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# **REGIONAL TRANSBORDER CO-OPERATION IN COUNTRIES OF CENTRAL AND EASTERN EUROPE – A BALANCE OF ACHIEVEMENTS**

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# TRANSBOUNDARY COOPERATION IN PROVINCES ENVIRONMENTAL PROTECTION PROGRAMMES – PLANS AND REALITY

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## Introduction – background and methods of research

Currently one of the most important directions of the government actions is execution of the ecological policy heading towards more effective protection of the environment and sustainable development of the country. This policy is implemented by administrative authorities at various levels – from central government administration, through province council to county and district councils. The scope and way of implementation of this policy is regulated by the act Environmental Protection Law. In the light of article 14 of this act, the main task of the governmental ecological policy is – based on the information about state of the environment – defining the following issues designed for execution in the established time period:

- ecological goals (environmental protection);
- ecological priorities;
- types and timetables of pro-ecological activities;
- resources essential to achieve the goals, including legal and economic ones.

The basic document enlisting these arrangements at the national level is „National Ecological Policy” which – in agreement with the mentioned act – is drawn up for the period of four years, in prospect of the consecutive four years. It constitutes the basis for the regional and local ecological policy whose findings are presented – on the grounds of regulation of article 17 of the act Environment Protection Law – in the provinces, counties and districts environmental protection programmes and which are passed by the province parliament and county and district councils. Their time scope should be convergent to the national policy duration.

The aim of research presented in this article is the review of the provinces environmental protection programmes in the view whether international cooperation in environmental protection is included in their contents. Such coopera-

tion is usually conducted with the countries that have common borders with some provinces. For this reason, the focus is on the 11 bordering regions of Poland and the review of their environmental protection programmes that were drawn up for them between 2002 and 2005 and additionally there is an analysis of the parts of the projects pertaining to the international cooperation. Because of the short time span of the most projects which are ending in 2006, there is also an attempt to determine how in the preceding 3-4 years the findings of the programmes pertaining to the transboundary ecological cooperation were carried out and whether the indicators of these documents were satisfactorily completed.

Such evaluation was partially possible thanks to statutory obligation to produce reports every two years by the Province Board on the progression of the programmes implementation, also to accessibility of the province council documents and some information publicized on the Internet web sites of the marshal's offices and Euroregions. In the conclusion of the article there are some reasons listed that influenced the unsatisfactory – as the outcome of the research shows – level of transboundary cooperation in the environmental protection.

### **Results of the environmental protection projects analysis**

Currently the National Ecological Policy II from the year 2000 (updated in 2002) is implemented. Its short span period covers years 2003-2006, and the medium span prospect years 2007-2010. The document also includes a range of suggestions in regards to the international environmental protection cooperation. Due to the fact that it was drawn up before Poland joined the European Union, focus was placed on the „old” and „new” union members cooperation that led to better fulfilment of the requirements of the union law in respect to the environmental protection. Among the tasks there were:

- adaptation of legal regulations, organizational structures and administrative procedures to the requirements of the EU;
- bilateral cooperation with the EU countries focused on acquisition of experience in the usage of structural and regional funds, application of the best available techniques, joined fulfilment of obligations, trade of issues and ecoconversion (of debts);
- bilateral cooperation with new members and EU candidates in order to execute the EU ecological policy – so to maximalise implementation of the EU standards in solving transboundary problems of the environmental protection.

Except for the mentioned goals, it was pointed in the discussed document that there is a need to fulfil the following:

- international cooperation locally and regionally in the field of fulfilling obligations resulting from signing and ratification of international ecological conventions and official reports;
- priority cooperation in the scope of the environmental protection with the potential strategic partners of Poland – Ukraine, Kazakhstan and Uzbekistan.

As one may expect, some political conditions present while writing this document (right-wing government), resulted in not mentioning among the priority partners such countries as Russia and Belarus, but on the other hand pointing at such exotic and distant countries like – Kazakhstan and Uzbekistan. These partners may nevertheless have some importance in diversification of energy resources obtained by Poland, natural gas, in particular. The energy policy is connected with the ecological policy because increase of gas share in the consumption structure of these raw materials might lead to a drop in emission of air pollutants and bring a profit to the country from selling the emission quotas in accordance to the rules established in the Kyoto Protocol. From a few years perspective that passed from drawing up the National Ecological Policy, it should be stated that cooperation with the above mentioned Central Asian countries was not undertaken in the broad enough sense and did not bring the expected results.

Based on the National Ecological Policy II, in the years 2002 – 2005 there were regional environmental programmes projects drawn up. Among 11 projects drawn up for the bordering provinces, for majority of them the short span period covers the years 2003-06 and the medium span prospect years 2007-10, except for the Malopolska programme whose current version was accepted in 2005 and covers respectively period of 2005-08 and 2009-12. In some programmes (Dolnoslaskie, Lubelskie, Slaskie, Zachodniopomorskie) some long span task were formulated in order to be implemented in 2015.

Review of the tasks included in the programmes and related to international cooperation in the environmental protection showed that they were taken into consideration to a very limited extend. It resulted from the way the programmes were drawn up that varied greatly in the range of the issues taken under consideration, as well as the length. The most extensive programmes amounted to several hundreds of pages (Podkarpackie), while the least extensive included about 50 pages (Zachodniopomorskie). The analysed issues were devoted the most space in Podkarpackie programme (7 pages) and Podlaskie programme (3 pages). Slightly less in Warminsko-Mazurskie (1.5 pages) and Dolnoslaskie (1 page). Half of page or less information on the transboundary cooperation subject was in the programmes of: Lubelskie, Opolskie, Malopolskie, Lubuskie, Pomorskie, and Zachodniopomorskie. It was totally omitted in the Slaskie programme. All together in all evaluated documents, around 15 pages were devoted to this topic which comes down to less than 1% of their length. The problem of transboundary cooperation took up more than 1% of the

document size in only three projects: Podkarpackie, Podlaskie and Warmińsko-Mazurskie.

More important evaluation criterion than length was its content. Its analysis led to establishment of 15 groups of action that in the particular regions were planned in the scope of the international cooperation. The results of this analysis are presented in the table 1. As it stems out of it, not in all cases content length of findings was in proportion to the number of planned actions. Apparently in Podkarpackie the number is the greatest, but there are significantly less actions that were planned in Podlaskie and Warmińsko-Mazurskie and visibly more in Dolnoslaskie and Opolskie. Summing up the actions from all identified groups in the provinces where they were indicated for execution (fig. 1), it was established that in the largest number of projects environmental protection issues were included (6) and connected with it creation of transboundary protected areas (4). In several projects (3-4) there were actions planned to put the union environmental protection regulations into practice<sup>1</sup>, air protection, water protection, euro-regional cooperation (which is rather the way of project tasks execution, and not the task itself) and prevention of some serious industrial breakdowns or ecological disasters. Incidentally (1-2) execution of actions in relation to environmental management and environmental monitoring, scientific and research cooperation, energy production from renewable sources and forest economy were planned. In the programmes there were also some tasks found that were not directly related with the environmental protection, such as tourism development (Dolnoslaskie, Opolskie, Podkarpackie) or may even have unfavourable impact on the natural environment, such as flood control (Dolnoslaskie, Lubelskie, Opolskie, Podkarpackie) or construction of huge retention tanks (Podkarpackie). Apparently ventures connected with water economy are traditionally – in the ‘ministry’ sense – linked with environment protection, it should be emphasized that more often they contribute to some significant changes in the water supply than to improvement of ecological condition of surface and underground water. Protection programmes should at most include some indicators to as how to implement the actions with the least damage to the nature.

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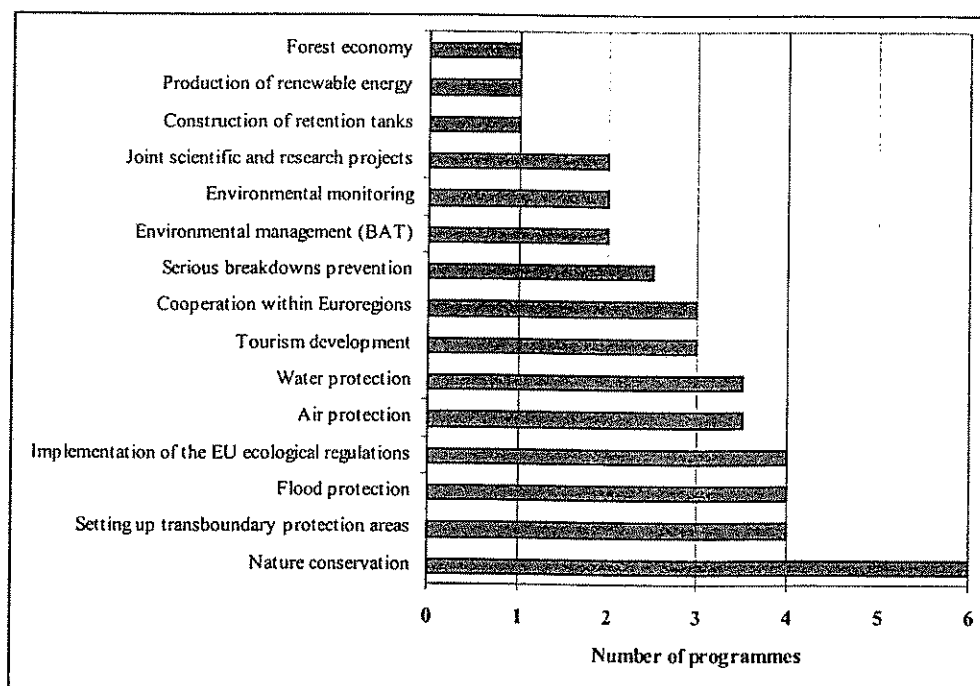
<sup>1</sup> However – it appears that – they should be put into practice in all provinces and the need to take them into consideration should not be formulated as an action, but rather as a task of environmental programme execution

Table 1. The scope of actions related to environmental protection transboundary cooperation in Provinces Environmental Protection Programmes

Groups of actions related to transboundary cooperation in the scope of environmental protection	Provinces										
	Dolnoslaskie	Lubelskie	Lubuskie	Malopolskie	Opolskie	Podkarpackie	Podlaskie	Pomorskie	Slaskie	Warmińsko-Mazurskie	Zachodniopomorskie
Air protection	•					•	◦			•	
Water protection	•				•	•	◦				
Flood protection	•	•			•	•					
Construction of retention tanks						•					
Nature conservation	•				•	•		•		•	•
Setting up transboundary protection areas		•				•		•		•	
Production of renewable energy	•										
Environmental management (BAT)					•		•				
Environmental monitoring		•				•					
Serious breakdowns prevention						•	◦				•
Joint scientific and research projects		•				•					
Forest economy			•								
Tourism development	•				•	•					
Implementation of the EU ecological regulations				•	•	•	•				
Cooperation within Euroregions			•			•	•				

- groups of actions directly formulated
- groups of actions indirectly formulated

Fig. 1. Frequency of taking under consideration various groups of actions in the scope of international cooperation in the environmental protection programmes in the bordering provinces



As regards proposed number of transboundary action groups, Podkarpackie project leads by far where 12 out of 15 groups were indicated in all projects (fig. 2). In this case the length of the programme accounted for its content variety. 6 groups of actions were taken under consideration in the following programmes: Dolnoslaskie, Opolskie, and Podlaskie, but in the latter half of the groups were formulated in the indirect way. Four groups of actions were found in the Lubelskie programme and three in the Warminsko-Mazurskie one. In the remaining programmes, the range of proposals was quite small and covered only one or two groups of actions. It is worth noticing that significantly more intensive cooperation was planned for the provinces in the eastern part of the country and also in the south-western regions bordering with the Czech Republic and very limited in the provinces of north-western Poland bordering with Germany. In the light of needs, lack of transboundary cooperation issues is quite characteristic in the projects of Malopolskie and Slaskie programmes.

More detailed analysis of the programmes content proved that they often, to the great extent, report on the projects currently executed that propose some future actions. The Dolnoslaskie project is about that where the achievements of the „Black Triangle” Project was described and the Project for the Oder River as well as in the Podlaskie one where in the chapter about international coopera-



tion a great amount of deal is devoted to current contacts with Belarus and Lithuania. Next, in the other projects some aspects of a great importance in intensifying cooperation were omitted, e.g. in the Lubuskie project nothing was mentioned about the protection of the bordering waters of the Oder and the Neisse and in the Malopolskie one the issues of implementing 'The Carpathian Convention' were omitted.

Fig. 2. The number of actions in the scope of the international cooperation proposed in the single programmes of the environmental protection of the bordering provinces



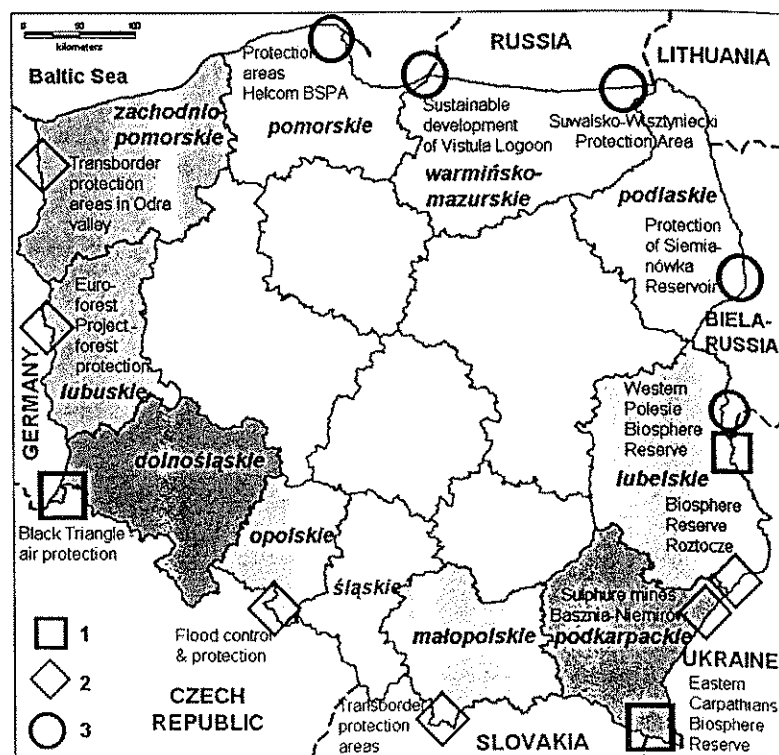
As it was mentioned previously, the analysed issues received the fullest coverage in the environmental protection programme of the Podkarpackie Province. A bit debatable might appear the fact that all actions related to the international cooperation were placed in the frame of the strategic goal 1/3 „Limitation of the transboundary pollution” which „is meant to contribute to the development of the international cooperation in the field of limitation of the transboundary pollution, counteract serious breakdowns, protection and sensible use of natural resources”.

Four medium span (until 2010) goals were formulated in its framework:

### Attempt at assessing the degree of realization of transboundary cooperation planned in the provinces environmental protection programmes

Based on the available documents, currently it was impossible to fully assess the effectiveness of implementing the findings of the environmental protection programmes pertaining to the transboundary cooperation. However, due to the information analysis in the Internet, especially on the Marshal's Offices and Euro-regions web sites, some information was obtained that allowed to make an attempt to assess the quality of realization of some actions indicated in the programmes. Due to the fact that in the majority of the discussed documents no feasible tasks were specified in the scope of international cooperation, the number of feasible tasks that were verifiable was quite small (a few dozen) and a great part of them listed in fig. 3. It was tried to emphasize the priority tasks in the given province. More than half of them deal with creation of the transboundary nature conservation areas, either in the framework of Natura 2000 network (border with the EU countries) or in the form of a biosphere reserve. It proves that issues of the nature conservation are of the utmost importance within the scope of the border cooperation.

Fig. 3. Execution effectiveness of the chosen transboundary actions found in the provinces environmental protection programmes: 1 – effective execution; 2 – partially effective execution, 3 – lack of or ineffective execution.



1. Assurance of the proper functioning of the transboundary natural systems;
2. Protection and sensible usage of the bordering waters;
3. Sustainable usage of the environmental values for the development of tourist, recreational and spa functions;
4. Eliminating or minimising threats to the resources and the environmental values including safety of the ecological region.

These goals are to be fulfilled in the course of implementing of 25 action groups. More detailed analysis of its contents proves that not all of them pertain directly and even indirectly to the environmental protection issues. If within the second mentioned above goals, majority of actions (except the construction of big retention tanks) will serve the improvement of the environmental quality, for example, the actions to implement the third goal, to the great, extend are not related to this. And for example, among these first ones there were:

- conducting the monitoring and control of the boundary waters;
- drawing up joint projects of water economy and transboundary catchments protection including mineral water;
- water shortage prevention through the construction of a small retention tanks network;
- creation of plant waste water treatments, water conservation and anti-erosion systems;
- effectiveness improvement of existing purifying systems.

However, in the scope of the development of tourist, recreational and spa functions these were proposed:

- creation of inter-district bounds on both sides of the border so tourism management is done comprehensively;
- drawing up study cases in the scope of the transboundary promotion of tourism;
- development of the public transport systems including cars connecting Poland, Ukraine and Slovakia, building and opening new border checkpoints which cannot be considered as related to the environmental protection.

Nevertheless, also in this group, two tasks can be considered as the elements of the regional environmental protection project execution. These are:

- standard improvement of the tourist facilities, service and prevention against over-investment in the tourist regions;
- maintaining the monitoring of tourist traffic, especially in the unique natural areas.

The above examples point at frequent, improper approach to transboundary issues of the ecological cooperation in the environmental protection programmes.

As the information given concisely in fig. 3 points, only a small portion of actions ended in full success or is close to one. First of all, it can be accounted for the improvement of air quality in the region of „Black Triangle” (point of contact of Poland, The Czech Republic and Germany), as a result of implementation of technical measures to decrease gas and dust emission and the building of the environmental monitoring system. However, it has to be remembered, that these actions started already in the beginning of the 90's in the 20<sup>th</sup> century, and in the current period of the environmental protection programming they just were continued or benefited from the positive results of the previously implemented projects. What can be considered relatively successful are the actions ranging in the establishment of the transboundary-protected areas, especially the World Biosphere Reserves on the Polish-Ukraine border (Western Polesie) and the triple point of contact Poland-Ukraine-Slovakia (Eastern Carpathy) although these actions need continuation. In the organisational phase are also the international protected areas in the valley and mouth of the Oder on the Polish-German border, and also the biosphere reserve „Roztocze” on the Polish- Ukraine border. But not all of the nature protection actions have been so successful. Plans in the same scope were not successfully implemented on the border with Russia and Belarus yet, and also on the offshore waters of the Baltic Sea where three nature protection areas were planned to be created (Baltic Sea Protection Areas) in the framework of the joint network of the Baltic countries.

The forest protection project on the brandenburg-lubuskie border finished semi-successfully, however its range seems to be quite limited by focusing on the forest fire protection. Similarly, the joint actions of poland and the czech republic in the scope of the flood protection were partly successful, but one can doubt if all hydrotechnical actions undertaken there were conducive to the natural environment. The problem of impact of the sulphur deposit, exploited in the past in the borehole mines near basznia and niemirow in the polish-ukraine border zone, on the environment and people is still not completely solved. If on the polish side there was some reclamation work undertaken, on the ukrainian territory still in one of the holes the fire broke out in 2004 that forced evacuation of the polish village inhabitants.

In general, it can be stated that the effectiveness of the environmental protection cooperation is bigger on the border of the European Union member countries (Germany, The Czech Republic, Slovakia) than on the eastern Polish border. The exception here is Ukraine, with which contributing to the democratisation processes of this state, significant intensification of cooperation is noticed. It is also possible because of the active part of the Lubelskie Province administration and to a lesser extent of the Podkarpackie. However, such cooperation is at a standstill with the Kaliningrad Oblast of the Russian Federation and with Belarus. The plans to bring the joint nature protection areas

into existence are implemented very slowly, as well as the river-catchments protection that have the alimentation areas outside Polish territory (e.g. Siemianówka reservoir on the Narew River). It appears that insufficiency of this cooperation lies greatly in the limitation of the development of the democratic system in these countries.

Despite better assessment of the ecological cooperation with the remaining countries it should be stated that in general, it leaves a lot to wish for. As it was previously mentioned, the range of actions proposed in the environmental protection programmes, pertaining to this cooperation, is insufficient. It turned out that the implementation even of these scarce tasks is unsatisfactory. Among the basic internal reasons for this situation we can list the following:

- weakness of the Polish environmental protection administration and in particular nature protection on the province, county and district levels;
- focusing on the transboundary cooperation in other than the environmental protection areas or on the activities only seemingly related to the environmental protection (tourism, water economy);
- limited flow of the funds for the pro-ecological actions, particularly „soft”, e.g. in the range of the nature protection or insufficient fund raising.

Among the external factors or the bilateral limitation of opportunities for the international cooperation are:

- limited capacity for the cooperation from the administration and society on the other side of the border (mainly in Russia and Belarus);
- discrepancy in priorities in the scope of the environmental protection in the areas on the both sides of the border;
- diversity of the level of actions and law regulations so far in the scope of the environmental protection in the bordering countries (mainly between Germany and Poland).

In the light of the current development trends that promote broad international cooperation, not only bilateral, but also of a network character that is mentioned as one of the fundamental prerequisites for creating innovative economy and society, it should be recommended that in the next edition of the province environmental protection programmes and also in the county and district projects, especially for the border administrative units, the subject matter of the transboundary cooperation played significantly bigger role than it has taken place in the documents drawn up so far.

## Streszczenie

### WSPÓŁPRACA TRANSGRANICZNA W PROGRAMACH OCHRONY ŚRODOWISKA WOJEWÓDZTW – PLANY A RZECZYWISTOŚĆ

W latach 2002 – 2005, spełniając wymóg ustawy Prawo Ochrony Środowiska, została opracowana pierwsza edycja programów ochrony środowiska województw. W większości z nich uwzględniono problematykę współpracy transgranicznej w zakresie ochrony środowiska. W artykule dokonano oceny 11 z tych programów, sporządzonych dla województw posiadających granice sąsiedzi Polski. Analizowana problematyka została potraktowana w tych dokumentach marginalnie, zajmując przeciętnie 1% ich treści. Tylko w programach dla województw: podkarpackiego, podlaskiego, warmińsko-mazurskiego i dolnośląskiego poświęcono jej nieco więcej miejsca. Pominęto ją całkowicie w programie śląskim, a bardzo ograniczono w małopolskim, lubuskim, zachodniopomorskim i pomorskim.

Najczęściej planowano współpracę międzynarodową w zakresie ochrony przyrody, w tym tworzenie obszarów chronionych, gospodarki wodnej, wprowadzania regulacji Unii Europejskiej, ochrony powietrza i wód. W programach znalazły się także dość liczne propozycje działań należących wprost do sfery ochrony środowiska, takich jak ochrona przeciwpowodziowa (regulacja cieków) i rozwój turystyki. Próba oceny skuteczności implementacji działań zapisanych w programach wykazała jej znacznie zróżnicowanie. Jest ona stosunkowo wysoka na granicy południowo-wschodniej (ze Słowacją i Ukrainą) oraz południowo-zachodniej i zachodniej (z Czechami i Niemcami). Najsłabsza skuteczność współpracy występuje na granicy północno-wschodniej, z Rosją i Białorusią.

Wśród czynników ograniczających skuteczność tej współpracy wymienić można przyczyny wewnętrzne, takie jak słabość polskiej administracji ochrony środowiska, koncentrację na współpracy transgranicznej w innych sferach albo na działaniach pozornie związanych z ochroną środowiska oraz ograniczony dopływ środków finansowych na działania proekologiczne, szczególnie „miękkie” lub nieumiejętność uzyskania tych środków. Do barier zewnętrznych albo obustronnie ograniczających możliwości kooperacji międzynarodowej należą: ograniczona zdolność do współpracy ze strony administracji i społeczeństw po drugiej stronie granicy (głównie w Rosji i Białorusi), rozbieżność priorytetów w zakresie ochrony środowiska na obszarach po obu stronach granicy oraz zróżnicowanie dotychczasowego poziomu działań i przepisów prawa w zakresie ochrony środowiska w państwach sąsiadujących (głównie pomiędzy Niemcami a Polską).