funding in the recent past may be exchanged as required between Directorate Generals before launching calls for proposals. For that purpose, AIDCO will request each DG to nominate one or more contact points to be consulted on the proposals submitted within the call for proposals. This internal EC consultation will be made in the period between the date when documents for the JMC meeting are sent by the JTS and the date of the JMC meeting (not less than 10 working days).

¹³ <http://www.mrr.gov.pl>, <http://www.interreg.gov.pl>.

To this end, it shall put in place appropriate audit, control and accounting systems and standards. Operational management functions and financial management functions shall be organised separately within the JMA. The functions of Authorising Officer and Accounting Officer would be separate and mutually incompatible.

Organisation of Joint Managing Authority

The Minister of Regional Development of Poland is the head of the Joint Managing Authority.

Four mutually independent units function within the JMA: operational unit, financial unit, paying unit and internal audit unit. They cooperate with one another in executing their specific tasks.

The Authorizing Officer is the Undersecretary of State at the Ministry of Regional Development, or authorised director or deputy director of the Territorial Cooperation Department.

Operational unit

A separate unit of the Territorial Cooperation Department of the Ministry of Regional Development, acts as the **operational unit**, and in this respect is responsible for:

- the organisation and the secretariat of the meetings of the Joint Monitoring Committee, including drawing-up the minutes of the meetings (with support of JTS),
- the launching of calls for tenders and the calls for proposals (with support of JTS),
- the acknowledgement of project applications and the organisation of Evaluation Committees, as well as the transmission to the Joint Monitoring Committee and to the Commission of the reports which include the recommendations of the Evaluation Committees (with support of JTS),
- the approval of contracts to be signed by the Authorising Officer,
- the operational follow-up and the financial management of the projects (in cooperation with the financial and paying unit),
- the preparation of possible environmental impact assessment studies at the programme level (with support of JTS),
- the immediate notification of the Joint Monitoring Committee of all cases of contentious recoveries,
- setting up the monitoring system where the data on implementation necessary for financial management, monitoring, verifications, audits and evaluation are collected (in cooperation with the financial and paying unit),

- managing the technical assistance budget,
- the drawing-up of the operational annual reports and sending them together with the financial reports to the Joint Monitoring Committee and to the Commission,
- the implementation of the information and communication plan (with support of JTS).

Financial unit

A separate unit of the Territorial Cooperation Department of the Ministry of Regional Development, acts as the **financial unit**, and in this respect is responsible for:

- requesting the paying unit to set up the single bank account of the programme,
- verification that expenditure is real, accurate and supported by documents held by the beneficiaries (with support of JTS) and authorising the paying unit to execute the payments,
- financial corrections and follow-up of the recoveries,
- submitting to the Commission the payment requests,
- the preparation of the detailed annual budgets of the programme,
- preparing the annual audit programme of the projects,
- the drawing-up of the annual reports on the implementation of the annual audit programme of the projects,
- drawing up the financial annual reports.

Paying unit

The Accounting Officer is the chief accountant of the Ministry of Regional Development.

A separate unit of the Economic and Financial Department of the Ministry of Regional Development, acts as the **paying unit**, and in this respect is responsible for:

- setting-up and managing the single bank account of the programme,
- establishing the accounts of the programme (the accounting system is specific and separate and exclusively deals with operations related to the programme, allowing for the analytical follow-up per priority, measure and operation),
- receiving payments from the EC and their transferring to beneficiaries and contractors.

Audit unit

The Internal Audit Unit of the Ministry of Regional Development, acts as the **audit unit**, and is responsible for:

- auditing, on an annual basis, the internal circuits of the JMA and the correct application of procedures,
- drawing up of the annual report of the internal audit service.

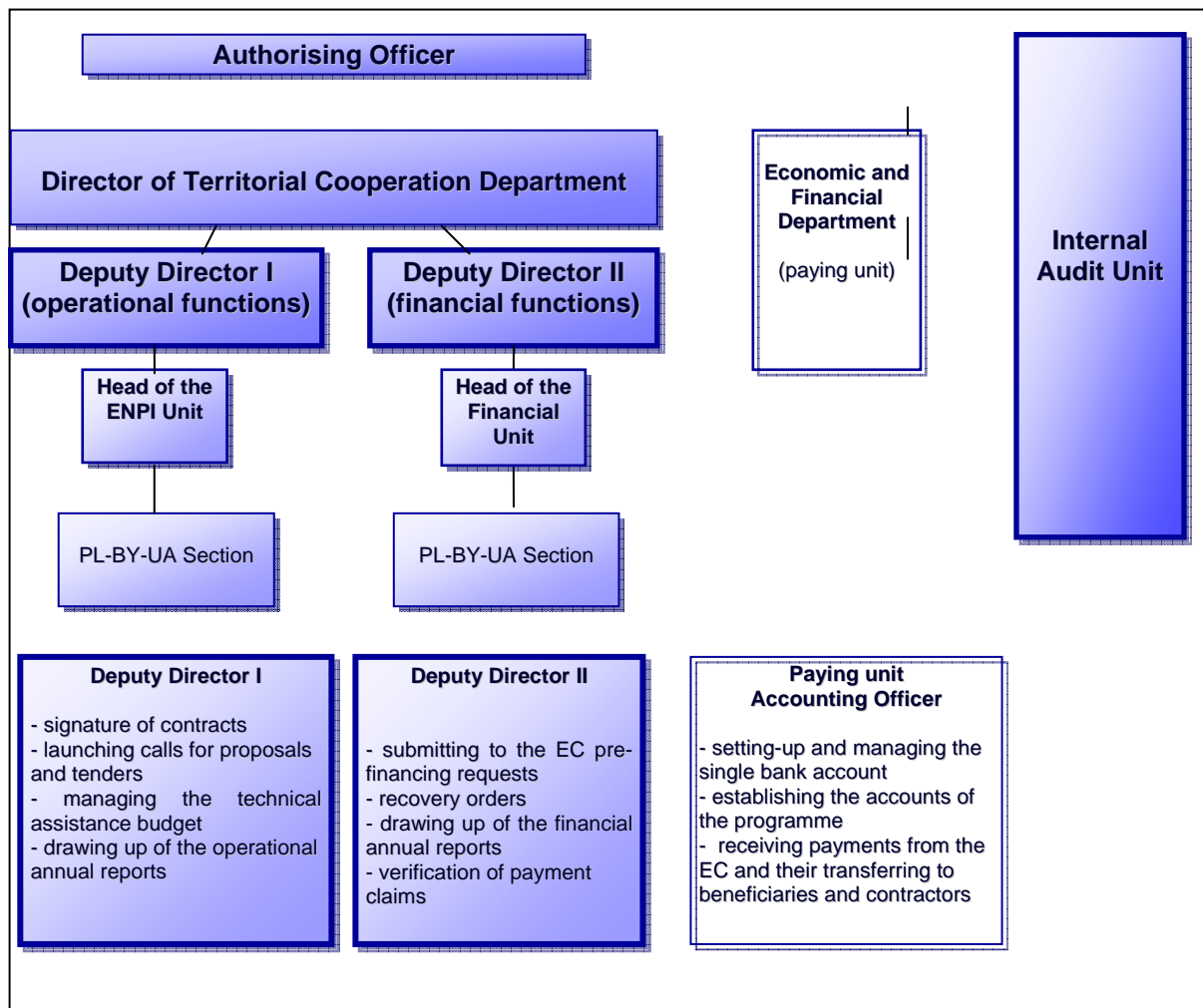
The indicative total number of JMA staff dedicated to the programme is around 12.

The costs of functioning of the Joint Managing Authority relating to the implementation of the programme shall be covered from the programme technical assistance budget.

The procurement rules for direct expenditure of JMA from the technical assistance budget will be the Polish law on public procurement.

Some of the above mentioned tasks will be delegated by the Joint Managing Authority and under its responsibility to the Joint Technical Secretariat, as described in point 1.3.

Structure of the Joint Managing Authority:



1.3. Joint Technical Secretariat

The Joint Technical Secretariat (JTS) is established by the JMA in order to assist the JMA in the daily management of the programme. The JTS is located at a state-owned

body – the Cooperation Fund Foundation¹⁴. The detailed contract between the Polish Ministry for Regional Development and the Cooperation Fund Foundation will be signed after the adoption of the programme by the Commission and will specify delegated functions and tasks, as well as control measures which the JMA will have over the JTS. The contract will be compliant with the provisions of the programme document.

The JTS will employ Polish, Belarusian and Ukrainian citizens. It is estimated that about 25 employees will work in the JTS. The internal structure of the JTS will be settled in agreement with the JMA. Operational management functions and financial management functions shall be organised separately within the JTS. The internal audit unit of JTS reports on a yearly basis, as it is the case for the JMA (Article 29 of the Implementing Rules). JTS is subject to the external audit, as it is the case for the JMA (Article 31 of the Implementing Rules).

The costs of functioning of the Joint Technical Secretariat shall be covered from the programme technical assistance budget.

The procurement rules of the JTS for direct expenditure of JTS from technical assistance budget will be the Polish law on public procurement as compliant with Community directives applicable to procurement procedures.

For expenditure of the JTS in Belarus and Ukraine PRAG rules may also be used. When PRAG rules are used and when the publication is required at international level (due to the scope of the tender), the language in which the tender is drafted or translated should allow all countries participating in the programme to take part in the tender procedure.

Functions of Joint Technical Secretariat

The following tasks will be fulfilled by the Joint Technical Secretariat:

- organisation and secretariat of the Joint Monitoring Committee meetings, including drawing-up the minutes of the meetings,
- preparation of the application pack and other documentation, according to templates annexed to the *Practical Guide to Contract Procedures for EC external actions*, if necessary amended in order to reflect the specificities of cross-border cooperation,
- launching calls for proposals and calls for tenders,
- receipt and registration of project applications,
- participation in the project evaluation process, organization and secretariat functions of the Evaluation Committees,
- preparation of the contracts to be signed by the JMA and verification of all the necessary documentation,

¹⁴ Fundacja “Fundusz Współpracy”, <http://www.cofund.org.pl>

- supervision of tender procedures,
- receiving and verifying the requests for payments and reports, submitted by the beneficiaries,
- carrying out on the spot checks (upon decision of the JMA),
- drafting of the annual operational and financial reports,
- implementation of the information and communication plan,
- other tasks supporting JMA in its day-to-day implementation of the Programme.

Branch Offices

In order to ensure appropriate publicity and provide appropriate information to potential applicants and beneficiaries, branch offices will be set up in the programme area in Belarus and Ukraine. Estimated number of staff of one branch office is 3 persons. The costs born by the branch offices shall be covered from the technical assistance budget. Expenses from the technical assistance budget borne by the branch offices are controlled by the JMA and are subject to the external audit (Article 31 of the Implementing Rules), as it is the case for the JMA.

The competences of branch offices will include the following tasks implemented under the supervision of the JMA and JTS:

- the implementation of the information and communication plan,
- support in the organisation of the meetings of the Joint Monitoring Committee,
- collection of data to improve the monitoring of projects,
- other tasks supporting JMA and JTS in their day-to-day implementation of the programme.

The JMA may decide that project applications are collected by the branch offices and transferred to the JTS in Warsaw.

The branch office in Belarus will be located in Brest, at the Brest Transboundary Infocentre. The branch office in Ukraine will be located in Lviv at the institution indicated by the Lvivska Oblast State Administration.

2. IMPLEMENTATION

Implementation of the programme shall be compliant with the following regulations:

- Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (OJ L 310, 9.11.2006),
- Commission Regulation (EC) No 951/2007 of 9 August 2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument (OJ L 210, 10.08.2007),
- Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.09.2002),
- Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357, 31.12.2002).

The contract procedures for procurement contracts and grants necessary for implementation of the programme shall be those applicable to external actions of the EU (Practical Guide to Contract Procedures for EC external actions¹⁵, “PRAG”), with the amendments mentioned in this programme document, made in order to reflect the specificities of cross-border cooperation, the requirements of regulations ruling the Joint Managing Authority and in other cases if necessary for the effective implementation of the programme.

2.1. Application and contracting procedures

Application procedures

The process of creating project ideas and their further development is a vital part of the programme implementation, which should ensure a sufficient number of good quality projects that cover all the programme regions, priorities and measures. Throughout the whole process of project preparation, the programme implementation structures shall provide the support to the potential applicants¹⁶.

¹⁵ http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/index_en.htm.

¹⁶ In compliance with the rules of the Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p.1), of the Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357, 31.12.2002, p.1) and of the Practical Guide to contract procedures for EC external actions, in particular the principles of transparency, fair competition and equal treatment of applicants.

The Joint Managing Authority with the support of the Joint Technical Secretariat organises the calls for proposals and is responsible for sufficient dissemination of information concerning submitting an application and measures related to publicity. With the assistance of the Joint Technical Secretariat the Joint Managing Authority prepares application pack and provides information on project submission. Applications are registered by the Joint Technical Secretariat.

Assessment of applications

All applications are subject to formal and quality assessment. During the formal assessment, it has to be checked whether an application satisfies the administrative criteria and whether the applicant, its partners, the project and the costs are eligible under the programme and the call for proposals. The quality assessment is carried out on the basis of evaluation grid adopted by the Joint Monitoring Committee (as part of the Guidelines for applicants).

In its decision on the eligibility and evaluation criteria Joint Monitoring Committee will take into account the following elements:

- the project has to include cross - EU border partnership, i.e. it should be submitted jointly by beneficiaries of Poland and of Belarus or Ukraine,
- the project has to be implemented in the programme area and investment activities (infrastructure) may be implemented only in the cooperation areas,
- the total value of activities financed in the adjacent cooperation areas may not be higher than 20% of total programme budget,
- the integrated projects will be prioritised and encouraged
- the environmental sustainability (projects with serious negative impact on environment cannot receive funding within the programme and positive environmental impact will be taken into account in the evaluation process).

The formal assessment is carried out by the Joint Technical Secretariat, under the supervision of the JMA. The results of the formal assessment will be approved by the Evaluation Committee.

The quality assessment is carried out by the Evaluation Committees. The works of the Evaluation Committee are chaired by the JMA and are organised by the JTS, which fulfils the role of the secretariat of the Evaluation Committee (in accordance with PRAG provisions concerning the Evaluation Committee for grants).

The Evaluation Committee is appointed by the JMC and is composed of a non-voting chairperson, a non-voting secretary, and an odd number of members (minimum three). The voting members will have the necessary knowledge and experience to give an informed opinion on project applications.

Final choice of applications

The Evaluation Committee prepares an evaluation report including a scoring list and submits it to the Joint Monitoring Committee. The Evaluation Committee may, when recommending a project, indicate a list of minor corrections to be made to the proposal.

The Joint Monitoring Committee will take the final decision on the projects to be funded. No project proposal failing to pass the quality assessment threshold may be approved to be financed.

If the Joint Monitoring Committee decides not to follow all or part of the recommendations of the Evaluation Committee, it shall explain its decision in writing. The decision shall then be sent via the Joint Managing Authority to the Commission for prior approval. The Commission communicates its opinion to the Joint Managing Authority within 15 working days. If no opinion of the Commission is communicated to the JMA within 15 working days, the JMC decision is deemed to be approved by the Commission.

Indicative timetable of call for proposals and JMC meetings to select projects		
Year	Call period	JMC meetings to select projects
2009	(1) February-April	July
	(2) September-November	
2010		February
	(3) April-June	September
	(4) October-December	
2011		March
	(5) April-June	September
	(6) October-December	
2012		March
	(7) April-June	September
	(8) October - December	
2013		March
The table is solely indicative. Any modification of the above during implementation will not be subject to a modification of the programme.		

Contracting

The Joint Technical Secretariat informs all applicants of the Joint Monitoring Committee decision. The JTS prepares the contract, together with all required accompanying documents. The templates annexed to the *Practical Guide to Contract Procedures for EC external actions* may be adapted by the JMA, with a prior approval of the EC¹⁷, in order to reflect the specificities of cross-border cooperation, the requirements of regulations ruling the JMA activities and in other cases if necessary for the effective implementation of the programme.

After the contract and its attachments are prepared by the JTS (if needed in cooperation with beneficiaries) JTS delivers the documents to the JMA. Operational and financial units of the JMA verify the documents. Then the documents are sent to the paying unit for the approval of the Accounting Officer. Authorising Officer signs the contract.

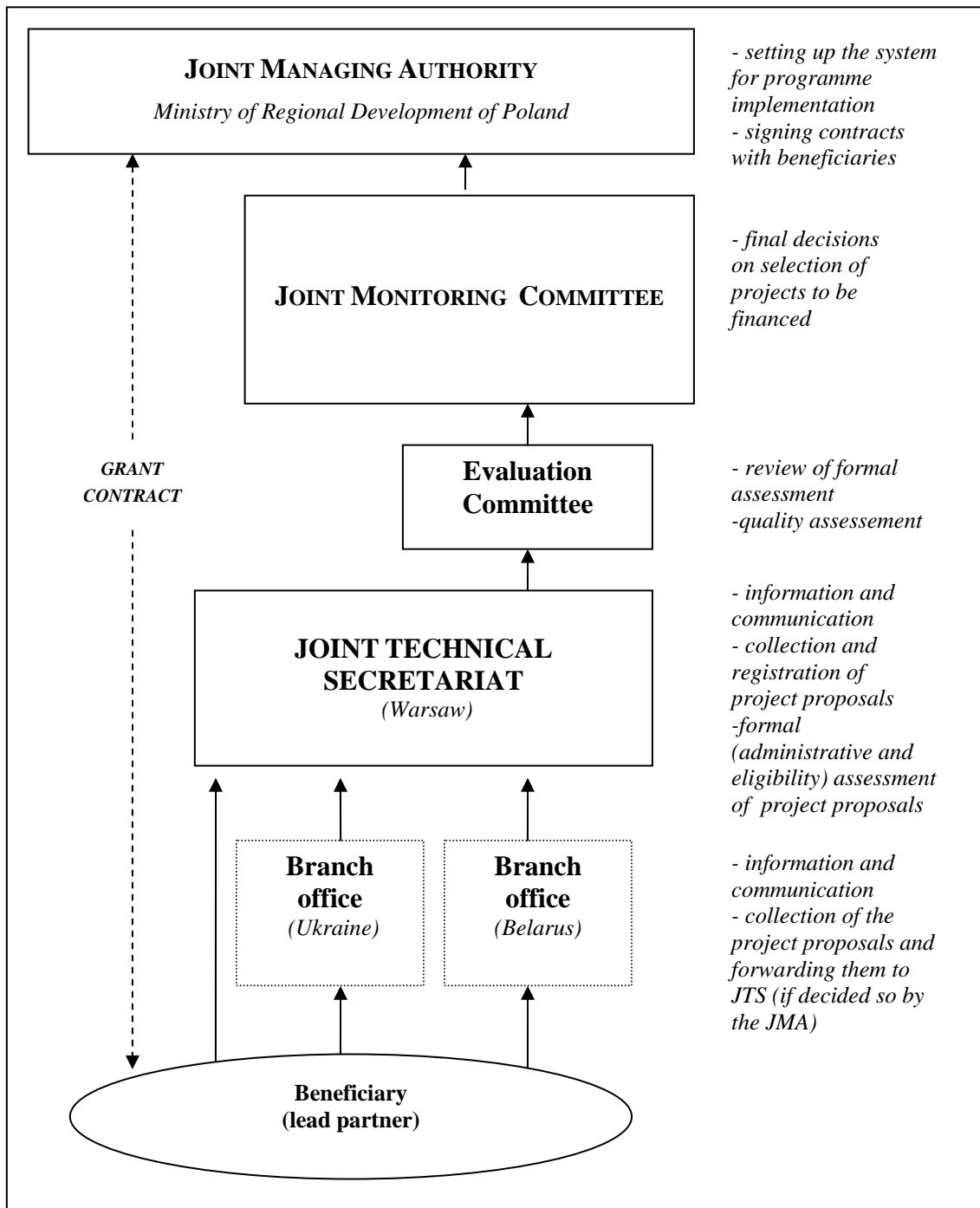
The list of contracts signed by the JMA is published by the JMA on its website.

¹⁷ unless a derogative instruction is issued by the relevant EC service.

Large-scale strategic projects

In measure 2.2 (Efficient and secure borders) large-scale strategic projects concerning new border crossings and modernization of existing border crossings may be implemented. These projects will not be selected through calls for proposals but will be jointly identified and selected at a later stage by the Joint Monitoring Committee, in agreement with the European Commission. The selection procedures for these projects will be compliant with PRAG and based on fully documented project proposals.

Project application and contracting procedures:



2.2. Financial flows

Payments from the European Commission to the programme

The European Commission shall make annual commitments, in accordance with the financial table detailing the provisional yearly allocations in the programme, and depending on the programme progress and the availability of funds.

Further to the initial commitment accompanying the decision adopting the programme, the Commission shall each year make the corresponding commitment no later than 31 March of the year concerned. The Commission shall inform the Joint Managing Authority of the exact date on which the annual commitment is made.

Upon being notified by the Commission on the budgetary commitment, the JMA may request, as pre-financing, the transfer of up to 80% of the annual Community contribution. On the basis of the pre-financing request of JMA and after verification of the related reports, the evaluation of the actual financing needs of the programme and verifying the availability of funds, the Commission will proceed with the payment of all or part of the requested pre-financing. In the course of the year, the Joint Managing Authority may ask for the transfer of all or part of the balance of the annual Community contribution, as additional pre-financing.

In the second half of each year of the programme's implementation, the Commission shall clear previous pre-financing payments on the basis of eligible expenditure actually incurred, as certified by the annual external audit report (referred to in Article 31 of the Implementing Rules). On the basis of the results of this clearance, the Commission may proceed with the necessary financial adjustments.

The ENPI funding will be transferred from the European Commission to the single bank account in EUR, specific to the programme, opened and managed by the paying unit of the Ministry of Regional Development (Economic and Financial Department). This account operates under double signature: to be executed the operation has to be accepted by the Authorising Officer and by the Accounting Officer.

Payments from the Joint Managing Authority to beneficiaries

The JMA proceeds with payments to a beneficiary on the basis of a signed contract. Payments may take the form of first installment of pre-financing, further installments of pre-financing and final payment. Forms of payments for each project will be determined in the contract.

As a rule project beneficiaries will have to ensure at least 10% co-financing of the total eligible project costs. Project beneficiaries shall transfer appropriate part of the payment to their project partners in accordance with previously signed partnership agreement.

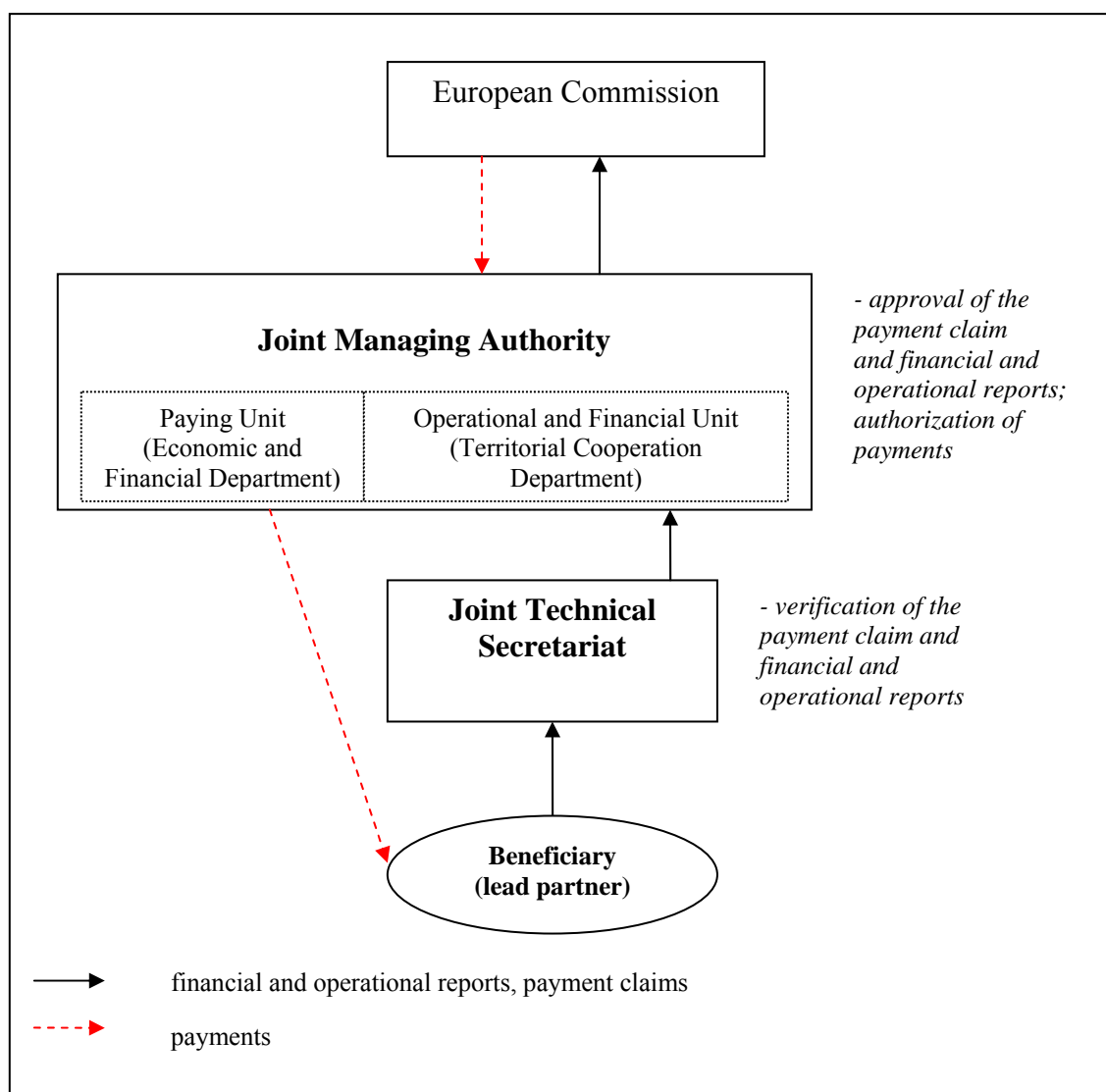
Beneficiary and project partners implement activities planned in the project description. Expenditure incurred by the project is presented in the form of statements that need to be verified in accordance with contract requirements. The templates concerning expenditure verification annexed to the *Practical Guide to Contract Procedures for EC external actions* may be adapted by the JMA, with a prior approval of the EC¹⁸, in order to reflect the specificities of cross-border cooperation, the requirements of regulations ruling the JMA activities and in other cases if necessary for the effective implementation of the programme.

Beneficiaries prepare progress reports composed of financial and operational parts and a payment claim for the whole project. Financial reports include certified statements of expenditure of all partners. Obligations of the beneficiaries with regard to the timing of the submission of the reports will be defined in the contract.

Beneficiaries may request further pre-financing payments and the final payment under conditions described in the contract. The progress reports and payment claims will be submitted to the JTS, which after necessary verifications will transfer them to the JMA for final approval. Operational and financial units of the JMA verify the documents. Then the documents are sent to the paying unit for the approval of the Accounting Officer and for the execution of the payment.

Financial flows chart:

¹⁸ unless a derogative instruction is issued by the relevant EC service.



2.3. Monitoring, control and audit

Monitoring

The Joint Monitoring Committee and the Joint Managing Authority are bodies responsible for monitoring of the programme. They carry out this task by reference to indicators and targets specified in the programme and with the use of a monitoring system where data on implementation necessary for monitoring are collected. The obligations of the beneficiaries with regard to reporting on the operational and financial progress of the project will be defined in the contract.

The Joint Managing Authority is responsible for setting up the system to gather reliable financial and operational information on implementation of the programme, including computerised management and accountancy tools. Appropriate database in electronic form, including information on selected operations and payments made to the beneficiaries will be developed and maintained by the JMA during the whole

programme implementation period. Monitoring system will include relevant environmental aspects.

In accordance with obligations resulting from the Implementing Rules, the Joint Managing Authority shall every year prepare a report on programme implementation including an operational and financial part. This report shall include also environmental aspects. A mid-term evaluation of the programme shall be carried out by the Commission in accordance with the Strategy Paper.

Controls and audits

The following controls and audits will be carried out in the process of programme implementation:

Type of control / audit:	Bodies performing the control / audit:
Verification of project expenditure (PRAG Annex VII to the grant contract). Verification of expenditure may also include on-the-spot check. Verification will be done for every project.	External auditors (Terms of Reference provided by the JMA, in accordance with PRAG).
Verification of operational and financial reports and payment claims. This verification may also include on-the-spot check.	Joint Technical Secretariat (upon decision of the JMA and under its responsibility).
Audit of projects (Article 30 and 37 of Implementing Rules) – to control a sample of projects financed under the programme.	External audit companies (Terms of Reference provided by the JMA). The JMA's competent staff will always have right to do the audit on its own initiative and with support of JTS.
Internal audit of the JMA (Article 29 of Implementing Rules) – to check the internal circuits and ensure that the procedures within the JMA are correctly applied.	Internal Audit Unit of the Ministry of Regional Development of Poland. Internal Audit Unit of the JTS – with regard to JTS.
External audit (Article 31 of Implementing Rules) – to certify the statement of revenue and expenditure presented by the JMA in its annual financial report, and in particular certify that stated expenditure has been actually incurred and is accurate and eligible.	The General Inspector for Treasury Control, which will proceed with the audit with the help of the Department for Certifying and Winding-up of EU Assistance of the Ministry of Finances and of the Treasury Control Offices. External audit companies in case of branch offices in Belarus and Ukraine.

The costs of all above mentioned controls and audits are covered by the budget of the programme – either from technical assistance budget (verification of operational and financial reports and payment claims, audit of projects, internal audit of JMA, external audit of JMA) or from project budgets (verification of project expenditure under Annex VII to the PRAG grant contract).

The purpose of the **verification of project expenditure** will be to verify that the expenditure claimed by the beneficiary for the action financed by the contract has

occurred ('reality'), is accurate ('exact') and eligible. This verification will be done for every project and it may include on-the-spot check. The verification will be executed by external auditors.

In accordance with the contract, beneficiaries will submit their reports and payment claims to the Joint Technical Secretariat. The JTS will proceed with the **verification of operational and financial reports and payment claims**. This verification may also include on-the-spot check.

As from the end of the first year of the programme, the Joint Managing Authority draws up each year an **audit plan of the projects** that it finances. The controls of the projects are conducted by examining the documents or by means of on-the-spot checks for a sample of projects selected by the JMA based on a random statistical sampling method taking account of internationally recognized audit standards and specific risk factors. The audit of the projects will be executed by external audit companies selected by JMA. Audit of the projects may also be executed by the competent staff of JMA or JTS.

Each year, the Joint Managing Authority shall draw up a report on the previous year's implementation of the audit plan for the projects. The report shall describe in detail the methodology used by the Joint Managing Authority for selecting a representative sample of projects, as well as the controls carried out, the recommendations made and the conclusions drawn by the Joint Managing Authority in relation to the financial management of the projects concerned. The Joint Managing Authority shall send the report to the Commission and to the Joint Monitoring Committee as an annex to the annual report on implementation of the joint operational programme.

The **Internal Audit** Unit of the Ministry of Regional Development shall audit, on an annual basis, the internal circuits of the JMA and the correct application of procedures and it shall draw up the annual report of the internal audit service.

Independently from the external audits undertaken by the Polish administration, the JMA uses an independent public body to carry out each year an **ex-post verification of the expenditure and revenue presented by the JMA** in its annual financial report, in accordance with the standards and ethics of the International Federation of Accountants (IFAC). The scope of the external audit covers the JMA's direct expenditure occurred in the framework of the technical assistance and of its project management (payments to projects). The external audit report certifies the statement of expenditure and revenue presented by the JMA in its annual financial report, and in particular that the claimed expenditure has occurred and is accurate and eligible.

The external audit of the JMA is the responsibility of the General Inspector for Treasury Control, which will proceed with the audit with the help of the Department for Certifying and Winding-up of EU Assistance of the Ministry of Finances and of the Treasury Control Offices.

Each year, by 30 June at the latest, the Joint Managing Authority shall submit to the EC an annual report, approved by the JMC and certified by the external audit report, on the

implementation of the joint operational programme from 1 January to 31 December of the previous year. The first annual report shall be submitted by 30 June of the second year of the programme. The annual report will consist of technical part, financial part and the declaration concerning management and control systems, in accordance with article 28 of the Implementing Rules.

Recoveries

In accordance with Article 27 point 7 of the Implementing Rules the contracts concluded by the Joint Managing Authority as part of the programme shall contain a clause allowing the Commission or the Member State concerned to carry out recovery from a beneficiary, contractor or partner where the claim is still open one year after the issue of the recovery order by the Joint Managing Authority.

If ineligible expenditure already covered by a payment is identified at the time of the receipt of a contract's final report or following a control or an audit, the JMA establishes recovery orders vis-à-vis the beneficiaries or the contractors concerned.

When the recovery concerns a claim vis-à-vis a beneficiary, a contractor or a partner established in Poland and the JMA does not succeed to recover the debt within a period of one year following the issuing of the recovery order, the Member State (Poland) is responsible for the reimbursement to the Commission of any amount that could not be recovered.

When the recovery concerns a claim vis-à-vis a beneficiary, a contractor or a partner established in Belarus or Ukraine and the JMA does not succeed to recover the debt within a period of one year following the issuing of the recovery order, the JMA refers the case to the Commission which takes over the responsibility to recover the amounts due.

2.4. Implementation at project level

Projects can be of three types :

- integrated projects, where partners carry out part of the actions of a joint project for their respective side of the border
- symmetrical projects, where similar activities are carried out in parallel on both sides of the border
- simple projects with a cross-border effect, taking place mostly or exclusively on one side of the border but for the benefit of both partners.

For each project, a **lead partner (beneficiary)** shall be appointed by all partners among themselves before submitting the project application. The lead partner (beneficiary) is a body which submits the project application, which signs a grant contract with the Joint Managing Authority and which assumes full legal and financial responsibility for

project implementation vis-à-vis that authority. It alone is responsible to the Joint Managing Authority and it is directly accountable to the authority for the operational and financial progress of activities. The lead partner (beneficiary) shall thus assume the following responsibilities:

- a) it shall lay down the arrangements for its relations with the partners participating in the project in the partnership agreement comprising, *inter alia*, provisions guaranteeing the sound financial management of the funds allocated to the project, including the arrangements for recovering amounts unduly paid;
- b) it shall submit the project application;
- c) it shall sign the contract with the JMA for the whole project budget. Consequently it will have the financial responsibility for the ENPI funds and co-financing for all partners, including liability to the JMA for the total amount of the ENPI grant;
- d) it shall be responsible for ensuring the implementation of the entire project, i.e. the project management and overall co-ordination of the project activities;
- e) it shall ensure the monitoring and reporting about progress of the project;
- f) it shall ensure that the expenditure presented by the partners participating in the project has been incurred for the purpose of implementing the project, is eligible and corresponds to the activities agreed between the partners;
- g) it shall receive the financial contribution from the Joint Managing Authority and it shall be responsible for transferring a part of the grant to the partners participating in the project;
- h) it shall reimburse the JMA for the amounts unduly paid for the project;
- i) it shall facilitate the audit trail by all relevant European Community authorities, Joint Managing Authority and national authorities, including keeping of documents as requested by Article 45 of Implementing Rules and the relevant provisions of PRAG.

The partner in a project shall assume the following responsibilities:

- a) it shall be responsible for ensuring the implementation of the part of the project under its responsibility, according to the project plan and to the partnership agreement signed with the beneficiary (lead partner),
- b) it shall cooperate with the beneficiary (lead partner) in the implementation of the project, reporting and monitoring,
- c) it shall assume responsibility in the event of any irregularity in its own declared expenditures, and must repay the beneficiary (lead partner) the amounts unduly paid,

- d) it shall facilitate the audit trail by all relevant European Community authorities, Joint Managing Authority and national authorities, including keeping of documents as requested by Article 45 of Implementing Rules and the relevant provisions of PRAG.

The project will be presented by the beneficiary (lead partner) who will act as the only direct contact between the project and the joint structures implementing the programme. It is the responsibility of the beneficiary (lead partner) to create an effective partnership ensuring the proper and sound implementation of the project.

Tendering procedures at the level of projects depend on the nationality of the beneficiary (lead partner) or of the partner launching the tender. Beneficiaries (lead partners) and partners based in Poland have to comply with Polish law on public procurement as compliant with Community directives applicable to procurement procedures. Beneficiaries (lead partners) and partners based in Belarus and Ukraine have to comply with *Practical Guide to Contract Procedures for EC external actions*.

Measure 3.2 (Local communities' initiatives)

Measure 3.2 will be implemented through umbrella projects. An umbrella project is a project in which there is one lead partner (beneficiary) and many other partners. Each partner implements a specified part of the project (so-called micro-project). All the activities of the micro-projects within an umbrella project must form a globally coherent project with common objectives. The activities of the micro-projects will be described in the project proposal for the umbrella project. The minimum and the maximum budget of an umbrella project as well as the minimum and the maximum budget of a microproject will be decided by the Joint Managing Authority. Umbrella projects with a budget higher than 350 000 EUR will be encouraged.

Only beneficiaries having adequate capacity and located in the programme area may participate in the call for umbrella project proposals. In case of Poland, these may be Euroregions and other organisations having adequate experience in the implementation of EU-financed projects, preferably cross-border projects. In case of Belarus and Ukraine, these may be organisations having adequate experience in the implementation of cross-border projects.

The application, evaluation and contracting procedures for umbrella projects will be the same as in other measures of the programme. There will be a special Evaluation Committee set up to carry out the quality assessment of umbrella projects proposals. The beneficiary of umbrella project will assume full legal and financial responsibility for implementation of the umbrella project. It alone is responsible to the Joint Managing Authority for the operational and financial progress of activities of all its partners.

2.5. Information, promotion and use of languages

The Joint Managing Authority is responsible for the information and promotion activities carried out under the programme with a view to ensuring the widest possible participation. To this end, an information and communication plan is annexed to the programme, setting out the aims and target groups and the strategy of the actions. For these activities an indicative budget shall be drawn up under the technical assistance allocation. An appropriate chapter on information and communication is included in the annual reports. The programme follows the visibility guidelines applicable to EC external actions.

The general public, and in particular potential beneficiaries are adequately informed by the Joint Managing Authority, the Joint Technical Secretariat, and branch offices of the objectives of the programme, the prerequisites for obtaining funds and the individual procedures to be followed.

The joint structures (JMC, JMA, JTS, Evaluation Committees) of the programme will use the English language as the working language. Project applications may be submitted in English or in a national language, to be decided by the Joint Monitoring Committee at its first meeting.

Costs related to interpretation and translation are budgeted for and defined within the technical assistance budget or, for the costs related to each project, in the budget of the project.

ANNEX 1. INFORMATION AND COMMUNICATION PLAN

Main objective of informational and promotional activities

The main objective of informational and promotional activities is to provide the beneficiaries and potential beneficiaries, as well as general public with a wide access to information on the Cross-Border Cooperation Programme Poland-Belarus-Ukraine 2007-2013 and its financing sources, and simultaneously to strengthen the cooperation between partners/ countries participating in the programme and to implement the programme more effectively.

This objective is to be accomplished by means of:

- providing a constant and numerous information on the possibilities of financing being granted, including objectives, priorities and measures of the programme, and the steps that should be taken in order to be able to apply for the funds, as well as the criteria of project selection and assessment,

- informing the general public on the state of the programme's accomplishment, on regular basis, in particular on the results of the support and best practice in joint projects,
- ensuring the visibility of EU funding.

Target groups and level of disseminating information

In order to make the information flow more efficient, and consequently increase the quality and effectiveness of the programme 's implementation, the informational and promotional activities should be conducted on two levels: external and internal one. The first one is addressing the beneficiaries and potential beneficiaries of the programme, in particular:

- regional and local authorities and other competent public institutions,
- regional and local entities,
- Euroregions,
- professional and business associations,
- non-governmental and non-profit organisations, in particular organisations active in the field of environmental protection, supporting entrepreneurship, development of tourism, supporting education, organisations in the field of culture, training institutions, etc.,

and the general public, including the mass media and people interested in the programme for scientific purposes.

The internal level of communication refer mainly to the institutions involved in the implementation of the programme.

Institutions involved in informational and promotional activities

The Joint Managing Authority is responsible for coordinating the informational and promotional activities and the Joint Managing Authority will delegate some competences to the Joint Technical Secretariat. The Joint Technical Secretariat will be responsible for implementing the Information and Communication Plan for the Cross-Border Cooperation Programme Poland-Belarus-Ukraine 2007-2013, and also for presenting the progress of the execution of the Plan in a form of an annual report. The separate informational and promotional activities should be conducted in cooperation with the JTS.

The Joint Managing Authority is responsible for implementation of these activities as a whole, and also for dissemination of information on the programme. For this purpose it monitors the work of the Joint Technical Secretariat and other institutions and entities involved in the implementation of the programme.

Each participating country is responsible for informing both the beneficiaries and the general public on the objectives, priorities and possibilities of obtaining support under the programme. For this purpose the countries may establish Regional Contact Points or

Agencies or other institutions that will disseminate information in close cooperation with the Joint Technical Secretariat .

The strategy and contents of informational and promotional activities

The informational and promotional activities should mainly ensure a transparency of support procedures under the programme, and inform in a objective and comprehensive way on the following items:

- objectives,
- priorities,
- measures,
- possible subjects of support,
- eligibility principles of expenditure,
- amount of EU financing,
- procedures for assessment of applications,
- calls for proposals,
- contact points on the national level, that can provide information on the programme.

Moreover, the public should be regularly informed on the progress of the implementation of the programme and examples of best projects.

Programme Logo

For an increased identification with the programme, the programme logo will be designed. It will relate to the logo of Neighbourhood Programme Poland-Belarus-Ukraine 2004-2006, on the basis of which a uniform graphic image will be worked out. A joint logo of the programme will be on all promotional and informational materials, the web site and offices of the institutions that disseminate information to beneficiaries. The logo will be also used for promotion of separate projects.

Main communication channels

The following communication channels will be used to disseminate information on the programme:

- a) the Internet - a Web site on the programme will be prepared. The Joint Technical Secretariat will be responsible for its administrating and updating.

Main information concerning the programme, including the programme document, will be published on the Web site in English, Polish, Russian and Ukrainian languages (the language to be selected on the start page). It will provide information on objectives and contents of the programme, legal basis, procedure for submitting application and selecting projects as well as contact persons and current themes. Moreover, the Web site will provide access to all important documents on the programme and will have useful links, including links to the institutions that coordinate the implementation of the

programme. The Web site will also present information on the most important events, meetings and workshops related to the programme. Technical information (documents other than the programme document) will be published in English.

b) traditional media (press, radio, television)

The information on the programme will be published and disseminated mainly in the press, as well as radio and TV stations. These media will be used mainly in relation to the information on current events and to present the achievements of the programme.

An informational campaign on the programme is going to be conducted.

The Joint Technical Secretariat, acting upon an order of the Joint Managing Authority, will prepare and conduct a cooperation with the media referring to a given project, together with the institutions entrusted with the implementation of the programme.

Moreover, within the scope of project accomplishment the beneficiaries may play and conduct media relationships on their own. If necessary, they will be supported by the Joint Technical Secretariat.

c) publications

The programme document will be published on the Web site in an electronic form in English, Polish, Russian and Ukrainian languages. Its hard copies will be made available upon demand as well.

Other more detailed documents will be published in Polish and in English on the Web site. Their hard copies will be made available upon demand, as well.

A multilingual brochure on the Cross-Border Cooperation Programme Poland-Belarus-Ukraine 2007-2013 will be published. It will inform mainly on the legal basis, criteria for project selection, main objectives and measures of the programme. It will be printed and can be downloaded from the Web site. Further promotional materials will be published if necessary.

All publications will be marked appropriately and will contain information on EU financing.

d) events

Such events as conferences, informational meetings, workshops, and trainings within a scope of a transparent and effective implementation of the programme are an essential instrument for responsible administration units, beneficiaries and other institutions to share knowledge and communicate. Moreover, such events serve as an appropriate platform to present achieved results and examples, that is so called best practice.

Indicative budget

The Joint Managing Authority will take all necessary institutional, administrative, personal and financial measures to accomplish the Information and Communication Plan. Therefore, the funds allocated for information and communication are presented in the technical assistance indicative budget of the Cross-Border Cooperation Programme Poland-Belarus-Ukraine 2007-2013.

ANNEX 2. ENVIRONMENTAL ASSESSMENT

This annex specifically includes:

- 1) The non technical summary of the Environmental report, as foreseen by Annex I (j) of the SEA Directive and with Article 41 Clause 2 Point 12 of the Polish Environmental Protection Law (EPL),
- 2) The statement foreseen by Article 9(1)(b) of the Directive and Article 44 Clause 2 of the Polish Environmental Protection Law (EPL) summarising how environmental considerations and the opinions expressed have been taken into account and the reason for choosing the programme in the light of alternatives. It also includes the description of the measures decided concerning monitoring foreseen in Article 10 (monitoring).

This statement, and the final programme document, will be made available to those consulted by placing them on the websites where the consultations were announced and, in some cases, will also be sent to stakeholders via email.

1. Non technical summary of the Strategic Environmental Assessment for the Poland-Belarus-Ukraine Draft ENPI CBC Programme 2007-2013 (edited for length and English)

1.1 Formal framework, goals and scope

This strategic environmental assessment in accordance with the EU regulations¹⁹ and provisions of Polish Environmental Protection Law (EPL) Act²⁰ is produced as a separate document to draft programme. In Poland it is called the Environmental Assessment Prediction (EAP), according to the SEA Directive, an Environmental Report. It has been produced on the basis of the Polish Environmental Protection Law and in accordance with recommendations of the authorities which give their opinion on its scope and degree of detail on a statutory basis. In this case, the scope has been consulted with the Minister of the Environment and the Chief Sanitary Inspector.

When the EAP is produced, the body which prepares the draft document (in this case: the Ministry of Regional Development of Poland) submits both the document and the EAP to the authorities which have been consulted on the scope of the EAP, to obtain their opinion. Due to the geographical character of the strategic document the cross-border impact provisions are also applicable (according the Espoo Convention).

In accordance with Article 43 Clause 2 of the EPL Act, and also Article 6.4 of the SEA directive, the participation of the general public is an important element of the assessment of the environmental impact of programmes and plans. A practical recommendation for the body preparing the draft programme is to conduct a public consultation on drafts of both documents (the programme and EAP) and to use received comments in compiling the final versions. Due to the international character, the debates should take place with the participation of representatives of the Belarusian and Ukrainian societies.

¹⁹ Directive 2001/42/EC of 27 June 2001 about the assessment of the effects of implementation of certain plans and programmes on the environment -the Strategic Environmental Assessment (SEA Directive OJ EC L 197 of 21.07.2001), which came into force on 21 July 2004.

²⁰ Dz. U. of 2008 No 25, point 150 - Obwieszczenie Marszałka Sejmu RP z dnia 23 stycznia 2008 r. w sprawie ogłoszenia jednolitego tekstu ustawy – Prawo ochrony środowiska.

The aim of the SEA is to identify the general direct and indirect potential environmental impacts of the Poland-Belarus-Ukraine (PBU) ENPI CBC Programme in consultation with the three Programme Partners.

This report discusses the structure and contents of the draft programme and distinguishes the pro-environmental goals. In its principal section it analyses possible environmental and sustainable development related effects of the implementation of the priorities and measures defined in the draft programme. All the priorities have been subject to such an analysis and, on that basis, threats which may occur during implementation of the programme have been identified. Moreover, the document contains a prospective diagnosis of the environmental condition in the analysed area. The conclusions from the SEA can be summarised in several essential items.

1.2 Methodology

The method used was fundamentally one of comparative analysis of the teleological provisions of the draft programme with the models of environmental protection management and sustainable development implementation accepted in the relevant countries. These models stem from formally accepted documents such as treaties, conventions, directives, laws and agreements, both worldwide, European and regional. The comparative analysis was conducted by way of grading and rating, with the level of acceptance of possible differences between models and regulations. This was conducted by way of comparison of tables and matrixes.

1.3 Region

The programme area covers the south-east part of Baltic basin (except of small piece of Ukrainian territory) and is delimited administratively.

In Poland it includes Krosniensko-Przemyski (Podkarpackie Province), Bialostocko-Suwalski (Podlaskie Province), Bialskopodlaski and Chelmsko-Zamojski (Lubelskie Province), Ostrolecko-Siedlecki (Mazowieckie Province) and the following as adjacent cooperation areas: Rzeszowsko-Tarnobrzski (Podkarpackie Province), Lomzynski (Podlaskie Province), and Lubelski (Lubelskie Province). In Belarus, the programme includes the whole Grodno and Brest Provinces, seven west districts of Minsk Province and as adjacent cooperation areas 15 east districts of this Province and Gomel Province. In Ukraine it includes Lviv, Volyn and Zakarpatya Provinces, and as adjacent cooperation areas: Rivne, Ternopil and Ivano-Frankivsk Provinces.

The total area of the region delimited above amounts to 316, 300 km², including 44% in Belarus, 32% in Ukraine and 24% in Poland.

1.4 State of the environment

The relevant territory is one of the most valuable natural regions in Europe. Therefore it is justified to direct development priorities towards fields which do not threaten environmental resource depletion or upset the balance between human activities and the needs of nature. The features distinguishing this area constitute a specific, complex and extremely attractive product. They include:

- low population density adjusted to natural conditions; occurrence of areas characterised by relatively unchanged fauna and flora, little known even in the programme countries;
- clean air, the cleanest in this part of Europe;
- generally good water quality, polluted practically only by municipal wastewater and agricultural activities;

- unique diversity of natural systems; rich hydro ecosystems and the presence of rare species for which a special system of protection will have to be organised;
- attractive compact forest complexes (including primeval forests), lakes and grasslands;
- opportunities to commune with nature not changed by civilisation;
- rich culture, traditions and customs;
- tasty, traditional and healthy cuisine; and good conditions for production of health foods and localisation of “green industry”.

However, this area is unfortunately not free from ecological threats.

Nowadays there is not an increasing concentration of pollutants in the PBU area. There are only local sources of common pollution (from energy use and transport). Municipal waste treatment, especially in rural areas is still technically primitive and non-effective. Surface waters are eutrophic, and also the source rivers. There are practically not any rivers with water quality of the highest level fit for direct human consumption, although, on the other hand, there are practically not any completely degraded waters. The quality of lakes is improving, 30% of which can be classified as not endangered because of degradation.

As far as industrial hazards are concerned, the impact of the industry on the atmosphere, hydrosphere, soil and biosphere in this area is average to low. A serious environmental threat is posed by disused industrial, mining and paramilitary sites, which are numerous in this area and often in poor condition resulting in serious damage to landscapes and having a negative impact on the condition of the soil, water and vegetation.

The Eastern areas of Belarus and Ukraine were subject to one of the biggest ecological disasters – the Chernobyl nuclear reactor accident. Large areas, especially in the Gomel Oblast, are still considered to be contaminated and are practically not used. Contamination is still present also in Ukraine and, to a lesser degree, in the north-east of Poland. The hazard level is still locally significant, which limits crops and utilisation of natural resources

Intensive land improvement works conducted in these areas have had serious negative environmental effects, most intensively in Polesia.

In the programme area, there is a big regional diversity in flora particularly in the regions of Puszcza Bialowieska, Augustowska and Karpacka (Bialowieska, Augustowska and Karpacka Forests), and also in the valleys of Bug, Narew, Biebrza, Upper Dniestr and Cisa Rivers. Fauna in main includes mammals, reptiles and birds of prey as well as marsh and aquatic birds.

Seven cross-border areas of particular natural and cultural value can be distinguished in the the programme area. They include, from the north: complex of forests surrounding the Augustowski Channel (Augustowska, Grodzienska and Dajnawska Forests), Puszcza Bialowieska (Bialowieska Forest), Pobuze Podlaskie, Polesie Wlodawskie, Obnizenie Dubienske (Dubienske depression), Roztocze hills, Przemyski Luk Sanu (Przemysl San River curve) and the Bieszczady Mountains with their foothills.

Key environmental protection areas account for over half of the PBU cross-border area. It is important to point out that this part of Central Europe features some extremely rare natural values, both in ecological and landscape terms which are rarely found in other places in Europe or even in the world. They constitute unique habitat and landscape diversity and are appreciated by naturalists and tourists.

Under the recently created NATURA 2000 sites, both the bird sites – Special Protection Areas and the habitat sites – Special Areas of Conservation, are of particular importance here. The NATURA 2000 network covers all the Polish National Parks (6) as well as a long list of other sites (the NATURA 2000 in PBU region contain 95 sites). Approximately the same number of such areas can be found on the Belarusian and Ukrainian sides.

1.5 Priorities of the programme

The draft programme is a concise document highlighting the issues which are potentially interesting to all three parties. Some potential aggregated developmental directions have been identified. Priorities have been identified and measures developed to achieve these priorities.

The overall aim of the programme is sustainable social and economic development achieved via cross-border cooperation and integration. This provision is close to general ideas of sustainable development.

The socio-economic analysis, upon which the programme priorities and measures are based, includes a direct reference to ecological matters and the measures required to improve it. The analysis highlights the need for improvement in environmental protection infrastructure and environmental awareness in the borderland population. It also highlights the potential to build on the environmental advantages of the border regions in terms of beauty and low levels of pollution.

The first programme priority is the increase of competitiveness of cross-border territories. From the ecological point of view two aspects should be pointed out here. The increase of competitiveness in the spatial sense, in Europe, is currently accompanied by a clear increase of the level of technical infrastructure and the appearance of sustainable development criteria applicable to business operations. Moreover, the underdeveloped territories enhance their competitiveness mainly due to the development of the services sector, including intangible services. Both the aforementioned aspects may have positive or neutral environmental effects. This priority is to be achieved thanks to the implementation of the following actions:

Measure 1.1. Better conditions for entrepreneurship

Measure 1.2. Tourism development

Measure 1.3. Improving access to the region

This means the improvement of the conditions conducive to the development of tourism, including qualified (e.g. ecological) tourism, the improvement of the area accessibility and the business development opportunities in general and, in particular, within the framework of the SME sector. Such a provision of activities is understandable and ecologically accurate.

From an ecological point of view activities envisaged in the second priority concerning the improvement of the living standards, are very important:

Measure 2.1. Natural environment protection in the border land

Measure 2.2. Efficient and secure borders

Improvement of the environmental condition, first and foremost in terms of the emissions, and improvement of the civil safety and border security are mentioned outright here. An important aspect is strengthening flood control. The second priority directly and strongly supports fulfilment of sustainable development principles.

The third priority consists in the cooperation of local communities, including supporting contacts and initiatives between citizens together with the actions:

Measure 3.1. Regional and local cross-border cooperation capacity building

Measure 3.2. Local community initiatives

This priority also supports the sustainable development principles, although indirectly, as it introduces local activities which may be initiated and supported by local governments who have good knowledge of local environmental condition.

The programme is of a definitely pro-environmental character. In particular, the programme places an emphasis on the sustainable development of the rural economy (agriculture, food industry, forestry), including the introduction of new economic and social activities and the protection of environmental resources (especially water, air and living natural resources) so to pass them on to future generations while at the same time using them to meet the needs of present generations. Priorities and measures are closely related to the geopolitical position of the region, on the one hand, and its natural and demographic peculiarities, and its tradition, culture and history on the other hand.

As a result, there will not be an escalation of environmental threats in the analysed areas. On the contrary, due to the programme, the pressure on the environment will decrease. It can be said that the implementation of the programme will contribute to reduction of ecological conflicts existing in this area, to better and more economical usage of environmental resources. It will direct consumption tendencies and output structure and services into a more gentle direction for the environment and at the same time more favourable for people.

1.6 Environmental protection goals

The environmental protection goals defined on an international, European, national and regional level can be divided into two principal groups: averting global threats, including those resulting from depletion of the resources of our planet and those related in very broad terms to the ecological safety and ecological awareness of organisations operating in a given community. The main and overarching goal is to follow the idea and principles of sustainable development and to increase the quality of the environment and these are repeatedly referred to in all strategic documents.

The analysis of the national, bilateral, international and global strategic documents made it possible to put together the key strategic goals related to the environmental protection and promotion of the sustainable development.

The PBU Programme, in most of its aspects, refers to the key watchwords and principles of sustainable development. In special tables located in the full version of SEA Report there are numerous direct and indirect references to the main goal which is to introduce the idea and principles of sustainable development.

The programme clearly refers to the EU strategy of sustainable development discussed above, and even offers regional support.

1.7 Significant environmental impact

The Report does not see any significant threats to the environment resulting from implementation of the programme. The threats, if any, will be addressed by means of methods developed on a shared basis (e.g. the Environmental Impact Assessment).

The programme does not contain provisions that would entail the need or clear aspirations for location of large industrial centres/facilities and substantial population concentrations in this area.

It will be difficult to quickly address the numerous environmental hazards posed by agriculture which is extensive in this area. There is considerable under-investment in the

simplest equipment to protect against the pressure exercised on waters, soil, spatial order and genetic resources. In this context the key method of avoiding the growing threats is education.

1.8 Mitigating measures, alternatives, environmental monitoring and evaluation

The SEA should indicate possible programme related activities which may have a significant environmental impact, and identify a package of recommended mitigating measures. It should also examine alternatives and indicate what environmental monitoring and evaluation should take place.

Regarding mitigating measures for potential projects being implemented under the programme, the construction of new or the improvement of existing border crossing points are of particular importance. The principle which should be commonly introduced in this valuable area is to build crossings which cross valleys and not river beds.

An increase in the intensity of waste management projects should be anticipated. In this context it would be enough to follow EU standards. Another group of expected investments related to the environmental protection is made up of water and wastewater management projects. Here the technological direction should take into account the specific character of the settlements and favour individual ways of wastewater management. Development of enterprise and services of various types requires that environmentally friendly energy sources and technologies should be introduced (especially heating using local raw materials, reduction of unnecessary transport, and the promotion of favourable architectural solutions).

It would be advisable to establish, within the framework of a complementary programme, regional ecological standards for the PBU area for such sectors of management as construction services, food processing, local transport, plant plantations, waste processing, water supply and wastewater systems and tourism.

The projects implemented in relation to the programme should be covered by Environmental Impact Assessment procedures if necessary. All permanent or temporary significant impacts on the environment and historical buildings should be taken into consideration, including direct, indirect, secondary and accumulated impacts in the short-, medium and long-term.

The impacts on the biosphere and landscape should be distinguished, and the impact on NATURA 2000 sites should be considered separately.

The programme has a cross-border aspect and the partners have not yet developed a procedure of consulting border investments which may have a significant impact on the environment. Such procedures have been defined by the EU and they are respected in a large part of Europe. The programme could contribute to finding a way of addressing this issue.

In principle, the PBU Programme is structured to reduce unfavourable trends in changes to environmental conditions. But it is important to try and introduce organisational measures which make it possible to mitigate environmental threats, if any, related to implementation of the programme. These could include evaluating the impact on the environment resulting from the implementation of the programme, involving the public in decision making on fund allocation for projects, regular evaluation of projects and the development of environmental criteria for the selection of projects. The issue of monitoring the condition of the environment in the course of the PBU Programme is especially important in this area, but the size of the programme does not make it possible to introduce a separate survey and monitoring and measurement system.

It is suggested that several indicators should be incorporated into the programme which would take into account some environmental aspects. These include household contribution to

wastewater, municipal waste, land requiring rehabilitation, numbers of agro and eco tourist farms and local ecological organisations, traffic at tourist check points and other indicators.

All the strategic documents should be accompanied by a system assessing the progress in implementation of those documents. The programme provides for such a procedure. The programme contains apt recommendations applicable to monitoring and improving both the programme and the set of tasks resulting from it. From the environmental protection point of view the evaluation methods should be proposed together with a package of indicators covering the ecological and eco-developmental aspects.

In Poland, it is accepted that approved strategic documents should be evaluated every two years, and verified and supplemented every four years.

1.9 Conclusions

The SEA report has been produced in line with the principal challenges of sustainable development and it does not forecast any escalation of environmental threats in the programme area. On the contrary, the priorities recorded therein indicate that the pressure on the environment will decrease. In particular, implementation of the specified measures related to individual priorities should lead to:

- Stabilisation good air quality in the entire area, and reduction in local sources of air pollution accompanied by certain intensification in emissions from transport;
- Gradual improvement in water quality, including improved access to healthy potable water accompanied, unfortunately, by worsening problems in unlimited access to water resources;
- Stabilisation of soil, ground, landscape and vegetation quality;
- Improved structures for nature conservation;
- Improvement in waste management;
- Significant improvement in the spatial order and sanitation of human settlements;
- Improvement in ecological awareness
- Introduction, in the PBU area, of pro-ecological enterprises, eco-tourism and environmentally friendly production (renewable energy sources, environmental science and technology, recovery and recycling).

The programme has been formulated in a feasible way and should be favourably perceived by non-governmental ecological organisations and citizens who are concerned about the quality of their environment.

2. Poland-Belarus-Ukraine ENPI CBC Programme 2007-2013 Strategic Environmental Assessment Environmental Statement

Introduction

A Strategic Environmental Assessment (SEA) was conducted of the draft programme in accordance with EC regulations²¹ and the Polish Environmental Protection (EPL) Act. The SEA was conducted in accordance with recommendations from Ministry of the Environment and the Chief Sanitary Inspector of Poland who gave their opinion on its scope and degree of detail according to statutory requirements. A draft Environmental report was developed and this report and the draft programme document were submitted for consultation to the national environmental authorities in the three countries and also to the wider public. Taking into account the regional scope of the programme, consultations were held in the cooperation areas and adjacent cooperation areas of Poland, Belarus and Ukraine.

This statement has been produced as part of the approval of the Poland-Belarus-Ukraine ENPI CBC Programme 2007-2013. The statement outlines the way environmental considerations have been taken into account in the development of the programme. As required under the SEA Directive²². Specifically it outlines:

1. How environmental considerations have been integrated into the programme,
2. how the recommendations and comments from the environmental report have been incorporated into the programme and how the results of the consultations with the relevant authorities and the society have been considered, and
3. the reasons for choosing the programme as adopted, in the light of the other reasonable alternatives.

The Statement also includes information on how monitoring of the environmental effects will be carried out and information on the methods and frequency of the analysis of the implementation of the programme provisions.

1. Integration of environmental considerations into the programme

General remarks on the programme

The socio-economic analysis, upon which the programme priorities and measures are based, highlights that environmental protection infrastructure and environmental awareness in the borderland population needs to be improved. It also highlights the potential to build on the environmental advantages of the border regions in terms of beauty and low levels of pollution.

The overall aim of the programme is sustainable social and economic development, achieved through of cross-border cooperation and integration. This provision is close to general ideas of sustainable development.

The first priority is an increase of competitiveness of cross-border regions. The increase in competitiveness in the spatial sense, in Europe, is currently accompanied by a clear increase

²¹ Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of implementation of certain plans and programmes on the environment - the Strategic Environmental Assessment (SEA) Directive OJ EC L 197 of 21.07.2001 which came into force on 21 July 2004.

²² Article 9(b) of the Directive 2001/42/EC

in the level of environmental engineering infrastructure and the appearance of sustainable development criteria applicable to business operations. Moreover, the underdeveloped territories enhance their competitiveness mainly due to the development of the services sector, including especially the intangible services such as eco tourism. Both aspects may have positive or neutral environmental effects.

From an ecological point of view activities envisaged in the second priority concerning the improvement of the living standards, are very important. Improvement in environmental protection, first and foremost in terms of the emissions, and improvement in civil safety and border security are mentioned outright here. An important aspect is strengthening flood control. The second priority directly and strongly supports fulfilment of sustainable development principles.

The third priority consists of cooperation among local communities, including supporting contacts and initiatives between citizens. This priority also, although indirectly, supports sustainable development principles, as it introduces local initiatives which may be initiated and supported by local governments who have good knowledge of the environmental condition.

Strategic Environmental Assessment

The potential environmental impact of the implementation of the programme was assessed in the SEA Environmental report. This concentrated on environmental issues as well as, in a broader scope, on the relationship of the programme to the goals and principles of sustainable development. The method used was fundamentally one of comparative analysis of the teleological provisions of the draft programme with the models of environmental protection management and sustainable development implementation accepted in the relevant countries. These models stem from formally accepted documents such as treaties, conventions, directives, laws and agreements, both worldwide, European and regional. The comparative analysis was conducted by way of grading and rating, with the level of acceptance of possible differences between models and regulations. This was conducted by way of comparison of tables and matrixes.

The SEA Environmental report concluded that implementation of the programme will not lead to the escalation of environmental threats in the analysed area. On the contrary, the programme priorities will lead to a decrease in pressure on the environment.

It found that the programme is pro-environmental in character. In particular, implementation of the specified measures related to individual priorities should lead to:

- Stabilisation good air quality in the entire area, and reduction in local sources of air pollution accompanied by certain intensification in emissions from transport;
- Gradual improvement in water quality, including improved access to healthy potable water accompanied, unfortunately, by worsening problems in unlimited access to water resources;
- Stabilisation of soil, ground, landscape and vegetation quality;
- Improved structures for nature conservation;
- Improvement in waste management;
- Significant improvement in the spatial order and sanitation of human settlements;
- Improvement in ecological awareness

- Introduction, in the PBU area, of pro-ecological enterprises, “green competitions” and, in particular, eco-tourism and environmentally friendly production (renewable energy sources, environmental science and technology, recovery and recycling).

2. How has the environmental report and results from consultations with the relevant authorities and the society been taken into account in the final programme

Outline of the consultation process

The relevant public authorities and the public in all three countries were consulted on the draft programme document and the SEA Environmental Report.

Stakeholders who participated in the consultation process included the public concerned from cooperation areas and adjacent cooperation areas on the territory of Poland, Belarus, Ukraine. This included organisations involved in natural environment protection such as NGOs working on ecology and nature protection, research and scientific institutions, local business associations, educational institutions, local and regional authorities responsible for environment protection and health. These also had the opportunity to send written comments.

The process of consultations is described in details in the table below.

Process	Description
Consultation of relevant national authorities in Poland	<p>In accordance with Article 42 (1) of the Environmental Protection Act the scope and degree of detail of information required in the Environmental Report was consulted with the Minister of the Environment and the Chief Sanitary Inspector (October – November 2006).</p> <p>In accordance with Article 43 (1) of the Environmental Protection Act the SEA Environmental report and the draft programme document were submitted for consultation to the Minister of the Environment and the Chief Sanitary Inspector of Poland (July 2007).</p>
Consultation of relevant national authorities in Belarus and Ukraine	<p>The Ministry of Environment in Ukraine and the Ministry of Natural Resources and Environmental Protection in Belarus were consulted.</p> <p>In Belarus, additional parts of the Environmental Report were translated on the request of the Ministry.</p>
Consultation of the public in Poland	<p>Public hearings took place: in Rzeszow on 18 June 2007 (102 representatives of organisations and members of the public), in Bialystok on 25 June 2007 (47 representatives of organisations and members of the public) and in Lublin on 29 June 2007 (92 representatives of organisations and members of the public).</p> <p>All the key elements of the public concerned participated, ie.: representatives of local and regional authorities, social and economic partners, cultural institutions, nongovernmental organisations, educational institutions, etc.</p> <p>The SEA Environmental Report was available on the webpage of the Ministry of Regional Development together with draft programme and appropriate note about the public consultations. The consultation period was from 4 to 24 July 2007.</p>
Consultation of the public in Belarus and	In Ukraine, the draft programme and the SEA Environmental Report (in English) were available on the website of the Ministry of Economy. The non-technical summary of the SEA Environmental report, information on priorities

Ukraine	<p>and measures and an appropriate note on the public consultations in Ukrainian were also placed on the website. The consultation period was from 24 October to 28 November 2007.</p> <p>In Belarus, the documents were available on request and they were placed on the portal of an environmental non-government organisations²³. The consultation period was from 9 November 2007 with comments accepted up to one week after the public hearing.</p> <p>Relevant organizations in Ukraine and Belarus were contacted directly, informed about the consultation and invited to the public hearing. The documents in local languages were also sent to those invited to the public hearings. Comments were given at the public hearings and could also be submitted in writing.</p> <p>Public hearings took place: in Lviv on 6 November 2007 (28 representatives of organisations and members of the public) and in Minsk on 20 December 2007 (23 representatives of organisations and members of the public).</p> <p>All the key elements of the public concerned participated. Representatives of relevant local authorities were also present during the public hearings in Ukraine and Belarus. In the case of Belarus representative of the Ministry of Natural Resources and Environmental Protection also took part in the public hearing.</p>
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Main issues raised and how were the results of the consultations taken into account

The Strategic Environmental Assessment was an interactive process during which recommendations included in the report as well as suggestions received as a result of consultations were subsequently taken into account in the draft programme.

During the public consultations, stakeholders from Poland, Belarus and Ukraine were able to comment on the draft programme and the SEA Environmental Report. These two documents were also consulted with appropriate environmental authorities. Comments received, and the remarks by the Polish Ministry of Environment concerning the content and structure of the SEA Environmental Report have been taken into account in subsequent versions of the document.

All comments received were considered and assessed with regard to their relevance. Those which were considered relevant were incorporated into the draft programme document if they were not already in place.

• Taking into account comments of the Minister of the Environment of the Republic of Poland and the Chief Sanitary Inspector

At the stage of consulting the scope of the Environmental Report, the Chief Sanitary Inspector in Poland proposed to include in the Report the provision of the Environment Protection Act indicating that impact on the environment is also understood as impact on people's health. In the Minister of the Environment's stand it was stressed that the scope of the Report has to comply with Article 41 (2) and (2a) of the Environment Protection Act and a few aspects were indicated which should be especially taken into account, including for example, the state

²³ <http://greenbelarus.info>.

of the environment of the areas under the forecasted significant impact on the environment, existing environmental protection problems significant from the point of view of the planned programme, the areas of the NATURA 2000 network. The above mentioned comments were taken into account in the process of developing the Report, which was reflected in the contents of the document which was sent for consultation to the bodies which presented these comments.

At the consultation stage of the Environmental Report together with the programme document, the Chief Sanitary Inspector did not make any comments. Most comments of the Minister of the Environment of the Republic of Poland concerned the Report itself and the information which was not there, or which should be re-arranged. The Report was amended in accordance with the Minister of the Environment's comments, and in particular:

- the following parts were adjusted: description of the initial state of the environment, analysis of the programme objectives and environmental objectives of general character, waste management, the surface of Special Protection Areas and Special Areas of Conservation, impact of the programme on natural environment and NATURA 2000 areas as well as current problems of the environment significant from the point of view of the programme,
- the list of NATURA 2000 sites in the programme area was adjusted in accordance with the list sent by the Minister of the Environment,
- a summary in a non-technical language was adjusted – it was extended, and methodological, mitigation and evaluation issues were emphasised,
- terminological inaccuracies were corrected (including for example, the title of the Directive, articles from the Environmental Protection Act, commonly used Polish abbreviations OSO and SOO were used instead of OSOP and SOOS),
- doubtful provisions were corrected or eliminated, including for example provisions concerning NATURA 2000 areas, principles of sustainable development, mitigating measures.

As to the issue of possible cross-border impact on the environment it must be stated that the financial size of the programme rather excludes undertakings with significant cross-border impact. Moreover, all undertakings shall be approved by the Joint Monitoring Committee which comprises representatives of the authorities of the neighbour states, what shall eliminate cases of negative consequences for a country of potential impact. It is expected that an environmental issues expert shall participate in the works of the Joint Monitoring Committee.

- **Taking into account comments proposed in the public hearings**

Points raised during consultations referred mainly to the programme implementation phase.

The most common comments in all cases were that environmental considerations should be taken into account in the project selection process and that separate environmental impact assessments should be prepared, and public consultations held, for specific types of projects, in particular, infrastructure projects.

In the project selection criteria defined in the draft programme, a requirement was added concerning the potential environmental impact of project. According to this requirement, projects with the potential for serious negative impacts on the environment (as determined by an EIA) will not receive a grant under the programme and potential positive environmental impacts of a project will be taken into account in the evaluation process. This requirement

will also help to take into account the ecologically balanced development of tourism potential in the regions, which was also one of the issues raised.

Another comment was that the programme specifically should not support activities related to transfer of waste and old technologies from EU to Ukraine. According to the principles of the programme there will be no possibility to support such kind of activities from the programme resources.

A proposal to adjust the description of measure 2.2 was accepted and “prevention and elimination of illegal trade of rare and endangered species” was added.

Many comments related to support for pro-environmental projects. These include particular projects leading to increased ecological awareness, improvement in environment protection, the protection of biodiversity, the reduction of pressure on sensitive ecological areas, the promotion of energy saving and renewable energy, the prevention of radioactive contamination, mitigation of soil degradation, effective waste management, and the re-establishment of natural migration routes across the border. Such types of projects will be supported by the programme and there is a special measure envisaged for this, Measure 2.1 – Natural environment protection in the border land. Some of these initiatives could also be developed as projects under other measures in the programme, eg. Measure 3.2 - Local community initiatives. In addition, as mentioned above, the potential positive environmental impact of a project will be taken into account in the project evaluation process.

Other comments indicated that environmental aspects should be included in the programme indicators and the monitoring system. This issue is addressed below.

To what extent have the recommendations and comments from the environmental report been considered in the programme

According to the SEA Environmental report, all interventions undertaken within the programme are expected to contribute to the sustainable economic and social development of the programme area. It should be added that interventions will also contribute to sustainable environmental development. Sustainable development principles (understood as taking into account environmental considerations) will be treated as a cross-cutting theme within the programme.

A series of recommendations were made in the SEA Environmental Report in regard to mitigating measures, monitoring and evaluation. Mitigating measures proposed relate to border crossing points, waste management, water and waste water management, and the incorporation of sustainable energy options in enterprise development. The Report also recommended that projects should be subject to an Environmental Impact Assessment if needed, the programme should find a way of ensuring consultation among programme partners on border investments that may have a significant impact on the environment and that the environmental impact of the programme should be evaluated. It also recommended that the public be involved in decision making on the allocation of funds for individual tasks;

These issues have been considered and will be taken into account in project evaluation. As mentioned above, in the project evaluation criteria defined in the draft programme, requirement concerning environmental sustainability of the projects was added. The conduct of EIAs for projects that will have a significant environmental impact will also help to mitigate negative environmental impacts.

The report indicated that an improvement of trans-boundary cooperation in the environmental field is necessary. It also anticipated that implementation of the programme will strengthen

environmental protection services and administration responsible for introduction of sustainable development principles.

3. The reasons for choosing the programme as adopted, in the light of the other reasonable alternatives

In the development of the programme, alternatives were considered. However, as mentioned above, the final programme reflects the socio-economic analysis which highlighted the need for the protection and enhancement of the natural environment and the priorities as identified by the programming partners from all three countries.

It is expected that the implementation of the programme will have a positive impact on the environment. In fact the alternative of not adopting the programme would reduce the opportunity to improve both the environment in the region and the quality of life of its inhabitants. Any potential negative impacts will be controlled through monitoring and the conduct of Environmental Impact Assessments of projects when relevant.

Description of monitoring measures (incl. information on the methods and frequency of the analysis of the implementation of the programme provisions)

The monitoring of environmental effects of the programme implementation is directly linked to the monitoring system of the programme as a whole and refers to the types of actions envisaged within the programme.

Information on the methods and frequency of conducting the analysis of the implementation of the programme provisions is placed in subchapter 2.3 of the programme – Monitoring, control and audit and subchapter 1.2 – Joint Managing Authority. In accordance with information contained there, and in accordance with obligations resulting from the programme legal basis, that is *Commission Regulation (EC) No 951 of 9 August 2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument*, the Joint Managing Authority shall every year prepare a report on programme implementation including an operational and financial part. In accordance with the programme provisions, which were introduced as the result of the consultations, this report shall include also environmental issues.

The monitoring of the programme includes indicators which show how the programme contributes to European cross-cutting themes, SEA and Strategy Paper objectives. In regard to environment, it was proposed that sustainable development be monitored via the number of projects having positive influence on environment and on sustainable development.

Environmental monitoring at programme level is as outlined below.

Priority	Input indicator	Output indicator	Result indicator
2. Improving the quality of life	35% of the total programme budget	Number of projects aimed at the improvement of natural environment protection in the border regions	<ul style="list-style-type: none"> · Additional population served by improved environmental infrastructure · Additional population reached by environmental awareness-raising campaigns · Number of tools/methods/model solutions developed/tested to protect environment · Number of joint planning activities/initiatives

The SEA Environmental Report recommended that some indicators to be incorporated to the programme that will take into account environmental aspects. Indicators proposed in the Report included household contribution to wastewater, municipal waste, land requiring rehabilitation, numbers of agro and eco tourist farms and local ecological organisations, traffic at tourist check points and other indicators.

The issue of monitoring the condition of the environment in the course of the PBU Programme is especially important in this area, but, as pointed out in the SEA Environmental Report, the size of the programme does not make it possible to introduce a separate survey and monitoring and measurement system.

However, as mentioned above, the project selection criteria will include a requirement that projects with the potential for serious negative impacts on environment (as determined by an EIA) will not be funded. Projects that are required to institute measures to mitigate against negative environmental impacts (following an EIA), will be required to monitor the implementation of the these measures.

Evaluation measures

According to the SEA Environmental Report, the draft programme provides for a procedure to assess progress in its implementation and has appropriate recommendations for improving both the programme and the programme's activities. The Report proposes that from an environmental protection point of view, additional criteria should be introduced into the evaluation procedures.

In Poland it is accepted that approved strategic documents should be evaluated every two years, and verified and supplemented every four years. The evaluation of the programme will take into account environmental considerations. In addition the EC will conduct a mid-term evaluation of the programme in 2009.

ANNEX 3. SELECTED DATA: SUB-REGIONS IN 2005

Region		Land area (sq. km)	Number of inhabitants	Population density (people/ sq km)	Accommodation capacity all the year (number of bed places)
Poland	Rzeszowsko-tarnobrzesci subregion	7,512	1,158,156	154	6,250
	Krosniensko-przemyski subregion	10,332	940,107	91	10,966
	Ostrolecko-siedlecki subregion	12,090	753,598	62	2,756
	Bialskopodlaski subregion	5,977	311,600	52	5,483
	Chelmsko-zamojski subregion	9,290	660,427	71	5,908
	Lubelski subregion	9,847	1,213,129	123	8,115
	Bialostocko-suwalski subregion	14,871	892,000	60	10,451
	Lomzynski subregion	5,316	310,400	58	2,130
Ukraine	Lvivska Oblast	21,831	2,577,129	118	8,701
	Volynska Oblast	20,143	1,040,429	52	907
	Zakarpatska Oblast	12,800	1,245,500	97	2,005
	Rivnenska Oblast	20,058	1,155,419	58	3,600
	Ternopilska Oblast	13,823	1,112,126	80	3,082
	Ivano-Frankivska Oblast	13,900	1,393,600	100	12,500
Belarus	Brest Oblast	32,800	1,445,600	44	3,193
	Gomel Oblast	40,400	1,485,100	37	7,500
	Grodno Oblast	25,100	1,123,500	45	7,314
	Minsk	40,200	1,780,700	81	16,100
	Minsk Oblast		1,474,100		

Region		Pre-productive population (age 0-14)* (in %)	Productive population (age 15-64)* (in %)	Post-productive population (age over 65)* (in %)	Natural growth/loss (persons)	Migration growth/loss (persons)	Total growth/loss (persons)
Poland	Rzeszowsko-tarnobrzeski subregion	18.0	69.4	12.6	1,706	-898	808
	Krosniensko-przemyski subregion	18.2	68.5	13.3	530	-1,487	-957
	Ostrolecko-siedlecki subregion	18.7	67.4	13.9	367	-1,962	-1,595
	Bialskopodlaski subregion	18.4	67.5	14.2	-140	-1,189	-1,329
	Chelmsko-zamojski subregion	17.1	67.9	15.0	-1,325	-1,995	-3,320
	Lubelski subregion	16.5	69.6	13.9	-371	-1,717	-2,088
	Bialostocko-suwalcki subregion	18.4	67.0	14.6	-1,050	-751	-1,801
	Lomzynski subregion	21.0	65.5	13.5	14	-904	-890
Ukraine	Lvivska Oblast	16.5	68.8	14.7	-9,189	-1,723	-10,219
	Volynska Oblast	18.7	66.7	14.6	-3,256	-1,092	-4,348
	Zakarpatska Oblast	21.0	60.8	18.2	-706	-2,333	-3,039
	Rivnenska Oblast	19.5	67.0	13.5	-1,938	-2,278	-4,216
	Ternopilska Oblast	16.7	66.6	16.7	-5,767	-1,680	-7,447
	Ivano-Frankivska Oblast	19.8	58.7	21.5	-3,039	-1,167	-4,206
Belarus	Brest Oblast	18.6	60.1	21.3	-5,472	-3,575	-9,047
	Gomel Oblast	17.3	61.3	21.4	-8,245	-1,669	-9,914
	Grodno Oblast	17.4	59.8	22.8	-8,029	-3,488	-11,517
	Minsk	14.5	67.9	17.6	-395	16,249	15,854
	Minsk Oblast	16.7	60.7	22.6	-10,815	1,574	-9,241

* for Belarus: pre-able-bodied (age 0-15); able-bodied (age 16-60 - male; 16-55 - female); post-able-bodied (over 60 - male; 55 - female)

Region		Gross Domestic Product per capita (current prices in EUR)	Unemployment rate:			Unemployed for over 180 days (%)
			total (%)	male (%)	female (%)	
UE-25		21,741	8.5	51	49	45.5
Poland	Rzeszowsko-tarnobrzeski subregion	4,283	16.6	47	53	54.4
	Krosniensko-przemyski subregion	3,338	21.0	49	51	56.2
	Ostrolecko-siedlecki subregion	3,550	20.4	50	50	58.7
	Bialskopodlaski subregion	3,404	18.5	52	48	58.3
	Chelmsko-zamojski subregion	3,361	18.4	50	50	54.4
	Lubelski subregion	4,306	15.9	49	51	53.9
	Bialostocko-suwalcki subregion	4,137	15.1	50	50	47.8
	Lomzynski subregion	3,409	18.9	50	50	55.5
Ukraine	Lvivska Oblast	816	8.8	41	59	44.7
	Volynska Oblast	750	8.9	41	59	52.6
	Zakarpatska Oblast	625	7.0	33	67	14.6
	Rivnenska Oblast	667	9.7	45	55	43.6
	Ternopiiska Oblast	517	9.1	49	52	36.6
	Ivano-Frankivska Oblast	782	8.8	55	45	64.2
Belarus	Brest Oblast	2,490	1.8	30	70	N/A
	Gomel Oblast		1.7	30	70	N/A
	Grodno Oblast		1.6	26	74	N/A
	Minsk		0.8	32	68	N/A
	Minsk Oblast		1.5	33	67	N/A

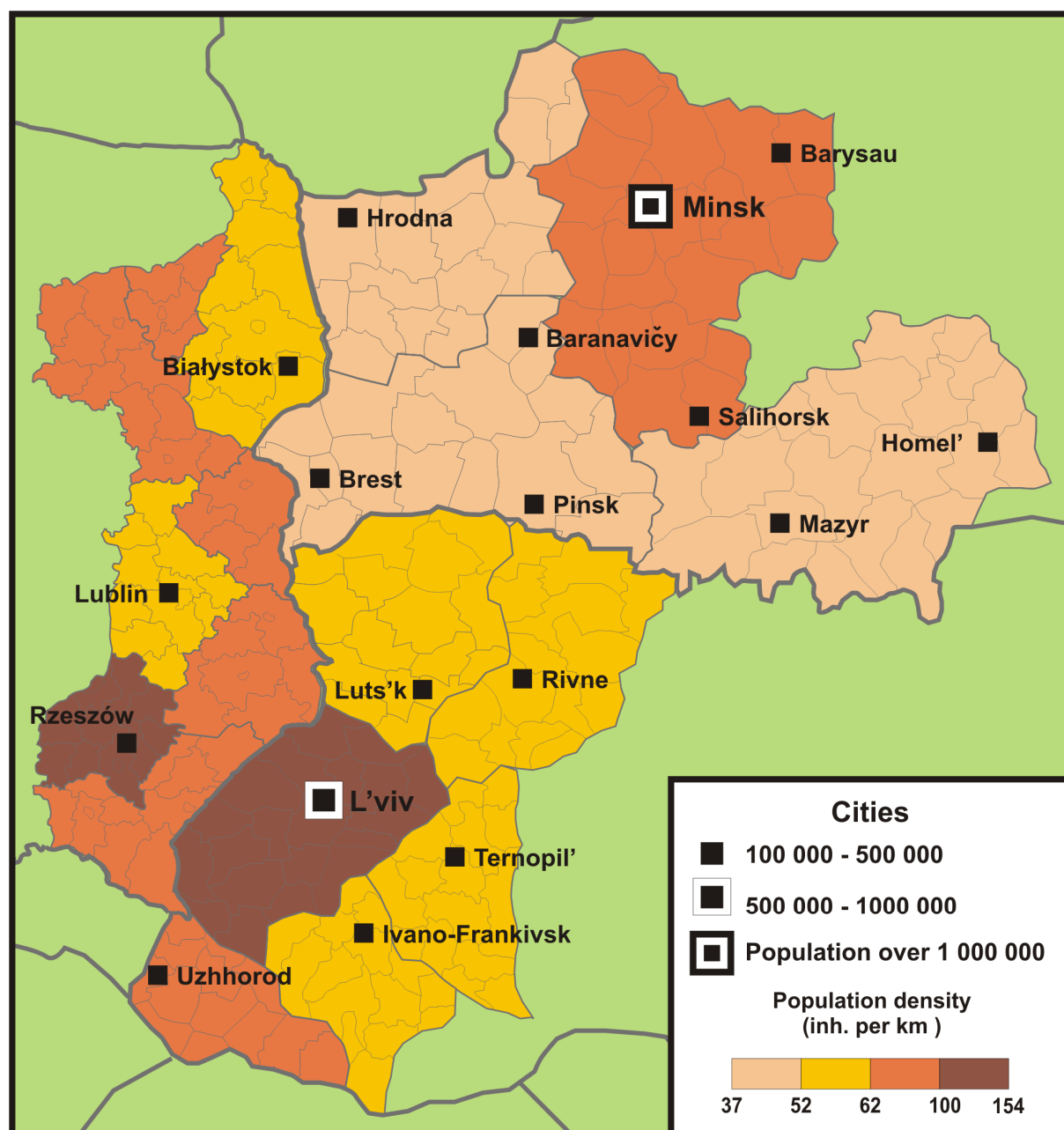
Region		Employment in:		
		industry (%)	agriculture (%)	services (%)
UE-25		27.5	4.9	67.6
Poland	Rzeszowsko-tarnobrzeski subregion	31.8	26.6	41.6
	Krosniensko-przemyski subregion	25.1	33.9	41.0
	Ostrolecko-siedlecki subregion	16.5	51.6	31.9
	Bialskopodlaski subregion	14.3	50.5	35.2
	Chelmsko-zamojski subregion	14.0	55.2	30.7
	Lubelski subregion	20.1	38.4	41.5
	Bialostocko-suwalski subregion	19.4	37.6	43.0
	Lomzynski subregion	14.1	56.9	29.0
Ukraine	Lvivska Oblast	17.1	20.0	62.9
	Volynska Oblast	12.5	28.6	58.9
	Zakarpatska Oblast	24.5	55.9	19.6
	Rivnenska Oblast	20.3	20.6	59.1
	Ternopiiska Oblast	18.4	13.7	67.9
	Ivano-Frankivska Oblast	20.8	30.5	48.7
Belarus	Brest Oblast	24.7	15.2	60.1
	Gomel Oblast	27.3	10.6	62.1
	Grodno Oblast	25.3	16.4	58.3
	Minsk	27.1	0.0	72.9
	Minsk Oblast	28.7	16.2	55.1

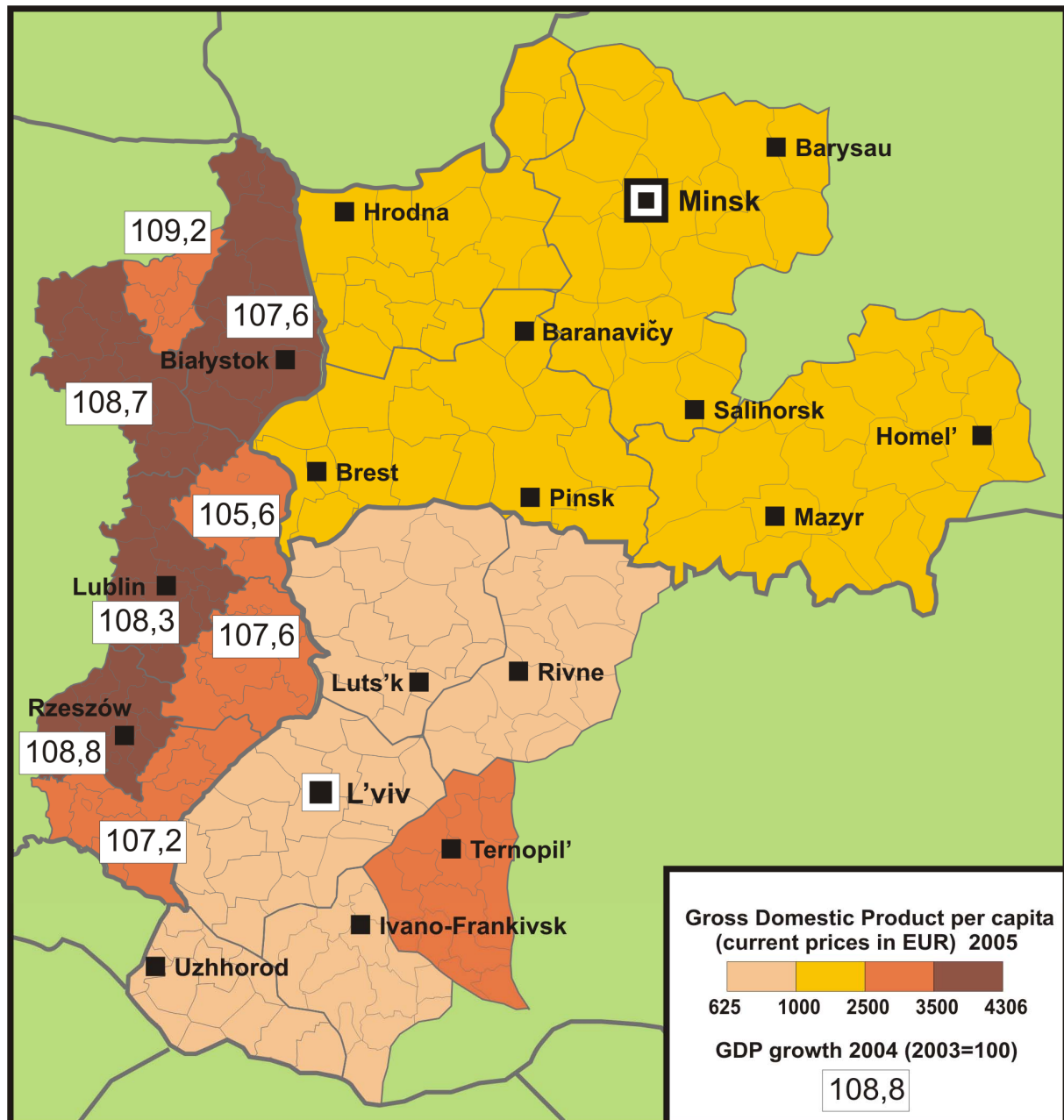
Region	Public water conduit		Public sewerage system		Waste water treatment			Greenhouse gas emissions in 2005 (1 000 tonnes. CO2 equivalent)	Municipal waste generated (kg per capita)	Number of SMEs
	in km	per 100 km ²	in km	per 100 km ²	municipal plants	industrial plants	treated waste water (% of total waste water)			
Rzeszowsko-tarnobrzewski subregion	7,619.1	101.4	4,111.3	54.7	85	60	93.1	2 871	914.7	80 076
Krosniensko-przemyski subregion	4,594	44.5	3,906.3	37.8	115	26	92.1	622	185.2	58 744
Ostrolecko-siedlecki subregion	4,288.4	35.5	482.4	4.0	60	24	94.2	3,365	147	53,794
Bialskopodlaski subregion	3,161	52.9	653.0	10.9	45	14	95.2	2,050	139	17,776
Chelmsko-zamojski subregion	5,067.1	54.5	907.4	9.8	104	31	95.7	1,968	118	41,573
Lubelski subregion	8,923.5	90.6	1,622.7	16.5	74	38	95.0	3,071	169	90,129
Bialostocko-suwalski subregion	7,738.2	52.0	1,509.6	10.2	79	13	100.0	8,613	532	91,633
Lomzynski subregion	2,882.0	54.2	368.8	6.9	27	15	100.0	3,873	206	
Lviv oblast	4,728.5	21.7	2,176.3	10.0	65	22	96.1	3,687	123	6,679
Volyn oblast	2,602.0	13.0	788.1	3.9	64	16	98.3	330	13.1	5,406
Zakarpatska oblast	1,215.0	6.2	512.6	2.7	17	no	94.9	2,123	86	8,436
Ternopil oblast	1,113.0	8.1	576.1	4.2	15	no	91.7	252	n.a.	4,403
Rivne oblast	1,162.4	5.8	509.5	2.5	22	1	100.0	1,034	300	4,958
Ivano-Frankivsk oblast	1,360.0	9.8	753.7	5.4	19	30	45.97	2,523	861	7,259
Brest oblast	2,700.9	8.2	950.5	2.9	n.a.	n.a.	97.8	3,904	265.6	2,387
Gomel oblast	4,651.2	11.5	1,240.4	3.1	n.a.	n.a.	100.0	9,206	859.2	n.a.
Grodno oblast	1,993.1	7.9	788.8	3.1	68	n.a.	99.2	n.a.	613.3	3,784
Minsk	1,124.9	375.0	556.1	185.4	n.a.	n.a.	100.0	n.a.	8,603.9	n.a.
Minsk oblast	4,185.2	10.5	132.0	0.3	n.a.	n.a.	98.4	9.5		4,600

Region:	Nationality						
	Polish	Belarusian	Ukrainian	Romanian	Russian	Lithuanian	Other
Lubelskie voivodship	98.6	0.0	0.0	0.0	0.0	0.0	1.2
Podkarpackie voivodship	98.6	0.0	0.2	0.0	0.0	0.0	1.0
Podlaskie voivodship	93.5	3.7	0.1	0.0	0.1	0.4	1.5
Brest Oblast	1.8	85.0	3.8	0.0	8.7	0.0	0.7
Gomel Oblast	0.2	84.2	3.3	0.0	11.0	0.0	1.3
Grodno Oblast	24.8	62.3	1.8	0.0	10.1	0.0	1.0
Minsk	1.0	79.3	2.4	0.0	15.7	0.0	1.6
Minsk Oblast	1.9	86.6	1.6	0.0	9.0	0.0	0.9
Lvivska Oblast	0.7	0.2	94.8	0.0	3.6	0.0	0.7
Volynska Oblast	0.1	0.3	96.9	0.0	2.4	0.0	0.3
Zakarpatska Oblast	0.0	0.0	80.5	2.6	2.5	0.0	14.4
Rivenska Oblast	0.2	1.0	96.0	0.0	2.6	0.0	0.2
Ternopilska Oblast	0.3	0.9	97.8	0.0	1.2	0.0	0.0
Ivano-Frankivska Oblast	0.1	0.1	97.5	0.0	1.8	0.0	0.5

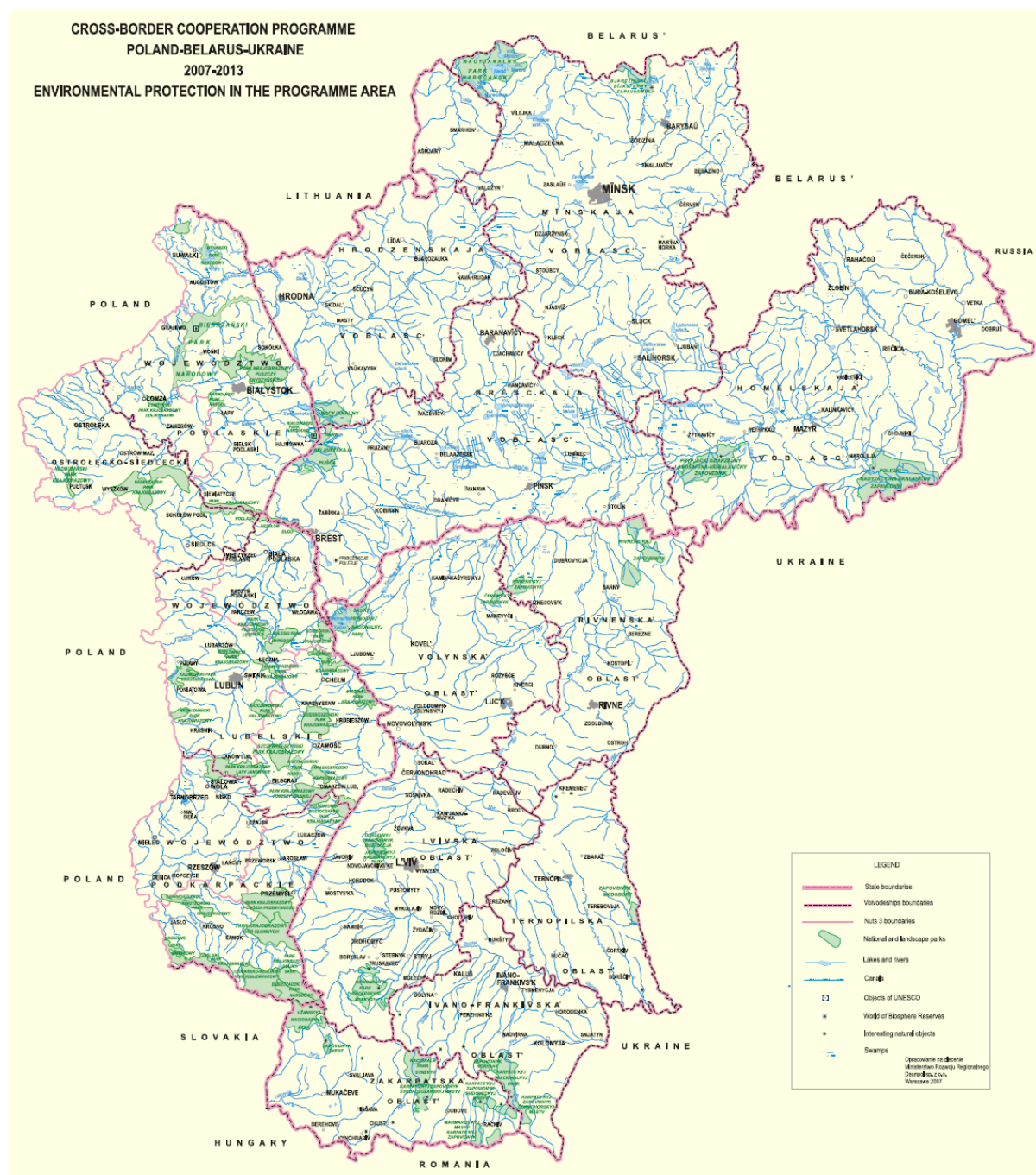
ANNEX 4. MAPS

Population density (2005)



Gross Domestic Product 2005. GDP growth 2004

Map of the environmental protection areas



Transport infrastructure map

