

ВСЕСВІТНЯ ІСТОРИЯ

UDK 94:327(4-6ЄС:438)"2001/2013"

DOI: <https://doi.org/10.31652/2411-2143-2025-52-117-123>**Regional contract in the implementation of the EU regional policy in Poland (2001-2013)****Oleksandr A. Neprytskyi**

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Abstract.

The purpose of the article is to study the regional contract as a tool for implementing the EU's common regional policy at the level of regions of the Republic of Poland and to identify which challenges it has been an effective response to and which problems have not been solved through the use of this mechanism. **The research methodology** consisted of studying the legal framework, mechanisms of development, conclusion and published results of the implementation of regional contract. The analysis revealed which challenges to the implementation of regional policy Poland was able to respond to through the implementation of regional contracts and which it failed to respond to properly. **The scientific novelty** is to determine the necessary legal support (including local government reform) and to study the advantages of using the mechanisms of the regional contract for the implementation of regional policy in the Republic of Poland and the shortcomings of the system of their implementation. **Conclusions.** The mechanism of regional contracts ensured the adaptation of Polish regions to the procedures for planning and implementing projects financed by EU funds. Participation in the planning and implementation of projects has contributed to the professional development of regional administration staff and improved their ability to manage the development of their territories. The mechanism of using regional contracts has proved the effectiveness of the local government reform in Poland. The process of concluding agreements has enabled voivodeships to directly allocate funds to projects important for specific regions, including infrastructure development, environmental protection and social programmes. Negotiations between the central government and regional authorities have fostered dialogue and taken into account the specifics of each voivodeship. Conflicts of interest, differences in views and approaches to solving specific issues were clarified and agreed upon at the negotiation stage. And in the process of implementing and executing the agreement, the parties already had common goals and mechanisms for maximising the use of the allocated funds to achieve the agreed objectives. However, the limitations associated with short-term planning, insufficient coordination and uneven distribution of resources pointed to the need for further improvement of this instrument.

Keywords: cohesion policy, EU common regional policy, local governments, Poland, regional contract.

**Воєводський договір в імplementації регіональної політики ЄС у Польщі
(2001-2013 рр.)**

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Анотація.

Метою статті є дослідження регіонального договору як інструменту реалізації спільної регіональної політики ЄС на рівні воєводств Республіки Польщі та визначення, на які виклики він став ефективною відповіддю, а які проблеми не були вирішені за допомогою використання цього механізму. **Методологія дослідження** полягала у вивченні правової бази, механізмів розробки, укладання та опублікованих результатів реалізації воєводських договорів. В результаті проведеного аналізу було встановлено, на які виклики імplementації регіональної політики Польща змогла відреагувати завдяки впровадженню воєводських договорів, а на які не змогла дати належної відповіді. **Наукова новизна** полягає у визначенні необхідного правового забезпечення (у т.ч. реформи місцевого самоврядування) та вивченні переваг застосування механізмів воєводського договору для імplementації регіональної політики в Республіці Польщі та недоліків, що містила система їх реалізації. **Висновки.** Механізм воєводських договорів забезпечив адаптацію польських регіонів до процедур планування та реалізації проектів, фінансованих з фондів ЄС. Участь у плануванні та реалізації проектів сприяла професійному зростанню працівників регіональних адміністрацій та покращенню їхньої спроможності управляти розвитком територій. Механізм використання воєводських договорів підтвердив ефективність реформи місцевого самоврядування у Польщі. Процес укладання договорів дав можливість воєводствам безпосередньо спрямовувати кошти на проекти, важливі для конкретних регіонів, зокрема на розвиток інфраструктури, охорону навколишнього середовища та соціальні програми. Переговори між центральною владою та регіональними органами сприяли розвитку діалогу та врахуванню специфіки кожного воєводства. Конфлікти інтересів, розбіжності у поглядах та підходах до вирішення конкретних питань з'ясовувалися та узгоджувалися на етапі переговорів. А в процесі імplementації та виконання договору сторони вже мали спільні цілі і механізми максимально ефективного використання виділених коштів для реалізації узгоджених завдань. Проте обмеження, пов'язані з короткостроковим плануванням, недостатньою координацією та нерівномірним розподілом ресурсів, вказували на необхідність подальшого вдосконалення цього інструменту.

Ключові слова: Воєводський договір, політика згуртованості, Польща, органи місцевого самоврядування, спільна регіональна політика ЄС.

Statement of the problem. Poland's accession to the European Union in 2004 envisaged the implementation of common EU policies, including the common regional policy (cohesion policy). Accordingly, it was necessary to develop mechanisms for its implementation at the regional level. One of the key instruments was the signing of regional contracts between the government and a regional

(voivodship) local self-government body. The experience of implementing the cohesion policy through the signing and implementation of regional contracts is of academic and practical interest in terms of the efficiency of the local government system and the result of allocation of financial resources from the EU funds at the level of regions and territorial communities (gminas).

Analysis of sources and recent research. Important material for studying the topic is the legislative framework of the Republic of Poland, which defined the system of regional contracts (Ustawa, 2000; Ustawa, 2005; Ustawa, 2002; Ustawa, 1998; Ustawa, 2006), strategic documents at the national level (Ministerstwo Gospodarki, 2001; Ministerstwo Rozwoju, 2007) and the contracts themselves presented on the official pages of the voivodeships (Urząd, 2001).

The legal peculiarities, socio-economic significance and economic feasibility of using the mechanism of regional contracts in Poland to implement a common cohesion policy have been studied by well-known scholars, in particular (Churski, 2017; Hübner, 2009; Sługocki, 2014). The results of studies of the implementation of regional contracts in certain regions can be found in the works of B. Kawałko (Lubelskie Voivodeship) (Kawałko, 2009), A. Walenia (Podkarpackie Voivodeship) (Walenia, 2011). Since the topic under study concerns socially sensitive issues, opinions on the effectiveness of regional contracts vary, especially in terms of the powers granted to voivodeship local self-government bodies and the mechanism of project selection.

The purpose of the article. The purpose of the article is to study the regional contract as a tool for implementing the EU's common regional policy at the level of regions of the Republic of Poland and to identify which challenges it has been an effective response to and which problems have not been solved through the use of this mechanism.

The results of the research. Having gained experience in the pre-accession programmes, mainly PHARE, SAPARD and ISPA, Polish local authorities moved into the European cohesion policy space with Poland's accession to the Union. The first programming period covered the years 2004-2006 and forced all participants to quickly adapt to the EU law and procedures. The pre-accession projects (except SAPARD) were implemented in a small number of gminas (territorial communities), which had the opportunity to gain the first knowledge of EU project management. For the rest, it was 'a completely new experience', as Danuta Hübner later wrote (Hübner, 2009, p.20), who was Minister of Foreign and European Affairs of Poland in 2003-2004 and became Commissioner for Regional Policy after the country's accession to the EU, and represented Poland in the EU. The experience was gained simultaneously within the framework of broad economic cooperation with the European Union. According to estimates by the Ministry of Regional Development of Poland, in 2004-2007, local governments implemented projects totalling about 36 billion PLN, which is 38.5% of the budget of all projects (Hübner, 2009, p.1), which indicates the scale of the work carried out.

A common European regional policy could not be implemented without proper legal support. Therefore, a proper legal framework was previously prepared, which made it possible for local self-government bodies (LSG) to acquire legal personality. According to S.Shvydiuk, 'the administrative-territorial reform was of key importance for the development of regional policy in Poland <...> the most important was the establishment of regional self-government - an entity that was granted the right to independently determine the strategy and plans for the development of the voivodeship, as well as programmes and projects for their implementation' (Shvydiuk, 2013, p.318). We absolutely agree with this statement, and we can emphasise once again that local governments have taken over the vast majority of the work on the implementation of regional policy.

The main actors in the implementation of regional policy were local governments at the level of voivodeships (the Sejm as the legislative branch and the government as the executive branch). The statutory task of LGEs was to apply for support from the state budget to implement the tasks included in voivodeship programmes. The conclusion of a regional contract with the government (Council of Ministers) was provided for in Article 11 of the Voivodeship Local Government Act (Ustawa, 1998).

The regional contracts were introduced in 2001 on the basis of the Act on the Principles of Regional Development Support (Ustawa, 2000), replaced two years later by a new version of the Act with the same title (Ustawa, 2002), and later implemented on the basis of the Act on the Principles of Development Policy (Ustawa, 2006). The Act of 30 June 2005 on Public Finance was applied to the disbursement of funds from the state budget under the regional contract (Ustawa, 2005). B. Kawałko writes in more detail about the national legislation that created the basis for regional contracts (Kawałko, 2009, p.38). The regional contracts were also based on the provisions of the National Strategy for Regional Development for 2001-2006 (Ministerstwo Gospodarki, 2001), and in the next multi-year framework - on the National Strategic Framework for 2007-2013 (Ministerstwo Rozwoju, 2007).

The regional contract was an instrument for implementing regional policy based on the regional development strategy and other voivodeship programmes. The proper use of opportunities arising from contractual procedures to perform tasks contributing to the development of the region depended on the principles and mechanisms of cooperation on the places, i.e. voivodeship self-

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government, local governments at the level of gminas and powiat and other actors that could contribute to the creation of conditions for the development of the region (Kogut, Mazurkiewicz, 2004, pp.167-168). After joining the European Community, the procedure and content of regional contracts changed. Under the new conditions, local authorities viewed the agreement as a complement to the initiatives implemented within the framework of the Integrated Regional Operational Programme (IROP, in Polish: Zintegrowany Program Operacyjny Rozwoju Regionalnego – ZPORR), especially in those areas where EU assistance was impossible or difficult.

Legally, the regional contract had the status of a public law contract and was an act of local legislation (Walenia, 2011, p.752). It was published in the official bulletin of the voivodeship. The procedure for concluding the agreement included the elaboration of a number of strategic documents that were the basis for regional development in Poland. The regional contract directly referred to regional and local development programmes (voivodeship strategy, powiat and gmina strategies). An important element of the agreement procedure was the preparation of an application for state support by the voivodeship self-government. At the same time, the voivodeship self-government held public consultations on the tasks to be financed under the agreement. It is important that the application properly presents not only the tasks, but also the expected results of the implementation of these tasks, as well as the right indicators for assessing the achievement of results.

The voivodeship self-government negotiated the agreement with the ministry responsible for regional development. (In the beginning, it was the Ministry of Economy and Labour. On 31 October 2005, a new structure was spun off from the Ministry - the Ministry of Regional Development. And on 27 November 2013, the Ministry of Infrastructure and Development was created by merging the institution with the Ministry of Transport, Construction and Maritime Economy. Starting in 2014, territorial rather than regional contracts were concluded). After signing an agreement for a voivodeship, implementation began and agreements were concluded with all entities that had obligations to perform tasks under the agreement.

The signing of the contract between the voivodeship on the one hand and the ministry on the other did not mean that they were the only entities whose role was determined by the financing and implementation of programme tasks. Within the framework of the regional contract, co-financing mechanisms from various sources were developed and fixed. The projects included in the regional contracts were co-financed from EU funds, the state budget, budgets of local governments, trust funds, agencies, other public institutions, as well as private funds. Co-financing under the agreement meant the participation of the public party (regional and ministerial parts) and the beneficiary entity. The regional part included:

- subsidies for long-term investments of local governments;
- funds for investments and investment procurement carried out by authorised entities on the basis of agreements with public administration bodies;
- co-financing of investments and investment purchases of local governments from the funds at the disposal of the voivodeship;
- subsidies for investments in healthcare for local governments.

The ministerial part included:

- earmarked reserves managed by the Ministry;
- funds at the disposal of the voivode for co-financing of investments and investment purchases of territorial self-government units;
- funds for long-term investments of public budget units and institutions, public organisational units and enterprises (Patrzalek, 2004, p.60).

Regional contracts have always been a mechanism for implementing the state regional policy at the level of the voivodeship. They reflected provisions on the implementation of priorities, measures and tasks that served the development and restructuring of the regions. The main purpose of introducing this instrument was to ensure transparency of procedures and decisions on the allocation of funds intended to support regional development (Calak and Jahns, 2001). The goal of the regional contracts was to use the diverse resources and capacities of individual regions to improve the efficiency of their development as part of the national progress.

Describing the essential characteristics of the regional contracts, A. Walenia notes that, first of all, when talking about the allocation of funds from the EU's common regional policy, it is about the expansion and modernisation of infrastructure to strengthen the competitiveness of the voivodeship, restructuring of the economic base of the voivodeship, development of human resources, support for areas that needed to be activated, and development of cooperation between regions (Walenia, 2011, p.751-752). After all, the overall convergence and alignment within the cohesion policy was supposed to be achieved through the development of less developed regions and the convergence of social and economic development.

The regional contract was an instrument that was supposed to provide a comprehensive approach to issues related to regional development programming and activation of mechanisms of

objective financial support in reducing disparities and increasing the competitiveness of regions. It was formulated in such a way as to enable the unimpeded application of the principles, rules and procedures that were applied to the use of structural funds. It was a set of mutually binding decisions on the financing and achievement of results from budget-funded projects approved and included in the contract.

The use of regional contracts facilitated the coordination of co-financing of regional development tasks implemented at the expense of foreign and national funds. B. Wozniak points out that within the framework of coordination of interaction at the national and supranational levels, regional contracts were supposed to (Woźniak, 2003, p.627):

- to rely on the principle of subsidiarity in the development of programmes, management, and implementation of regional contracts, which meant that the government transferred co-responsibility for the implementation and formation of regional policy to voivodeship self-government, in accordance with the legally enshrined role of self-government in the implementation of regional policy using structural funds;

- introduce into national practice (for the first time on such a large scale) the principle of evaluating the impact of measurable measures before, during and after project implementation. The entire course of their implementation was monitored, and evaluation was carried out at each stage based on the monitoring indicators (both financial and material) described in the contract. The impact and effectiveness of the applied implementation methods in the medium and long term were also assessed. The rules for monitoring, evaluation and reporting were clearly defined, including the establishment of monitoring committees at the regional level and a monitoring committee at the national level to oversee the smooth implementation of the agreements and the results achieved. The principles and institutional framework for contract monitoring were formulated on the basis of the standards used under the structural funds;

- involve social and economic partners in the development and implementation of agreements. This was manifested, in particular, in the obligation to hold consultations and create institutional forms of partnership (for example, in the form of steering committees and inclusion of partners in the work of monitoring committees). The implementation of the partnership principle was one of the main principles of the structural funds implementation, without which it was impossible to effectively carry out regional development activities.

The main areas of support from the state budget in the regional contracts concerned: education and upbringing, healthcare and social assistance, municipal and transport infrastructure, culture, sports and recreation. Funds transferred from the state budget to the budgets of local self-governments under the contract were subject only to the rules stemming from national legislation. In general, they were easier to obtain due to less complicated procedures. In addition, although they required a contribution of their own, often higher than that provided for in the IROP they were disbursed to the beneficiary at the time of the obligation, rather than after full financial settlement of the project, as is the case with the IROP funds (Walenia, 2011, p.753).

The implementation of the contract was subject to constant control, monitoring and evaluation. The contracting entities were required to conduct accurate statistical assessments of the implementation of plans for specific measurable tasks using specific indicators and parameters. The responsibility for monitoring was assigned to a regional monitoring committee, which periodically reviewed the implementation of the contracts. Ongoing monitoring was carried out by the programme management units in the Marshalling Offices on the basis of all information coming from different sources and institutions involved. An important element was evaluation based on output indicators, result indicators and impact indicators. They made it possible to quantify the achievement of the goals and objectives set and implemented under the contract (Tomkiewicz, 2003).

The regional contract was losing its effectiveness as a tool for regional policy planning because it defined only the conditions for the implementation of the regional operational programme, without taking into account the sectoral operational programmes implemented in individual voivodeships (Walenia, 2011, p.760). This dis-coordinated efforts in the field of regional development policy.

The regional contracts could not ensure the desired concentration of public funds for regional development and develop sustainable procedures for long-term planning of public expenditures in the region, as regional contracts were signed for 2-3 years, state budgets were adopted for one year, and the EU financial framework provided for seven-year planning periods.

The co-financing-based allocation mechanism resulted in less developed regions usually receiving less funding than they needed, which contradicted the principles of cohesion and solidarity and impeded regional convergence (Kawałko, 2009, pp.40-42). The support programme under the contract implemented one of the main EU rules - the principle of additionality, i.e. the need to allocate the applicant's own funds for project implementation. The decision to require a minimum of 50% of own funds (Ustawa, 2003) meant that beneficiaries were encouraged to actively seek sources of

funding for their own contribution, but in less affluent regions, they could find less money and therefore participate in smaller projects.

Conclusions. The mechanism of regional contracts has played an important role in preparing Poland for the effective use of EU structural funds. It ensured the adaptation of Polish regions to the procedures for planning and implementing projects financed by EU funds. Participation in the planning and implementation of projects has contributed to the professional development of regional government staff and improved their ability to manage the development of their territories.

The mechanism of using regional contracts has proved to be an effective tool for local government reform in Poland. The process of concluding agreements has enabled voivodeships to directly allocate funds to projects important for specific regions, including infrastructure development, environmental protection and social programmes. Negotiations between the central government and regional authorities have fostered dialogue and taken into account the specifics of each voivodeship. Conflicts of interest, differences in views and approaches to solving specific issues were clarified and agreed upon at the negotiation stage. And in the process of implementing and executing the agreement, the parties already had common goals and mechanisms for maximising the efficient use of the allocated funds to achieve the agreed tasks.

However, limitations related to short-term planning, insufficient coordination and uneven distribution of resources pointed to the need for further improvement of this instrument.

Financing. The authors received no financial support for the research, authorship, and/or publication of this article.

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Надійшла до редакції / Received: 19.04.2025

Схвалено до друку / Accepted: 26.05.2025