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Cooperation of territorial communities of Ukraine and Poland in conditions of war

Abstract. This article is aimed at studying the current state and prospects for cooperation between territorial communities of Ukraine and Poland. Damage and losses from the full-scale invasion of the Russian Federation into Ukraine have caused the need to find additional resources for the normal functioning of local government. In such conditions, assistance from partner countries is extremely important. Local government can respond to the crisis faster, since it is smaller in scale than state institutions. In the conditions of a full-scale war, Ukrainian self-governments, as a rule, received support in the form of humanitarian aid. Poland is among the leaders in providing humanitarian aid. In particular, the Mazowieckie Voivodeship actively supports Ukrainian territorial communities. Currently, thematic programs have been launched to help implement EU policies in various areas. The process of convergence of the legislative bases of Ukraine and Europe has begun.

Keywords: international cooperation, local government, humanitarian aid, partner countries

Introduction

In the conditions of martial law, when the national economy of Ukraine is experiencing a decline in GDP, significant underfulfillment and deficit of budgets at all levels, high rates of internal and external migration of labor resources, transformation of the share of industrial and sectoral structures of economic complexes, stimulation of international cooperation of territorial communities of Ukraine should be considered as an effective tool for their development.

The main purpose of the study is to analyze the regulatory framework for international cooperation, the state of international cooperation between Ukraine and Poland, and to substantiate practical recommendations for deepening relations between these countries.

Literature review

The works of many scientists are devoted to the issues of cooperation, including international, of territorial communities.

Kuspys (2008) analyzed the documents and legal norms governing cooperation between Ukraine and Poland; compared statistical data on trade between the two countries and bilateral investments in industry, financial services and the energy sector, notes that the limited capacity of the Polish-Ukrainian border is the main obstacle to the development of bilateral cooperation.

Osikowicz (2017) emphasizes that the dynamic and progressive development of cross-border cooperation as a bilateral dialogue leads to the intensification of inter-institutional contacts and cross-border movement.

Sienkiewicz (2021) points out that local governments in Poland and Ukraine have common goals at different levels of social, public and economic life. This is a significant factor motivating the parties to expand cooperation and achieve a synergistic effect through this.

However, Russian aggression has had a significant impact on the nature of cooperation in international territorial cooperation.

Ksenicz (2023) calls on local authorities in Poland to initiate multilateral projects that will expand the network of international contacts of Ukrainian local authorities, creating a good, grassroots entry into European integration. Kuchkowski argues that there is a legal possibility, in accordance with the Law on Municipal Self-Government (taking into account the provisions of the Law on Public Finances), to provide support in the form of monetary and in-kind assistance to territorial communities in Ukraine from the own budget of county towns, in particular during the war.

Lymar and Zabolotnyy (2023) offer recommendations for further deepening economic cooperation between Ukraine and Poland in the context of external threats from Russia.

Research methods

The following general scientific methods became the methodological basis for studying the process of international cooperation of territorial communities: a systematic approach to considering the regulatory framework for international cooperation of territorial communities; methods of analysis and synthesis, induction and deduction – to identify patterns of interaction between territorial communities; statistical methods for assessing the state of international cooperation of territorial communities; desk research to collect, analyze and process data and information from available sources (scientific literature, publications, statistical reference books etc.) and formulate conclusions on their basis on the problem under study.

Research results

For more than two years, territorial communities of Ukraine have been living in the conditions of a large-scale war between Russia and Ukraine. In order to overcome the consequences of the war and ensure the vital activity of communities, local governments are making unconventional decisions and finding ways to meet the needs of communities inherent in martial law. At the same time, there have been significant changes in the budget process, in particular, its planning and implementation. Indeed,

despite the increase in the needs of communities for financing the social sphere, overcoming the consequences of hostilities, expenses related to ensuring security and a number of others, it should be taken into account that taxpayers also work in difficult conditions, some industries are in a state of crisis, there is relocation from the territories of military operations and those close to them, which, in turn, negatively affects the formation of the revenue base of budgets (Tyutyunnik, 2023).

Allocations are defined as aid which has been delivered or specified for delivery. Data does not include private donations, support for refugees outside of Ukraine, and aid by international organizations.

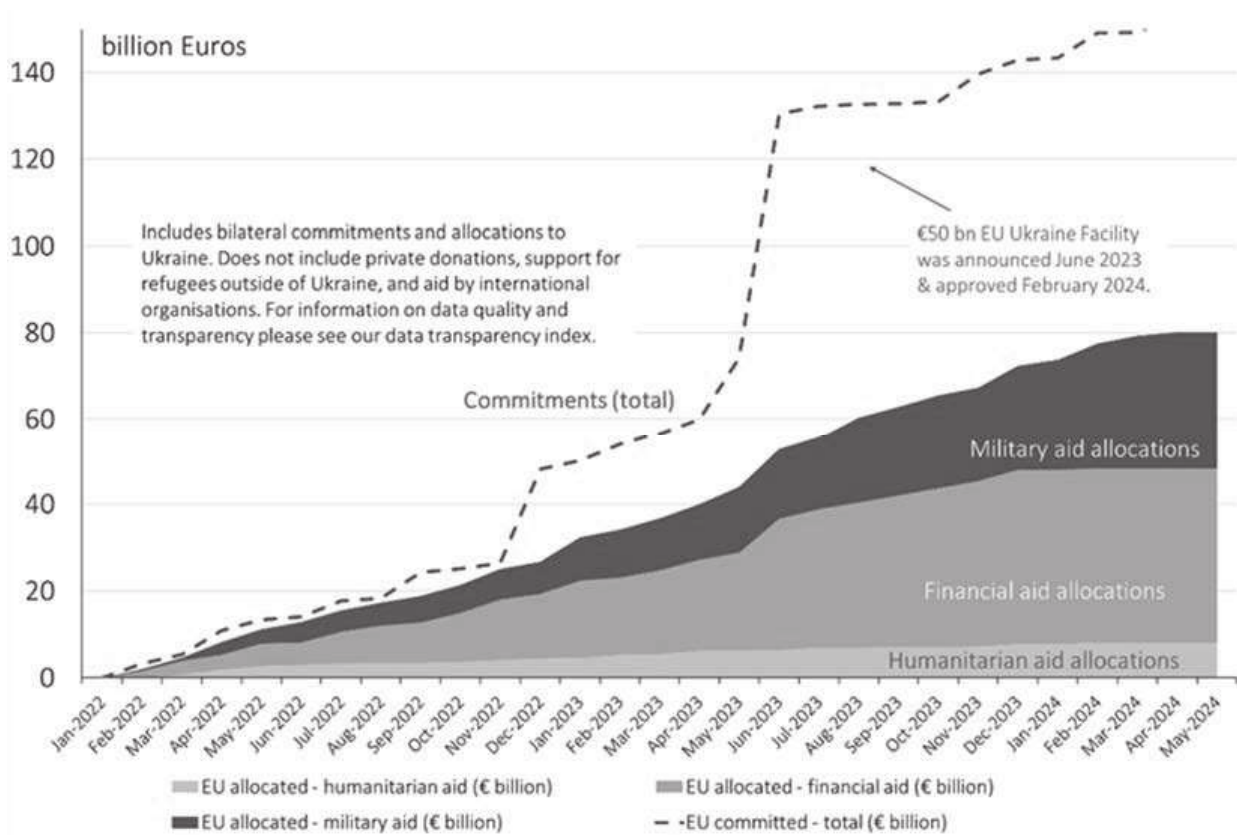


Figure 1. European Union aid to Ukraine

Source: https://www.ifw-iel.de/fileadmin/Dateiverwaltung/Subject_Dossiers_Topics/Ukraine/Ukraine_Support_Tracker/Ukraine_Support_Tracker_-_Research_Note.pdf (access: 28.11.2024).

In such conditions, the help of Western partners is extremely important. According to the Kiel Institute for the World Economy, as of January 1, 2024, since the start of the full-scale invasion, that is, since February 24, 2022, Ukraine has received international aid totaling almost 170 billion euros. Including 87 billion euros from the European Union. This is the total amount, which includes both purely military support (40% of the total) and financial assistance, which makes up half of the funding. The rest – about 10% – is the humanitarian component.

According to Ukraine Support Tracker, 42 countries, as well as European institutions, the IMF and the World Bank, have become donors to Ukraine.

Among the leaders is Poland, which spent 0.68% of GDP on Ukraine’s defense, which in monetary terms amounts to \$6.21 billion.

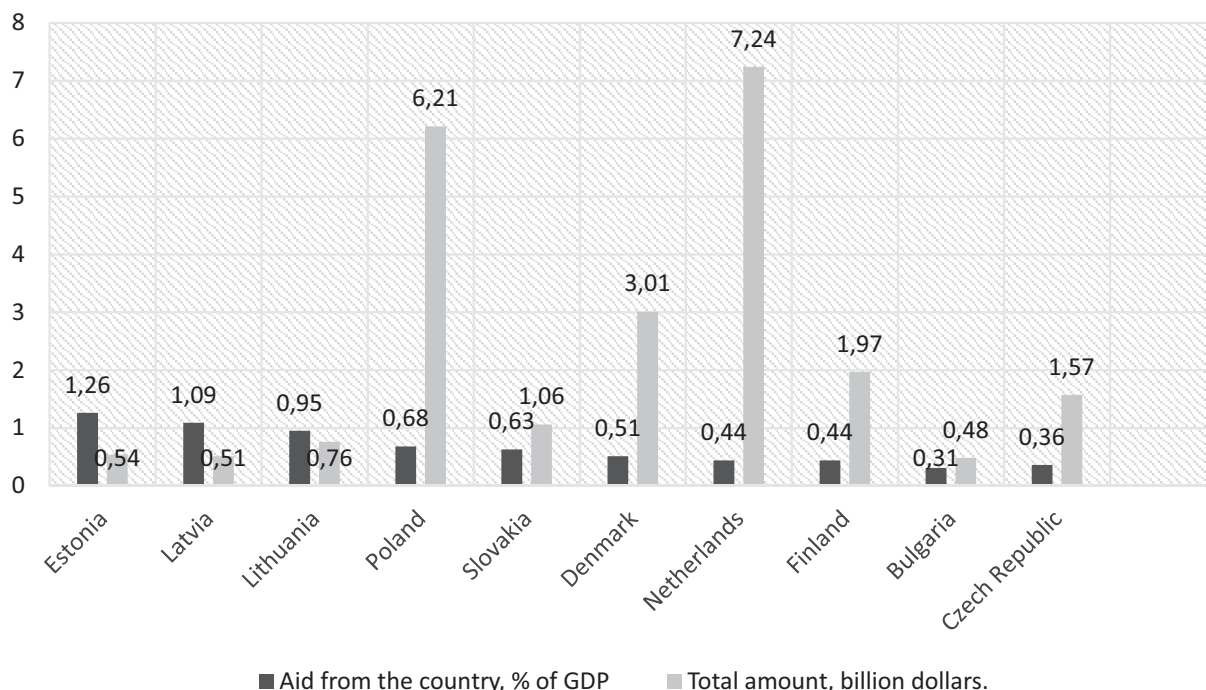


Figure 2. Allies’ contribution to Ukraine’s victory. Top 10 countries (data for 2023)

Source: compiled by the authors based on Kiel Institute of the World Economy. Retrieved from: <https://www.ifw-kiel.de/topics/war-against-ukraine/ukraine-support-tracker/> (access: 12.11.2024).

Russian aggression against Ukraine has also revived Polish-Ukrainian diplomacy on the ground. Polish communes, counties and voivodeships have begun sending humanitarian aid to their Ukrainian partners en masse (Ksenicz, 2023). It is worth mentioning the legal decisions introduced in connection with the outbreak of the war. In the Law on Municipal Self-Government, Section 3 was added to Art. 10, according to which municipalities and inter-municipal associations may provide assistance, including financial assistance, to local and regional communities of other countries. The basis for providing this assistance is a decision of the local government body.

On August 5, 2022, the Foreign Affairs Committee of the Sejm of the Republic of Poland adopted a resolution on the establishment and strengthening of cooperation between local governments of Poland and Ukraine. One can read, among other things, „it is necessary to strengthen Polish-Ukrainian cooperation at all levels of the establishment of a commune, inter-municipal association or the competent statutory

body of the association. Similar provisions are also contained in the Law on County Self-Government and the Law on Voivodship Self-Government. They were introduced by the Law of 12 March 2022 on Assistance to Citizens.

Table 1. International partnership of territorial communities of Ukraine (July 1, 2024)

Region	Number of international partners	Number of countries
Vinnytsia	86	21
Volyn	133	17
Dnipro	54	23
Donetsk	37	15
Zhytomyr	79	21
Zakarpattia	284	17
Zaporizhzhia	27	16
Ivano-Frankivsk	112	22
Kyiv (city)	39	29
Kyiv (region)	132	34
Kirovohrad	14	8
Luhansk	5	3
Lviv	283	28
Mykolayiv	45	19
Odesa	127	36
Poltava	54	20
Rivne	64	12
Sumy	43	14
Ternopil	107	22
Kharkiv	32	17
Kherson	29	15
Khmelnysky	95	26
Cherkassy	59	20
Chernivtsi	93	18
Chernihiv	52	14
In total	2085	63

Source: compiled by the authors based on Decentralization.ua, 2024.

In the practice of partnership between Ukrainian communities and municipalities from other countries, various options are common – both those secured by relevant formal documents and those carried out in the mode of long-term cooperation without signed framework documents.

485 communities have partnership relations with municipalities of other countries (out of 1469 communities defined in accordance with the Law of Ukraine „On Amendments to Certain Laws of Ukraine on Determining the Territories and Administrative Centers of Territorial Communities” dated 16.04.2020). The total number of partnerships concluded by these communities with municipalities of other countries is 2096.

Ukrainian communities have the largest number of partnerships with cities and communes in Poland (501 partnerships, or 39% of the verified list). The countries with whose communities Ukrainian municipalities cooperate most often also include Hungary (122 partnerships), Germany (86), Romania (83), the Slovak Republic (56), Lithuania (50), the Czech Republic (39), Georgia (28), Bulgaria (25), Italy, Latvia and France (22 each). The basis for the financial support of local governments is budgetary support (Senishch, 2022). However, in the context of the catastrophe caused by the war, the role of alternative methods is strengthened. Providing assistance to each other in times of crisis has long been characteristic of local government. In particular, the C2C (City-to-City Cooperation) Toolkit indicates that cooperation between local governments of different countries in critical conditions is one of the factors stimulating the establishment and development of interaction. This can be expressed in: 1) the participation of municipalities in international relations in order to attract the attention of the (international) public to local problems and needs; 2) ensuring their own interests, through the conclusion of agreements on economic, cultural or political partnership with other cities, solving management problems caused by external factors etc.; 3) in the response of local governments to the activity of citizens, since the community can force its municipal representatives to carry out events and actions in an international perspective; 4) as a result of pure solidarity, to which municipalities feel the need to respond. Obviously, local government can respond more quickly to a crisis, since it is smaller in scale than state institutions and closer to its citizens than the state. In addition, the legal regulation of local governments in democratic countries is more flexible than the regulation of state activities. The right of local government to independently resolve a wide range of issues also contributes to faster decision-making aimed at ensuring basic human needs. Of course, individual local governments can resolve crisis issues at a fairly local level. But the solidarity support of many local governments can overcome global challenges.

Humanitarian aid is one of the types of charity. The forms of implementation of humanitarian aid are limited and can be carried out in the form of: 1) targeted gratuitous aid in cash or in kind; 2) non-repayable financial aid or voluntary donations; 3) performance of work, provision of services. This aid is always provided for humanitarian reasons and only to those recipients who need it due to social vulnerability, material insecurity, difficult financial situation, occurrence of a state of emergency, in particular as a result of natural disasters, accidents, epidemics and epizootics, environmental, man-made and other catastrophes that pose a threat to the life and health of the population, or serious illness of specific individuals, as well as for preparation for armed

defense of the state and its defense in the event of armed aggression or armed conflict. In the conditions of a full-scale war, Ukrainian local governments, as a rule, received support in the form of humanitarian aid. This is due to the fact that this type of charity has special tax and customs regulations and is the most effective tool for the rapid transfer of medicines, food, hygiene products and essential goods from abroad.

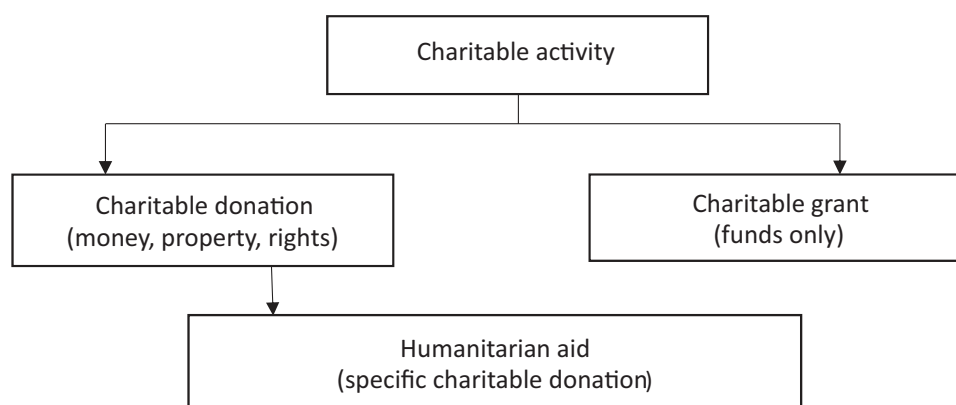


Figure 3. Types of charitable assistance

Source: the law of Ukraine “About charitable activities and charitable organizations”, 2012.

In accordance with Part 1 and Part 2 of Article 3 of the Law of Ukraine “On Humanitarian Aid”, the basis for initiating the procedure for recognizing aid as humanitarian is a written proposal from the donor to provide it, and the basis for providing humanitarian aid in Ukraine is the written consent of the recipient of humanitarian aid to receive it. However, in the conditions of a full-scale war, since thousands of recipients received and distributed hundreds of thousands of items of humanitarian goods to millions of purchasers, these procedures were significantly simplified.

Under martial law, both individuals and legal entities (including local governments and budgetary institutions) can act as purchasers and recipients of humanitarian aid in Ukraine, if such aid is used for purposes specified by law and is defined by the donor as humanitarian.

The identity of the recipient and the recipient of aid may coincide. Or it may be that the recipient accepts the benefit for the purpose of transferring it to other persons (person). This became especially relevant during a full-scale war, when Ukrainian municipalities accepted aid from their foreign partners, and then either distributed this aid to other territorial communities or distributed it to people in their communities.

Thus, whether a foreign partner municipality can be a direct provider of charitable aid, or Ukrainian society will need to involve a third party, depends on the legislation of the partner country and the convenience of organizing interaction, since in Ukraine there are no restrictions on the person providing such support (Kozina and Koshelyuk, 2022).

As already noted, Poland is among the leaders in providing humanitarian aid.

In particular, only in the first year of the war, as part of the aid, the Marshal's Office purchased, among other things, portable medical rescue kits, first aid kit equipment, such as: pressure bandages, antiseptics, rescue blankets, gloves, sterile gauze, as well as duvets and pillows. The cost of the purchased items for refugees staying in Poland amounted to approximately PLN 324,000.

Two mobile X-ray machines were also purchased as part of the aid budget. The X-ray machines were transferred to the Lviv Regional Hospital of War Veterans and the Repressed and the Lviv Regional Oncology-Medical-Diagnostic Center. The value of the equipment together with the delivery is approximately PLN 697,000.

The following items were delivered to firefighters from Ukraine: sludge motor pumps, helmets, gloves, water nozzles, fire hoses, protective and safety clothing. The equipment, together with the fire truck, was transferred to the Lviv Regional Military Administration. The cost of the purchased equipment was approximately PLN 235,000.

The 110 kW generator was transferred to the Lviv State University of Life Safety, where the Crisis Management Center was established. The value of the equipment is approximately PLN 103,000.

The village of Mizhhirya in the Transcarpathian Oblast received, among other things, beds, sleeping mats, cots, sleeping bags, hygiene products and thermal clothing for a total amount of approximately PLN 170,000.

The Lviv Military Medical Center received tactical gloves and goggles, as well as thermal clothing and AMBU breathing apparatus for a total amount of approximately PLN 170,000.

The Caritas of the Sambor-Drohobych Diocese received financial support for the reconstruction of the hospital in terms of electricity for a total amount of approximately PLN 30,000.

The Mazovian Voivodeship also transferred medicines for a total value of approximately PLN 512,000.

Eight fully equipped ambulances from provincial ambulance stations were also transferred to Ukraine.

On November 3, 2022, the Masovian Voivodeship Government, which has been showing solidarity with Ukraine since the beginning of the conflict, decided to transfer humanitarian aid to the Mizhhirya Humanitarian Aid Center.

The Masovian Voivodeship has provided the State Service of Special Communications and Information Protection of Ukraine with a passenger car. The vehicle will be used by one of the military units in the Kharkiv region.

As part of the support provided by the Masovian Voivodeship, the Vinnytsia Regional Military Administration in Ukraine will receive equipment, which is especially necessary for the operation of the so-called Invincibility Points, where residents can warm up, heat up meals or charge their phones. The equipment provided includes (Samorzząd Mazowska..., 2022):

- 12 ADLER AD 688S generators,
- 4 Grupel GR 6500 generators,

- FOGO F 8000 R generator,
- 5 Promac ES 5000 generators,
- 88 units of STIGA SAE30 0.6 L generator oil.

On June 27, 2024, the Law “On International Territorial Cooperation of Ukraine” came into force, structuring international cooperation in accordance with European practices, in particular, the Interreg Europe program, which Ukraine joined this year. This Law allows any territorial community from any region of Ukraine to establish cooperation with any municipality of the European Union or other civilized world and creates a legal framework for this. The draft agreement on international territorial cooperation is subject to approval by the central executive body, which ensures the formation and implementation of state regional policy, which within 30 days checks it for compliance with the Constitution of Ukraine, Laws, and international treaties of Ukraine.

In addition to Interreg programs, the European Commission has launched thematic programs that help implement EU policy in various areas. In the process of European integration, Ukraine has already joined a large number of EU programs. Most of them can be an effective tool for local development and the development of the internal potential of communities through partnerships of local governments with businesses, educational institutions, and public organizations.

Among the thematic programs that are most relevant for local development:

- Horizon Europe,
- Creative Europe,
- LIFE,
- Single Market Programme,
- Connecting Europe Facility (CEF),
- Erasmus+,
- Leader,
- Citizens, Equality, Rights and Values (CERV).

Conclusions

During the long-term armed aggression of Russia, local communities bear the main burden of ensuring the uninterrupted operation of the system of support for the life of citizens - hospitals, schools, public transport, etc. It is local communities that provide urgent repairs to houses and infrastructure facilities damaged by shelling.

The damage and losses from the full-scale invasion of the Russian Federation into Ukraine have determined the need to find additional resources for the normal functioning of local government. International cooperation of territorial communities is a powerful tool for increasing local budget revenues, stimulating socio-economic development and infrastructure development.

Attracting international partners and extra-budgetary resources (grants, humanitarian and donor aid etc.), international experience in the restoration of cities damaged as a result of adverse circumstances (natural disasters, man-made disasters, missile attacks, etc.) is necessary to restore territories during martial law and after its end. Western partners, in particular Poland, provide unprecedented assistance to both

the Ukrainian government and local governments of Ukraine. In order to effectively develop international relations, it is necessary to resolve the problems of harmonizing Ukrainian and European legislation; conduct a comprehensive information campaign to popularize the advantages and opportunities for implementing international projects among representatives of territorial communities of Ukraine; stimulate the involvement of financial, economic and banking institutions and business representatives in participating in the joint financing of international activities of territorial communities; create a system of advanced training for local government employees involved in international activities.

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