

MINISTRY OF EDUCATION, YOUTH AND SPORT OF UKRAINE  
TRANSCARPATHIAN STATE UNIVERSITY  
INSTITUTE FOR TRANSFRONTIER COOPERATION

**EFFICIENCY OF TRANSBORDER COOPERATION VIA  
INTERNATIONAL MONITORING AND COORDINATION  
OF ACTIVITIES OF NATIONAL SUBJECTS**

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HISTORY AND MODERN TIMES**

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## **Foreword**

### **Dear reader!**

Institute for Transfrontier Cooperation (ITC) was founded in Uzhgorod (Ukraine) in 2005.

The newly established institution aimed at development and implementation of new approaches to analysis and management of transborder processes in peculiar geopolitical conditions set up in Europe in the aftermath of USSR collapse and the European Union enlargement to the East.

The first step of the ITC on this way was to develop a Concept of transborder cooperation at the new Eastern border of the EU. Then, based on aims laid out in it, next step was made – a paradigm of indexation and monitoring of transborder processes between East and West of Europe was proposed as a powerful tool for optimizing the whole set of transborder relations, increase of their efficiency, prevention or minimization of effects of crisis situations and conflicts. The mentioned paradigm produced significant interest in various areas of Europe, in particular in such respected structures as Norwegian Barents Secretariat and Prague Institute for Stability and Development. These and other institutions were involved in the joint work over new transborder cooperation methodology in the frameworks of the pan-European project “European border dialogue”. Results of the carried out work were a subject of discussion at the 1<sup>st</sup> European Forum on Transborder cooperation held in October 2010 in Uzhgorod (Ukraine) and Kosice (Slovakia).

Today theoretical and practical work on indexation and monitoring of transborder processes is carried out in various segments of the border between East and West Europe – from Norwegian-Russian and Polish-Lithuanian-Russian sections in the North and Baltic to South-Western sections of the border of Ukraine with Slovakia, Hungary, Romania and Poland in the Carpathians. Evidently, one can state that the movement on long-term monitoring development of transborder processes at the new Eastern border of the European Union has been initiated.

Project of the ENPI Program Hungary - Slovakia – Romania – Ukraine “Borders for People” implemented by the Institute for Transfontier Cooperation jointly with partners – Institute of Social Sciences of the

Slovak Academy of Sciences (Kosice) and Institute of World Economy and International Relations of the National Academy of Sciences of Ukraine (Kyiv) are part of this movement. In the frameworks of the project the methodology of indexation and monitoring of transborder processes will be for the first time tested on a greater scale.

*S. Ustych  
Director of the Institute for Transfrontier Cooperation,  
Coordinator of project "Borders for People",  
Editor in Chief of the collection*

## **Welcome speech**

### **Ladies and Gentlemen!**

My name - Serhii Ustych. I am a project coordinator of the Project “Borders for people”, head of the organizational committee of our international conference. On behalf of the organizing committee I am glad to welcome the honorable participants and guests.

Managers of the Project “Borders for people” with great pleasure want to announce that the forum attended by representatives of various structures from border regions. In particular, there are academicians, businessmen, NGOs’ leaders, representatives of the media and others. They are the people who have considerable experience in cross-border cooperation. The best of them will become experts of the project.

We are proud that among us are veterans - the organizers of CBC in 90 years, those who forged bilateral ties, developed border infrastructure, creating the Carpathian Euroregion. We have to learn much from them.

Very positive is the fact that the international conference attended by delegations of state authorities and local self-government from the regions participating in the project. This is the key to our common and effective cooperation.

We are honored that the invitation to participate in the forum took my colleagues - the heads of diplomatic missions from all, I should underline that all participating countries. Among them are Consul General of Romania in Chernivtsi Mrs. Tetyana Popa, Consul General of Slovakia in Uzhgorod Ing. Marián Sládeček, Consul General of Hungary in Uzhgorod Mr. József Bacskai. Their participation is the evidence of great attention and interest of the governments of Romania, Slovakia and Hungary, as well as the European Union in general, to the successful development of good neighborhood relations with Ukraine.

So once again welcome all!

*S. Ustych,  
director of the Institute for transborder cooperation,  
project coordinator, Project “Borders for people”  
Conference Chairman*

## **Welcome speech.**

### **Dear participants of the International Conference!**

Silver Earth as Transcarpathia used to be figuratively called is a unique area both in terms of its history, culture, poly-ethnicity and the socio-economic and socio-political life.

Practice shows that cross-border cooperation in recent years become increasingly important as an integral part of the European integration course of Ukraine. Good-neighborhood relations of cross-border nature are built on establishing and deepening of economic, social, scientific, technical, environmental, cultural and other relations, which are declared in cooperation agreements, protocols of intentions and number of joint cross-border projects.

Generally accepted in the expert community is that for long time cross-border cooperation between Zakarpattia oblast and neighboring regions serves as an example of civilized and pragmatic inter-regional cooperation.

It should be noted that the cross-border cooperation takes place at different levels: between regions, between regional authorities, between local authorities at the institutional level and within the Carpathian Euroregion, programs for cross-border cooperation.

The basis for cooperation is the existing legal regulatory framework and agreements at the level of regions, cities and districts. First of all it is agreements between Transcarpathian regional state administration and authorities of neighboring regions of EU member states.

On implementation of these agreements there are held meetings of intergovernmental commission for transborder cooperation, resolved problem issues and developed Concepts on cooperation.

Cooperation focuses in the areas of economy and regional development, coordination of joint preparation and implementation of projects under ENPI CBC, joint presentations at regional fairs and exhibitions in the fields of culture, education and social services. Also it is declared a common interest in supporting the development of minorities, small and medium enterprises, investment, labor market and employment, support cooperation of local government.

European Commission under the program “Ukraine - Slovakia - Hungary - Romania” 2007-2013 learned projects on reconstruction of checkpoints at the Ukrainian-Slovak border, the Ukrainian-Hungarian border, the Ukrainian-Romanian border and allocated 20.4 million euro.

Transcarpathian Regional State Administration is actively involved in the ENPI CBC Programme “Ukraine-Poland-Belarus” 2007-2013. It was ensured representation of oblast’s interests at the evaluation and monitoring committees meetings. There is an active training for potential recipients and beneficiaries to participation in the Neighborhood Programmes via informing, advising and conducting training programs on project management.

In order to intensify cooperation with the international donor organizations Transcarpathian regional state administration continually brings to the business community, NGOs and businesses received from international organizations information about available programs in this field, disseminates information about international funding opportunities for international youth projects, projects on environmental protection, tourism, educational and training programs through light out in the media, at meetings, seminars and during personal consultations.

In order to synchronize programs on both sides of the border Transcarpathian, Lviv, Volyn regional State administrations, Marshals of Podkarpackie and Lubelskie woivodships discussed the need to develop strategies for cross-border cooperation till 2015 with participation of five border regions.

In the region today are two major cross-border cooperation programs: The ENPI CBC Program “Hungary - Slovakia - Romania - Ukraine” 2007-2013, with total budget of 68,638,283 euro, and the ENPI CBC Program “Poland - Belarus - Ukraine” 2007-2013, with total budget of 202.9 million euro (including 186.2 million euro - the EU co-financing). Under the results of the first call of proposals within “Hungarian” program from nearly 150 projects were selected 47, 13 of which are prepared and submitted by entities from Zakarpattia region, with total value approximately 6.5 million euro. As a result of “Polish” program were selected 21 projects, this time the financial efficiency of the program for Transcarpathian region was not as considerable as the “Hungarian” program, because Transcarpathians act in projects only as partners.

Zakarpattia oblast is also active in cooperation with individual regions of Europe, the EU and the CIS, particularly in the framework of the signed

agreements with the county of Maramures and Satu Mare (Romania), regions of Szabolcs-Szatmár-Bereg and Hevesh (Hungary), Košice and Presov regions (Slovakia) , Podcarpacke Voivodship (Poland), region of Oberfranken (Germany) and the Region Vysochyna (Czech Republic). We are expecting also new agreements with the region of South Tyrol (Italy), Burgheland (Austria), Vukovarsko-Srems County (Croatia), Khanty-Mansiysk Autonomous Okrug - Yugra and Kaliningrad Region (Russian Federation).

Conducting the international events, including scientific and practical conference «The efficiency of cross-border cooperation through international monitoring and coordination of national entities' activity “ confirms the actuality of cross-border cooperation and partnerships between national actors and between partner organizations, institutions, communities of the borderland.

Let me sincerely congratulate you and wish you fruitful work, new friends, partners, bright unforgettable memories of stay at our Silver Earth.

*Ernest Nuser,  
Head of the main department of  
European integration, foreign  
relations and tourism of the Transcarpathian  
Regional State Administration*

## SYSTEM OF INDEXATION AND MONITORING OF TRANSBORDER COOPERATION AT THE NEW EASTERN BORDER OF THE EUROPEAN UNION

System of indexation and monitoring of transborder cooperation in Europe (SIM) is a bundle of theoretical and organizational - practical activities, ensuring the correct evaluation and comparison of general and unique traits, as well as development trends of transborder cooperation within the various regions of Europe, with the goal of increasing its effectiveness, primarily through optimizing its governance.

System of indexation and monitoring of transborder cooperation in Europe (SIM) *is a universal model for analysis and optimization of transborder cooperation management* both at the new Eastern border in general and in its separate segments in particular [1, 47-54].

The employed set of indices and their quality and quantity indicators maximally consider methodological approaches approved by institutes of the European Union (in particular, by Directorate General on Regional policy) and introduced by them into program planning at the new Eastern border, first of all during developing the ENPI program.

But SIM is not limited to only this array of information. For the first time it provides a *synthetic analysis* of qualitative and quantitative sides of transborder cooperation, thus enabling maximally *full and adequate information* about this phenomenon.

Having such information at their disposal the management subjects at different levels have the opportunity to develop and make the *most effective political decisions*.

The proposed set of *assessment criteria* (for example, statistical evaluation) can be partly modified depending on concrete conditions of application. However, to *secure correctness if comparative analysis* of transborder cooperation development level in various segments of the new Eastern border of the EU its main criteria in all cases of practical application *should be the same*.

MIS includes two sub-systems: Subsystem I. Theoretical Actions algorithm and Subsystem II. Practical realization of SIM.

### **Subsystem I. Theoretical Actions algorithm**

#### ***A) Definition of basic notions***

**Object** of indexation and monitoring – transborder cooperation in Europe

The European meaning of Transfrontier Cooperation (TFC) is also synonymous with Cross Border Cooperation (CBC), and denotes any joint actions aimed at strengthening and deepening neighborly relations between territorial communities and authorities, which exist under the jurisdictions of two or more parties and, to this end, the formation of necessary treaties and agreements.

The European Union has designated the following aspects of renewed transfrontier co-operation, including on the new Eastern border, as strategic:

- Assisting the economic and social development of border territories;
- Conducting joint efforts to resolve important issues such as environmental protection, health issues and the fight against organized crime;
- Supporting the development of effective and secure borders, as well as combating illegal immigration;
- Facilitating people to people contacts [see 3].

Transborder cooperation is an effective means of resolving many regional problems. But it may be only an auxiliary, complementary factor in regional development. It should be emphasized because, as practice shows, sometimes regional elites and population, especially in Eastern European border areas, form inflated expectations about the results of transborder cooperation. It is perceived as a kind of panacea for all ills, the chief and universal means for the region to exit from the crisis.

Of course, these expectations are unbounded. Transborder cooperation (TFC) can not replace internal resources of the border region, government support for its development, although when being properly organized, it certainly becomes very efficient.

- Indexation of TFC – *is a tool of political analysis of transfrontier cooperation based on index construction method* [ see 4].
- Index (from Latin *indico* – I indicate) of TFC – is an indicator (relative value, expressed in unit fractions or percents) that *quantitatively*

*characterizes dynamics of transborder cooperation as well as serves for its comparison in various regions of Europe.*

- General TFC index – an indicator of the development level of the object in general.
- Special index of TFC– an indicator of the development level of specific group of object parameters
- Single index of TFC - is an indicator of the development level of specific (individual) object features.
- Monitoring (from Latin monitoring - admonitory) of TFC – is a process of tracking the changes undergoing within the object during the specific time span.

### ***B) Index construction***

***General index is constructed on the basis of parameter indices by way of their composition and definition of average index. It is defined on a scoring scale.***

***Special indices are based on the basis of single indices by way of their composition and definition of average parameter. They are defined on a scoring scale. In relation to general indices the special indices are regarded as sub-indices.***

### **Special indices of the general index are:**

- Geographic and demographic environment
- historic, political and spiritual factors
- legal basis
- conflict-causing factors - risks and challenges
- infrastructural characteristics
- interpersonal relations
- economic cooperation
- criminal fight
- improvement of environment quality

***Single indices are constructed on the basis of quantity and quality measurements (assessments) of specific object features. They are defined on a scoring scale. Single indices are sub-indices in relation to general and private indices.***

Single indices are *concretized by minimal units – indicators.*

**Single indices of special indices are the following:**

- **Single indices “Geographic and demographic environment”**

1) Commonality and difference of geographic resources.

*Quality indicators:*

- geographic location
- climate

*Quantity indicators:*

- Territorial units land area (sq. km)
  - Average air temperature per year
  - quantity of precipitation per year
- 2) Basic characteristics of population

*Quantity indicators:*

- number of inhabitants (persons)
- out of which: urban (persons, %)
- out of which: rural (persons, %)
- population density (people/sq km)

3) Natural population fluctuation and distribution of inhabitants by age.

*Quantity indicators:*

- Natural growth / loss (persons)
- Migration Growth / loss (persons)
- migration per 1,000 inhabitant
- Total Growth / loss (persons)
- Total growth / loss per 1,000
- Productive population (age 0-14) (persons, %)
- Productive Population (age 15-64) (persons, %)
- Post-productive Population (age over 65) (persons, %)
- Ageing index

4) Settlement structure by population size:

*Quantity indicators:*

- 1-499 inhabitants
- 500-1,999 inhabitants
- 2000- 49,999 inhabitants
- over 50,000 inhabitants
- total

● **Single indices of the “Historic, political and spiritual factors”:**

1) Commonality and difference in historical destiny of border areas.

Were they part of one and the same state formation in the past?

*Quality indicators:*

- if yes, of which exactly

*Quantity indicators:*

- if yes, how many times
- 2) Commonality and difference of political systems

*Quality indicators:*

- comparative analysis of political systems
- 3) Commonality and difference of geopolitical orientation

*Quality indicator:*

- comparative analysis of geopolitical orientations of neighboring states
- 4) Commonality and difference of ethnical structure

*Quality indicators:*

- analysis of ethnical genealogy

*Quantity indicators:*

- quality characteristics of ethnical groups resident at border areas
- quality of inter-national marriages
- quality of relatives by ethnic line resident at border areas of neighboring states
- 5) Commonality and difference of languages, used by population of border areas.

*Quality indicators:*

- what is the language group of the languages used at border areas

*Quantity indicators:*

- number of persons with this or that native language
- number of persons speaking several languages used by the population of the border area
- 6) Commonality and difference of confession of border area residents.

*Quality indicators:*

- attitude to the system of beliefs (Christianity, Islamism etc.)

*Quantity indicators:*

- number of believers of this or that confession
- number of religious buildings used by believers of this or that confession

● **Single indices “Legal basis”:**

- 1) Settling of political and legal status of borders. Were intergovernmental agreements on borders entered into?

*Quality indicators:*

- stability of political and legal status of borders

*Quantity indicators:*

- number of intergovernmental agreements regulating border relations
- 2) Was border delimitation and demarcation carried out?

*Quality indicators:*

- available intergovernmental agreements on border delimitation and demarcation
- 3) Is there special intergovernmental agreement regulating simplified border crossing by people and goods?

*Quality indicators:*

- if yes, analysis of its quality
- 4) Did neighboring states adopt laws regulating rights (including dual citizenship) of fellow-countrymen abroad?

*Quality indicators:*

- if yes, analysis of its quality
- 5) Level of power of state territorial authorities and local self-government bodies of border areas to carry out transborder activity

*Quality indicators:*

- level of conformity to European standards
- 6) Are there agreements on cooperation of border areas (administrative – territorial units)?

*Quality indicators:*

- if yes, define their quality

*Quantity indicators:*

- if there are, how many
- were special intergovernmental bodies set up (for instance, bilateral committees) on transborder cooperation (in general or on specific topics)

*Quantity indicators:*

- if they were set up, how many
- 7) Were there special inter-governmental authorities (like bilateral commissions) on transborder cooperation set up (in general or on its particular directions)?

*Quality indicators:*

- if yes, analysis of their tasks

*Quantity indicators:*

- if yes, define their number

● **Single indices “Conflict causing factors – risks and challenges”**

- 1) Were there wars of armed conflicts in the history of neighboring states relations?

*Quality indicators:*

- do neighboring states belong to zones of increase geopolitical activity?

*Quantity indicators:*

- if there were wars or armed conflicts, how many
  - if wars or armed conflicts generated human losses, how many
- 2) Characteristics of military-political relations among neighboring states. Do they belong to any political block?

*Quality indicators:*

- analysis of military policy of neighboring states
- 3) Level of militarization of border areas

*Quality indicators:*

- high, middle, low
- 4) Existence or absence of border disputes

*Quality indicators:*

- stability of border delimitation

*Quality indicators:*

- if there were disputes, define their number
- 5) Existence or absence at border areas of ethnic conflicts in the past and in the present

*Quantity indicators:*

- if there were or there are ethnical conflicts, define how many
  - if ethnic conflicts generated human losses, define how many
- 6) Existence or absence at border areas of conflicts on inter-confessional ground in the past and in the present

*Quantity indicators:*

- if conflicts on inter-confessional grounds took or take place, how many
- if conflicts on inter-confessional grounds generated human losses, how many

● **Single indices “Infrastructure and organizational characteristics”**

- 1) Level of development of existing border infrastructure and management

*Quality indicators:*

- existence of state program of border management
- level of interaction of regions and neighboring states border authorities on management and effective functioning of the border
- geographic conditions for transport development
- level of development of regional transportation network (rail, road, water), and road connections between border regions
- existence of Trans-European corridors in the cross border regions

*Quantity indicators:*

- quantity of check points per 100 km of border
  - level of their passenger and freight crossing capacity
  - time necessary to cross the border at the check point
  - number of staff working at the check point
  - quantity of kilometers of roads per 100 sq.km of border area
  - number of service objects (fuel stations, hotel, shops, restaurants) per 100 sq.km. of border area
- 5) Level of abuse of official position (non-ethical behavior, corruption etc.) on part of check point staff and efficiency of control authorities to take preventive measures.

*Quality indicators:*

- level of legal provision for fighting abuse of official position (conformity to European standards)

*Quantity indicators:*

- number of official appeals of citizens against staff actions
  - number of officials from the check point staff who was held administratively and criminally liable
- 6) Level of activities to improve existing border infrastructure

*Quantity indicators:*

- number of border-crossing points upgraded according to mutual assessment of local requirements.
- number of projects enhancing the accessibility of the Eastern border.
- number of proposals for further infrastructure developments designed to improve border accessibility.
- number of new cross border public transports created.

• **Single indices “Interpersonal relations”**

- 1) Intensity of personal contacts of border area residents

*Quantity indicators:*

- number of border area residents crossing the border per year

- number of crossing the border per year by border areas residents
- 2) Characteristics of legal regimen of border crossing by border area residents

*Quality indicators:*

- visa free regimen
- visa regimen
- simplified visa regimen
- 3) How legal regimen of border crossing by border area residents is functioning?

*Quality indicators:*

- how difficult is the procedure to prepare necessary documents to obtain visa (other document allowing crossing the border)

*Quantity indicators:*

- number of refusals to grant visa which are received by border area residents from consular offices
  - a) in absolute terms
  - b) in percentage to visa applications
- how long does it take for the consular office to consider a visa application
- 4) Possibilities for communication of border area residents by way of mail

*Quantity indicators:*

- how long does it take for a piece of mail to travel from one border region to the other by:
  - a) regular post
  - b) delivery service
- 5) Possibilities for communication of border area residents by way of phone (fixed and mobile)

*Quantity indicators:*

- number of fixed phone subscribers (per thou inhabitants) in the border areas
- number of mobile phone subscribers (per thou inhabitants) in the border areas
- operator network mobile coverage (in % to 100% of border area)
- 6) Possibilities for communication of border area residents by way of internet

*Quantity indicators:*

- Number of internet subscribers (per 100 inhabitants) of border regions

- 7) Possibility for a border region to pull in TV programs broadcasted from the neighboring state

*Quantity indicators:*

- number of border area residents having the possibility to watch TV programs broadcasted from the neighboring country, with regular antenna
- number of border area residents having the possibility to watch TV programs broadcasted from the neighboring country, with satellite antenna

- 8) Possibility for a border region to pull in radio programs broadcasted from the neighboring state

*Quantity indicators:*

- number of border area residents having the possibility to listen to radio programs broadcasted from the neighboring country
- 9) Encouragement of the practice of civil partnership in strategic and project planning.

*Quantity indicators:*

- number of official bodies involved in partnerships agreements establishing permanent relations.
- number of partnerships agreements establishing permanent cross-border relations.

- 10) Increasing mutual understanding of various groups of the society

*Quantity indicators:*

- number of citizens and NGOs involved in cultural projects.
- number of joint cultural / sports / environmental events promoting regional identity.

- 11) Support of know-how exchange.

*Quantity indicators:*

- number of agreements between border area universities, research centers on joint scientific research and development
- number of exchange programs for local school teachers and research associates from research and educational institutions, for local municipalities, national minority groups, youth etc.

- 12) Various types of joint small-scale actions.

*Quantity indicators:*

- number of joint activities, aimed at sustaining common identity and traditions of local communities .
- number of joint activities, aimed at support of local folk-art and handicraft.
- number of joint activities, aimed at sport and cultural events.
- number of joint environmental awareness campaigns and knowledge transfer events.
- number of joint activities aimed at promotion of the practice of civil partnership in strategic and project planning.

● **Single indices “Socio-economic cooperation”**

1) General economic characteristics of border areas

*Quantity indicators:*

- gross Domestic Product (m€).
- gross Domestic Product per capita (€).
- % of GDP capita of the EU27 average.
- % of national GDP.
- GVA of industrial sector in % of GDP (total m€, total %).
- GVA of agricultural sector in % of GDP (total, total %)
- GVA of services sector in % of GDP ((total, total %).

2) Employment.

*Quality indicators:*

- quality of normative-legal acts regulating use of foreign workforce

*Quantity indicators:*

- employment rate (%).
- unemployment rate (%).
- total registered number of employees (thousand persons).
- employees in industry (total - thous. persons, % ).
- employees in tertiary sector (total - thous. persons, % ).
- foreign work force used permanently or on seasonal basis (total - number. persons, % of total employment)

3) SMEs.

*Quality indicators:*

- quality of normative-legal acts regulating activity of small and mid-size business (taxation, customs duties etc.)

*Quantity indicators:*

- number of SME at territorial units.
- number of SME per 1000 inhabitants.

#### 4) Infrastructure basis for business

##### *Quantity indicators:*

- number of business innovations
- number of trade and logistical centers
- number of business incubators
- number of business parks

#### 5) Border trade

##### *Quality indicators:*

- Quality of normative – legal acts regulating border trade (taxation, customs duties etc.)
- Level of local authorities support (available preferential regimen for economic activities in the region)

##### *Quantity indicators:*

- amount of border trade (€).

#### 6) Investments

##### *Quality indicators:*

- Quality of normative – legal acts regulating investment activity (taxation, customs duties etc.)
- Level of local authorities support (available preferential regimen for investment activities in the region)

##### *Quantity indicators:*

- amount of investments per period (€).

#### 7) Joint ventures

##### *Quality indicators:*

- quality of normative - legal acts regulating investment activity of joint ventures (taxation, customs duties etc.)
- level of local authorities support (available preferential regimen for joint ventures in the region)

##### *Quantity indicators:*

- number of joint ventures
- output of products produced at those enterprises

#### 8) Joint use of natural resources (oil, gas, water, timber, fish etc.)

##### *Quality indicators:*

- are there intergovernmental (interregional) agreements on joint use of natural resources

*Quantity indicators:*

- number of companies active in joint exploitation of natural resources
- amount of product output produced by these companies

9) Tourism

*Quality indicators:*

- level of use of benefits of border areas rich in natural and cultural values aimed at increase of visitors quantity

*Quantity indicators:*

- number of tourist objects
- ranging tourist objects by level of service
- if there is an opportunity for tourists to stay throughout the year
- number of arrived tourists (persons)
- number of overnights
- number of overnights per one tourist arrived
- number of tourism infrastructure objects (hiking and bicycle trails, ski trails etc.)
- number of multilanguage tourist publications, informational brochures, web sites, signs and info boards
- number of tourist festivals
- number of educational institutions active in tourist staff training (hotel management, national cuisine etc.)

10) Shadow economy and corruption

*Quality indicators:*

- factors generating shadow economy and corruption

*Quantity indicators:*

- share of shadow economy in the general structure of border regions economy
- number of citizens held criminally liable for corruption (per 100 thou citizens)

• **Single indices “Combating criminal”**

1) Illegal migration

*Quality indicators:*

- factors promoting illegal migration
- quality of legal normative acts which secure prevention of illegal migration, in particular, intergovernmental agreements on extradition

- level of interaction of law enforcement authorities of neighboring countries on preventing illegal migration

*Quantity indicators:*

- expert assessment of number of persons crossing the border illegally per year
- number of persons kept in custody when crossing the border illegally
- number of persons kept in custody when crossing the border illegally and kept in temporary facilities
- number of persons extradicted per year

2) Smuggling

*Quality indicators:*

- factors contributing to smuggling
- quality of normative-legal acts against smuggling
- level of interaction of law enforcement authorities of neighboring countries on anti smuggling

*Quantity indicators:*

- expert assessment of cost of goods imported (exported) by smuggling per year
- cost of goods seized while being imported (exported) by smuggling per year
- number of joint operations of law enforcement agencies (in particular, border agencies) to prevent smuggling of goods when importing (exporting)
- number of persons hold criminally liable for attempt of smuggling goods when importing (exporting) per year
- **Single indices «Enhance environmental quality»**
  - 1) Improvement of environmental protection, sustainable use and management of natural resources

*Quality indicators:*

- improving the management of natural resources, including natural park and forest management
- protection of landscape, biodiversity and eco-system protection
- promoting sustainable use of natural resources
- improvement of water quality and protection of water resources

- joint planning activities and possibly pilot projects on consolidation of eroded river banks
- development of technologies for rehabilitation of ecosystems for further mine exploitation
- joint planning activities in the field of environmental protection and management
- improving transborder energy interconnections as appropriate
- promotion of measures to increase energy efficiency and energy savings
- establishment of infrastructure and experimental network for renewable energy production (wind, biomass and geo-thermal sources)
- improvement of air quality
- joint recycling initiatives
- planning and design of effective waste collection and processing systems
- planning and design for effective treatment of wastewater including alternative ways
- survey and planning of site cleanups
- small scale actions of communities and civil organizations aiming at enhancing responsibility, knowledge increase and awareness raising to environmental and nature protection issues

*Quantity indicators:*

- number of intergovernmental (interregional) agreements of environment protection
  - number of projects with a direct positive impact on ecosystems and natural resources
  - number of tools/methods/model solutions developed/tested to protect or enhance environment
  - number of joint planning activities
  - number of operating networks about environment
- 2) Reduction of risks of damages to natural environment

*Quality indicators:*

- harmonizing activities in the field of flood prevention (creation and/or harmonising of flood forecast system, establishment of water

catchment area level monitoring systems for this purpose, joint development of staff, structures and strategies)

- setting up joint early warning systems for fire, avalanches, or other natural disasters incidents
- strategic and technical planning and establishment of joint monitoring systems on
- environmental (air, water, soil) pollutions
- increasing awareness and knowledge and developing skills to develop local and regional strategies to prevent and mitigate the impact of global climate change and to adapt to the local impacts of those changes, in the form of joint training programmes and workshops.

*Quantity indicators:*

- number of intergovernmental (interregional) agreements on preventing emergencies or participation of parties in emergency response
- number of institutions (authorities or professional associations) involved in cross-border emergency systems
- number of trainings for professionals of emergency
- number of networks designed ready to be operational

## **Subsystem II. Practical implementation of MIS**

### *A) Set up of the Monitoring Committee (MC)*

The MC is set up according to the EU standards [see. 5] to carry out observation and control over MIS. Depending on the territorial scale its composition may be different, but in any way they include representatives of state authorities and local self – government bodies, as well as civil society institutions.

### *B) Set up of regional working groups and editorial committee*

Regional Working Groups (RWGs) and the editorial board (EB) solve the main practical tasks of the SIM.

RWGs are set up according to main lines of SIM from representatives of state agencies, local governments and civil society institutions of transborder regions, but experts also play important role there. Number of RWGs depends on the scale of the tasks.

The EB is composed of representatives of all regional working groups.

## *B) SIM stages*

The Monitoring Committee, specialized Working Groups and the Editorial Board as SIM authorities carry out their work in several stages.

### **Stage one – collection of information and data.**

Information can be *primary and secondary*.

*Secondary* information includes:

- statistical data on transborder processes;
- data from reports of various departments of central and local authorities about regional development
- survey of experts on various aspects of cross-border cooperation;
- texts of legal documents regulating cross-border activity and regional processes, and so on.

For *primary* data seminars on various aspects of cross-border cooperation should be conducted. Results of sociological polling are very important. Recommendations of *public consultations* could be applied. The results of the discussion of transborder cooperation on the *website* should be analyzed as well.

### **Stage two – analysis of received information and data.**

At this stage information and data are generalized and systematized, and their archiving is carried out.

### **Stage three – reporting**

This stage foresees compilation of the gathered data and their submission in the form of reports.

### **Stage four – assessment – indexation of results**

According to the EU practice three types of assessment – indexation are carried out:

- 1) Preliminary (*ex-ante*) – for assessing the starting position in transborder cooperation development: how it influences the status of target groups and contributes to improvement of the general situation in border regions?
- 2) Intermediate (*ex-mid*) – should answer the question whether transborder cooperation develops the right way, whether its management is efficient?
- 3) Final (*ex-post*) – is carried out once a specific period of transborder cooperation development is completed and therefore is aimed at assessment of its long-term influence on the status of target groups and border regions in general.

At this stage comparative assessment of results and forecasted indicators is carried out.

#### **Stage five – identification of results**

At this stage definition of positive (pluses) and negative (minus) sides of transborder cooperation development is carried out in one or several regions of Europe.

#### **Stage six – definition of reasons of pluses and minuses of transborder cooperation**

The task of this very important stage is to carry out a deep analysis of transborder cooperation process, develop sources of its positive and negative genesis.

#### **Stage seven – definition of way to optimize transborder cooperation**

At this stage a search for, metaphorically speaking, required medicines for transborder cooperation takes place, in other words, of political, organizational, material, financial and other means to increase efficiency of transborder cooperation.

#### **Stage eight – political conclusions**

At this stage the previously made conclusions as to: a) neutralization or at least minimization of existing as well as preventing emergence of new negative sides of transborder cooperation, and b) maximal encouraging of positive sides acquire a form of *political recommendations* to the subjects at various management levels in the form of a *speech*.

#### **Stage nine – presentation of the Report**

The presentation takes place by means of presenting the content of the SIM results to representatives of state authorities, local self – governance, civil society institutions, and wide public. Forms of speeches may vary according to the need (extended publication, brochures with maps, web site report etc.).

## **References**

1. Транскордонне співробітництво як альтернатива новій «залізній завісі» та конфліктам. – Ужгород: Карпати, 2007.
2. European Outline Convention on Trans-Frontier Cooperation Between

- Territorial Communities or Authorities from Madrid, 21.05.1980. – Brussels, 1981.
3. Trans-European Cooperation between Territorial Authorities. New challenges and future steps necessary to improve cooperation. - Brussels, 2005.
  4. Kenneth D. Bailey. Quantitative Methodology. – 21st Century Sociology. Volume 1. SAGE Publication, Thousand Oaks – London – New Delhi, 2007.
  5. Social Diagnosis 2007. Edited by Janusz Chapinski, Tomasz Panek. Warsaw, 2008.

## **TOPICAL ASPECTS OF LEGISLATIVE ENVIRONMENT OF TRANSBORDER COOPERATION IN UKRAINE**

*The article deals with peculiarities of legislative environment of transborder cooperation in Ukraine. Main international and national legal acts which provide for transborder cooperation efficiency at various levels are analyzed. Harmonization of the legislation of Ukraine with in accordance with European legal norms is emphasized.*

**Key words:** *transborder cooperation, contractual legal framework, wide-European norms and principles, Madrid Convention, Euroregion cooperation, Transcarpathian region.*

**Topicality of research.** Transborder cooperation problematic has been receiving a lot of attention since late last century. However in the aftermath of 2004 – 2007 some aspects of transborder cooperation functioning, especially at Ukrainian – European Union border areas under the new visa conditions are not sufficiently studied.

Transborder cooperation in contemporary geopolitical, economic and socio-cultural conditions is an efficient mechanism of Euroregional cooperation, joint problem solving, especially in border regions, and of deepened interrelation between neighboring states.

Such kind of cooperation could be efficient only in case sufficient legal environment is in place both at the national level and at the level of international acts. It is the selected aspects of transborder cooperation legal environment that this study deals with.

**Aim of the study** – to identify and describe peculiarities of evolvement and development of transborder cooperation legal environment.

**Overview of research results.** Legal environment of transborder cooperation in Europe and Ukraine is carried out on the basis of the following norm creating levels:

- International (legal acts of international institutions);
- Intergovernmental (international agreement of two or several states);
- National (legal acts of central state authorities);
- Local which could be divided into two types: legal acts of local state executive authorities and acts of local self government authorities.

When the role of decentralization and local authorities empowerment in the country's development increase, the regional level is worth attention. Territorial communities or authorities have the right to carry out transborder cooperation on the adjacent areas within the scopes set by national legal systems of stakeholder countries. It is justified that transborder relations do not fall under the state competence in the international relations sphere. Local authorities can cooperate with the corresponding authorities of other states within their competence according to the legislation, international liabilities and state foreign policy. Regions have the right within their competencies to conclude transborder cooperation agreements.

Formation of legal environment for transborder cooperation is the issue for first of all for the central state authorities, as well as for those states which have adjacent areas and are interested in developing such kind of relations. Legal act provisions should solve a lot of problems in terms of economy, culture, environment, information technologies, as well as to provide harmonious functioning of border areas and normative basis of cooperating parties. On the legislative level functions and authorities should be divided of local self-self governing authorities, local and central executive authorities as to transborder cooperation. The issue of territorial affiliation and administrative subjectivity should be clarified in the transborder cooperation system, as well as the level of competence of local authorities engaged in transborder cooperation and their relevant organization structure [1].

Wide-European norms and principles became the basis for transborder cooperation development in Ukraine with the Central – European countries.

It should be noted that normative- legal basis for transborder and Euroregional cooperation of Europe is full fledged and based on the strong institutional foundations.

Basic normative documents are: ***European Outline Convention for Trans-Frontier Cooperation between Territorial Communities or Authorities*** (Madrid, May 1980) and two additional protocols to it.

Additional protocol to the European Outline Convention for Transfrontier Cooperation between Territorial Communities or Authorities (Strasbourg, November 1995) and Protocol No 2 to the European Outline Convention for Transfrontier Cooperation between Territorial Communities or Authorities referring to inter-territorial cooperation (Strasbourg, May 1998) [2]. Other not less important document is ***European Charter of border and transborder regions*** (Gronau, 1981, II edition 1995) [3]. These documents form the conceptual frameworks as to inter-territorial, interregional and transborder cooperation, identify main “rules of the game” in transborder cooperation implementation, provide the set of typical agreements and other documents where signatories are the territorial authorities of the neighboring country border regions or the states themselves [4].

European Outline Convention for Transfrontier Cooperation between Territorial Communities or Authorities (Madrid Convention) and additional protocols to it are of particular interest.

European Outline Convention for Transfrontier Cooperation between Territorial Communities or Authorities has a basis character because of its international – legal status. It is in article two of the Convention that the term “transfrontier cooperation between territorial communities or authorities” is defined. According to this article, “transfrontier cooperation is any joint actions aimed a strengthening and deepening of good neighborly relations between territorial communities or authorities which are under jurisdiction of two or several Contractual Parties and at concluding with this aim of any necessary contracts or agreements made”.

Practical implication of the Council of Europe Madrid Convention is defined by its annexes as well. In Annex No 4 “Transborder agreements” typical international and framework agreements are outlined. The first include the following:

- On transborder cooperation development;
- On transborder regional relations;
- On transborder cooperation on contract basis between local authorities;
- On agencies of transborder cooperation between local authorities

Framework agreements in turn include statutes and agreements between regional authorities, including:

- On creation of consultative working groups between local authorities;

- On coordination of transborder local issues managements;
- On creation of transborder associations based on private law;
- On supply of goods and services between border region local authorities;
- On creation of transborder cooperation agencies between local authorities.

European general legislation as to regional cooperation development includes *European Local Self-Governance Charter* (Strasbourg, October 1985), [5], *Charter of the Local and Regional authorities of Europe Congress* (approved by the Cabinet of Ministers on January 14, 1994). All European border areas are governed by the basis provisions stated in the European Charter of Regional Spatial Planning [6]. Peculiarities of border areas development are reflected in the *European Regional Planning Strategy*.

Among other conventions and charters governing various spheres of life one should first of all mention the Kyoto convention on customs procedure simplification and harmonization, which has 30 annexes looking at various situations for unification and simplification of customs rules and procedures in crossing borders of different countries; Convention about intermodal transportation and other agreements regulating relations in transport sphere; European Charter of regional languages and minority languages (Strasbourg, 1992), in particular in the part relating to transborder exchange; European landscape convention which mentions transborder landscapes and many others.

Accession to the above mentioned European legislative acts expands the legal environment for transborder cooperation, allows legislation norms of Ukraine to fix responsible regional authorities for jointly undertaken decisions, control over implementation of measures resulting from transborder cooperation agreements, and expands legal norms of European transborder cooperation convention between territorial communities or authorities over transborder cooperation [7].

*National legislation of Ukraine* as to transborder cooperation includes first of all the Law of Ukraine “On transborder cooperation”[8], international agreements, conventions, charters, ratified by Ukraine, bilateral and multilateral agreements signed by Ukraine and neighboring states.

Let us look at the main aspects of the basic Law regulating transborder cooperation of Ukraine. The Law of Ukraine “On transborder cooperation” (No 1861-IV) was adopted with the aim to regulate processes of concluding transborder cooperation agreements by local self-governing authorities and local executive authorities and their practical implementation. Provisions of this law identify the main content of transborder cooperation of Ukraine.

According to the Law of Ukraine “On transborder cooperation” the concept “transborder cooperation” is defined as joint actions aimed at establishing and deepening of economic, social, scientific-technical, environmental, cultural and other relations between territorial communities, their representative authorities, local executive authorities of Ukraine and territorial communities, corresponding authorities of other states within competences defined by their national legislation.

It is this law that regulates legal, organizational and economic issues of transborder cooperation development, as well as issues of its state financial support [9].

***Peculiarity of the Law of Ukraine “On transborder cooperation”*** lies in the fact that it identifies tasks, state policy principles, rights and obligations of subjects in transborder cooperation sphere, principles and forms of state support, financial resources for transborder cooperation.

It is very important that no country in Europe has similar law regulating transborder cooperation; European countries are governed in this respect by the Madrid Convention of 1980 provisions.

The Law of Ukraine “on transborder cooperation” also considers geopolitical changes that happened as a result of the EU expansion to the East.

At the same time, negative aspects of the law should not be overlooked. First of all, this document does not place transborder cooperation into regional policy of Ukraine. The other negative factor is that it does not consider change in mechanisms of transborder cooperation support from the EU, especially new partnership instruments and programs (FARE, TACIS, INTERREG). Secondly, it includes controversial legal norms in the part regulating various issued of local authorities’ participation in interregional and transborder cooperation [10]. When assessing the role of the Law “On transborder cooperation” in regional development policy in Ukraine one should also pay attention to how experts assess it controversially [11].

**First of all**, the Law developers could not overcome the view on transborder cooperation as a tool for predominantly economic cooperation. In particular, general coordination of transborder cooperation is delegated by the Law to the specially authorized central executive authority on economic policy. When the Law was developed it was not considered that transborder cooperation is a wider notion covering not only economic cooperation but many other aspects of border area population livelihood.

**Secondly**, the mentioned Law has conserved existing forms of state financial support for transborder cooperation, or, to be more precise, the non-existing state financial support. It does not define sources and mechanism of such kind of support from the state. One should mention that current projects and programs of transborder cooperation being implemented in the border areas in Ukraine are financed by mostly international donors.

On the current stage Verkhovna Rada of Ukraine has taken some positive steps towards improvement of the basic law on transborder cooperation. To remind, on 21.01.2010 the Law “On amendments to the Law of Ukraine “On transborder cooperation” was adopted [12].

The Law amends a range of articles where powers of the specially authorized central executive authority on regional policy (of Ministry of regional policy and construction), specially authorized central executive authority on economic policy of the Foreign Affairs Ministry on the issues of transborder cooperation.

During discussion people’s representatives supported the amendment according to which “for financing of transborder cooperation projects (programs) international technical assistance can be used, as well as loan resources of international finance organizations according to the legislation of Ukraine” [13].

Next step in this direction but on the international level was holding on 7-8.04.2010 in Kyiv on international conference on “Status of legislative and normative support for transborder cooperation”. Conference participants were leading experts and experts from EU countries, including Netherlands, Poland, Slovakia, Hungary and Romania, as well as Moldova and Ukraine.

As conference result, recommendations were submitted to Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine, people’s representatives, local authorities, international and non-governmental organizations [14], including:

6. Regularly and with concrete frequency to hold events to solve transborder cooperation problems in Ukraine. In particular, annually

on the basis of Verkhovna Rada of Ukraine Committee on European integration issues, with participation of government, international organization and public.

7. Non-governmental organizations, experts and specialists-practitioners: to submit their proposals as to amendments to normative-legal documents without waiting for conferences or workshop events, but as soon as there are problems and ideas to solving them.
8. Cabinet of Ministers of Ukraine: to carry our coordination, planning and organizational event via relevant subdivision of the Ministry of Economy, including as to activities of other structures of central executive authorities.
9. Local and regional self-governance authorities: by council decisions to implement programs of transborder cooperation development and support of initiatives independently and autonomously
10. Ministry of foreign affairs of Ukraine: to hold negotiations about possible expansion of border areas in Ukraine to increase the area of action of small border traffic to decrease impact of visa regimen on transborder cooperation development.
11. Initiate parliamentary hearings on transborder cooperation to develop the program for 2011 – 2015 and summarizing the active program, which expires this year.

Apart from the Law of Ukraine “On transborder cooperation” other documents play important role as well. In particular on September 15, 2010 Cabinet of Ministers of Ukraine issued an Order No 1838-**p** “*On approval of the Concept of the State transborder cooperation development program for 2011 – 2015*” according to which the Ministry of Economy developed the *State transborder cooperation development program for 2011 – 2015* [15].

The Program aims at activating socio-economic, scientific-technical, environmental, cultural and other relations between transborder cooperation subjects.

The practical value of the mentioned document lies in development of possible scenarios for solving topical transborder cooperation development problems. It also identifies possible sources of transborder cooperation financing.

Strategic documents defining main aspects of Eurointegratoin course of Ukraine are of not less importance for regulating transborder cooperation

of Ukraine with the EU member states. First of all this is a Strategy of Integration of Ukraine to the European Union, National program of integration of Ukraine to the European Union, Action plan Ukraine – EU, decisions and resolutions of annual summits Ukraine – EU and other documents.

It is important to mention that in the aftermath of the EU enlargement in 2004 the European Union works with neighboring states (including Ukraine) in the frameworks of the new foreign policy direction – European Neighborhood policy (ENP) which does not provide and even does not define future membership of the state in the EU, but on the regional and interregional levels it offers privileged relations with the EU to the neighboring states. Starting already from 2007 according to the European Neighborhood Policy the European Commission has changed its approaches as to providing technical and financial aid to the EU neighboring countries. For Ukraine it means that the previous TACIS is replaced by the EU European Neighborhood and Partnership Instrument. Within this context issues of financial assistance are focused in the European Commission reports, which allow understanding how much the regional policy and, in particular, transborder cooperation are financed through target development programs in the Central and Eastern Europe [16].

In addition to the above mentioned basic normative-legal documents the whole complex of normative-legal acts regulating the issue of transborder cooperation on the level of local authorities and self-governance bodies is worth attention. These are the Law of Ukraine “About local self-governance in Ukraine” (from 24.06.1997), “About local state administrations” (from 09.04.1999), “About stimulating regions development” (from 08.09.2005), Decree of the Cabinet of Ministers of Ukraine “About approval of State regional development strategy for the period up to 2015” (from 21.07.2006) which define general legal foundations for participation of local territorial communities or authorities in transborder cooperation.

At the current stage transborder cooperation becomes a powerful instrument of sustainable development of Transcarpathian oblast by way of strengthening interregional and transborder relations, attraction of additional funds into the oblast development in the form of international technical assistance and neighboring countries investments. It also becomes one of the most important elements in shaping the positive investment image of the region. Separate attention should be paid to interregional bilateral

agreements signed between Transcarpathian oblast and border regions of Poland, Slovakia, Hungary and Romania [17].

Bilateral agreements are part of the legislative basis of Ukraine governing transborder cooperation with the EU countries. This is in particular the *Agreement on good neighborhood relations and cooperation between the Republic of Poland and Ukraine* [18] from 18.05.1992, *Agreement on basis of good neighborly relations and cooperation between Ukraine and Hungarian Republic* [19] from 6.12.1991, *Agreement on good neighborhood, friendly relations and cooperation between Ukraine and Slovak Republic* [19] from 29.06.1993, as well as *Agreement about good neighborly relations and cooperation between Ukraine and Romania* [21] from 2.06.1997 p. and others.

In December 2010 The Program of transborder cooperation of Transcarpathian region for 2011 – 2015 was approved. Taking into account location of the latter, one may define the main task which the oblast state administration and oblast council face – this is efficient use of geopolitical and geoeconomic advantages of Transcarpathian oblast as the “external” EU region aiming at fostering economic and social region development.

In particular, Transcarpathian oblast has clearly set priority directions and tasks for transborder cooperation [22]:

- Promote economic, social, cultural development of border areas and active all round transborder cooperation with neighboring countries at oblast and local levels;
- Secure increase of level of life of population and development of social infrastructure of Transcarpathia border areas;
- Deepen cooperation within the Carpathian Euroregion;
- Activate foreign economic activity;
- Create conditions for setting up and operation of joint companies and creating of transborder economic clusters;
- Promote development of small and middle sized entrepreneurship;
- Secure environment protection and environmental safety;
- Develop border infrastructure create conditions for investment attraction.

It is worth paying attention to basic provisions of the following agreements as *Framework agreement about interregional cooperation between Transcarpathian oblast of Ukraine and Kosicky kraj of the Slovak Republic* (1999); *Agreement about cooperation between Presovsky*

*krajsky urad of the Slovak Republic and Transcarpathian oblast state administration of Ukraine (2000); INTERREGIO – Agreement about three-lateral cooperation of Transcarpathian oblast (Ukraine), Satu-Mare povit (Romania) and oblast Szabolcs – Szatmar – Bereg (Hungary) (2000); Framework agreement about interregional cooperation between Transcarpathian oblast of Ukraine and povit Maramoresh of the Republic of Romania; Agreement between Transcarpathian oblast state administration of Ukraine and Pidkarpatske Voevodstvo of the Republic of Poland about transborder cooperation (2000) etc.*

**Conclusions.** Therefore, activities of border regions of Ukraine are based on main laws, European conventions, charters ratified by Ukraine, two- and multilateral agreements signed by Ukraine and EU member states.

Having looked at their aim and content one may state that the legislative basis in effect provides opportunity to use transborder cooperation potential for solving fundamental problems of Ukraine border areas. However one should mention that the existing legislative acts of Ukraine providing for transborder cooperation need to be adapted to standards of the European Union and Council of Europe, including further normative-legal regulation of local authorities powers and delegating them more independence in solving issues of transborder cooperation common with the border EU member states regions.

Accession to the European legislative acts in transborder cooperation sphere expands the legal environment for transborder cooperation, allows legislation norms of Ukraine to fix responsible regional authorities for jointly undertaken decisions, control over implementation of measures resulting from transborder cooperation agreements, and expands legal norms of European transborder cooperation convention between territorial communities or authorities over transborder cooperation.

Despite numerous normative-legal documents regulating interregional cooperation in Ukraine there is no single scientifically justified concept of transborder cooperation which would propose methodological approaches to process development with consideration of not only separate region but national interest as well.

All above mentioned calls for necessity of developing a concept which would be based on corresponding regional development strategies as well as all-European and national priorities.

## References

1. Антоненко М.І. Основні напрями вдосконалення правового регулювання транскордонного співробітництва регіонів України: [Електронний ресурс]. – Режим доступу: [http://www.lex-line.com.ua/?go=full\\_article&id=457](http://www.lex-line.com.ua/?go=full_article&id=457)
2. Європейська рамкова конвенція про транскордонне співробітництво між територіальними общинами або властями та два додаткові протоколи до неї: [Електронний ресурс] // Офіційний веб-сайт Верховної Ради України. – Режим доступу: [http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=995\\_106](http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=995_106)
3. European Charter of Border and Cross-border Regions: [Електронний ресурс] // Association of European Border Regions: Official web-site. – Режим доступу: <http://www.aebr.net/profil/pdfs/charta.en.pdf>
4. Лютак О. Організаційно-правове забезпечення співпраці прикордонних територій у євроінтеграційній стратегії України // Наука молода. - Тернопіль, 2006. - Вип. 3. – С.132.
5. European Charter of Local Self-Government: [Електронний ресурс] // Archive «Peace Human Rights». – Режим доступу: [http://unipd-centrodirittiumani.it/public/docs/self\\_government\\_coe.pdf](http://unipd-centrodirittiumani.it/public/docs/self_government_coe.pdf)
6. European regional/spatial planning Charter: [Електронний ресурс] // Council of Europe: Official web-site. – Режим доступу: [http://www.coe.int/t/dg4/cultureheritage/heritage/CEMAT/VersionCharte/Charte\\_bil.pdf](http://www.coe.int/t/dg4/cultureheritage/heritage/CEMAT/VersionCharte/Charte_bil.pdf)
7. Мікула Н.А. Транскордонне співробітництво регіонів України: стан та перспективи / Н.А. Мікула // Україна: Стратегічні пріоритети. Аналітичні оцінки. – 2006: монографія; за ред. О.С.Власюка. – К.: НІСД, 2006. – С.424.
8. Закон України “Про транскордонне співробітництво”: [Електронний ресурс] // Офіційний веб-сайт Верховної Ради України. – Режим доступу: <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1861-15>
9. Державна регіональна політика України: особливості та стратегічні пріоритети: монографія / за ред. З.С. Варналія. – К.: НІСД, 2007. – 820 с.
10. Засадко В.В. Транскордонне співробітництво України: тенденції, проблеми та перспективи розвитку / В.В. Засадко // Науковий

- вісник Академії муніципального управління: збірник наукових праць. – Серія «Економіка». – 2009. – Вип.7.
11. Артёмов І.В. Транскордонне співробітництво в євроінтеграційній стратегії України: [монографія] / І.В.Артёмов. – Ужгород: Ліра, 2009. – 520 с. – С.72-89.
  12. Закон України “Про внесення змін до Закону України “Про транскордонне співробітництво”: [Електронний ресурс] // Офіційний веб-сайт Верховної Ради України. – Режим доступу: <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1833-17>
  13. ВР ухвалила зміни до закону про транскордонне співробітництво: [Електронний ресурс] // РБК-Україна. – Режим доступу: [http://www.rbc.ua/ukr/newsline/show/vr\\_prinyala\\_izmeneniya\\_k\\_zakonu\\_o\\_transgranichnom\\_sotrudnichestve\\_21012010](http://www.rbc.ua/ukr/newsline/show/vr_prinyala_izmeneniya_k_zakonu_o_transgranichnom_sotrudnichestve_21012010)
  14. Рекомендації міжнародної конференції «Стан законодавчого та нормативного забезпечення транскордонного співробітництва»: [Електронний ресурс] // Інститут політичної освіти. – Режим доступу: [http://www.ipo.org.ua/anons/2010/Rekomendaciji\\_7-8-04-2010.doc](http://www.ipo.org.ua/anons/2010/Rekomendaciji_7-8-04-2010.doc)
  15. Державна програма розвитку транскордонного співробітництва на 2011-2015 роки: [Електронний ресурс]. – Режим доступу: <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1088-2010-%EF>
  16. Гарагонич В.В. Джерельно-інформаційна база дослідження проблем транскордонного співробітництва та участі в ньому України / В.В. Гарагонич // Історичний архів. Наукові студії: збірник наукових праць. – Миколаїв: Вид-во ЧДУ ім. Петра Могили, 2009. – Вип. 3. – 158 с.
  17. Носа Н. Транскордонне співробітництво у Закарпатті: виклики та можливості: [Електронний ресурс]. – Режим доступу: <http://www.smbusiness.uzhgorod.ua/filelib/sou/p32.pdf>
  18. Договір між Україною і Республікою Польщею про добросусідство, дружні відносини і співробітництво: [Електронний ресурс] // Офіційний веб-сайт Верховної Ради України. – Режим доступу: [http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=616\\_172](http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=616_172)
  19. Договір про основи добросусідства та співробітництва між Україною і Угорською Республікою: [Електронний ресурс] // Офіційний веб-сайт Верховної Ради України. – Режим доступу:

- [http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=348\\_004](http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=348_004)
20. Договір про добросусідство, дружні відносини і співробітництво між Україною та Словацькою Республікою: [Електронний ресурс] // Офіційний веб-сайт Верховної Ради України. – Режим доступу: [http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=703\\_150](http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=703_150)
  21. Договір про відносини добросусідства і співробітництва між Україною та Румунією: [Електронний ресурс]. – Режим доступу: [http://zakon.nau.ua/doc/?code=642\\_003](http://zakon.nau.ua/doc/?code=642_003)
  22. Програма розвитку транскордонного співробітництва Закарпатської області на 2010 рік: [Електронний ресурс] // Офіційний веб-сайт Закарпатської обласної державної адміністрації. – Режим доступу: [http://www.carpathia.gov.ua/data/upload/catalog/main/ua/3900/827\\_dod\\_2010.zip](http://www.carpathia.gov.ua/data/upload/catalog/main/ua/3900/827_dod_2010.zip)

#### **F. Vashchuk, O. Vashchuk. Topical aspects of legislative environment of transborder cooperation in Ukraine**

*У статті досліджено особливості нормативно-правового регулювання транскордонного співробітництва України. Аналізуються основні міжнародні та національні нормативні акти, які забезпечують ефективність ТКС на всіх рівнях. Наголошується на приведенні законодавства України у відповідність з європейськими правовими нормами.*

**Ключові слова:** *транскордонне співробітництво, договірно-правова база, загальноєвропейські норми і принципи, Мадридська конвенція, євро регіональне співробітництво, Закарпатська область.*

**TOOLS OF REGIONAL PROMOTION  
OF EUROINTEGRATION OF UKRAINE: EXAMPLE  
OF TRANSCARPATHIA PARTICIPATION IN THE EU  
NEIGHBORHOOD PROGRAMS**

The main trend of transborder cooperation development is its expansion and deepening. However, the practical implementation of this trend is not automatic. It depends on a great scale, on the one hand, on political will of transborder cooperation participants, and on the other hand on the level of scientific support and efficiency of transborder cooperation management.

In the aftermath of great enlargement on 2004 – 2007 Transcarpathia came to be a connecting link between Ukraine and the European Union. Development and improvement of various forms of mutually beneficial transborder cooperation is crucial for the region.

European Union forms its policy of newest neighborhood and as a result evolutionary integration policy and promotion of gradual accession of neighboring countries to the EU as a consistent continuation of previous programs of European cooperation. Programs change by their directions, the modern picture of their financial support for the period of 2007 – 2013 is demonstrated in Table 1.

Table 1

## Transborder cooperation programs ENPI: Financial allocation 2007 – 2013

Land programs	European Development Fund (ERDF), Euro	Regional Fund (ERDF), Euro	European Neighborhood and Partnership Instrument (ENPI), Euro	Total, Euro
Norway / Russia	18.111.973		10.129.045	28.241.018
Karelia / Russia	12.451.980	10.750.527		23.202.507
Finland / Russia	18.111.970	18.073.391		36.185.361
Estonia / Latvia / Russia	23.887.427	23.887.302		47.774.729
Latvia / Lithuania / Belarus	20.887.254	20.869.412		41.736.666
Lithuania / Poland / Russia	76.498.174	55.631.559		132.129.733
Poland / Belarus / Ukraine	114.452.942	71.748.425		186.201.367
Hungary / Slovakia / Romania / Ukraine	40.971.542	27.666.741		<b>68.638.283</b>
<b>Romania / Moldova / Ukraine</b>	63.359.070	63.358.996		<b>126.716.066</b>
<b>Transmarine programs</b>	European Development Fund (ERDF), Euro	Regional Fund (ERDF), Euro	European Neighborhood and Partnership Instrument (ENPI), Euro	Total, Euro
<b>Spain / Morocco North</b>	78.365.971		78.365.568	<b>156.731.539</b>
<b>Transborder cooperation program Atlantic</b>	15.081.167		16.081.083	<b>32.162.250</b>
<b>Italy / Tunisia</b>	12.595.744		12.595.679	<b>25.191.423</b>
Marine basin programs	European Development Fund (ERDF), Euro	Regional Fund (ERDF), Euro	European Neighborhood and Partnership Instrument (ENPI), Euro	Total, Euro
Black Sea	8.652.996		8.652.948	<b>17.305.944</b>
<b>Mediterranean Sea</b>	86.867.277		86.740.047	<b>173.607.324</b>
<b>Baltic Sea</b>	-		22.608.210	<b>22.608.210</b>
<b>TOTAL</b>	591.275.487		527.158.933	1.118.434.420

As it is evident from the above mentioned table Transcarpathia can participate in two neighborhood programs: Poland / Belarus / Ukraine (amount of financing is 186201367 Euro – 16, 6% from the total transborder cooperation programs financing) and Hungary / Slovakia / Romania / Ukraine (amount of financing is 68638283 Euro – 6, 1% from the total financing sum).

The situation by programs is as following (Table 2): Program Poland / Belarus / Ukraine – 61, 5% from European Regional Development Fund (19, 3% from total financing) and 38, 5% from the European neighborhood and partnership instrument (ENPI) (13, 6% from total financing).

**Table 2**

**Structure of financing of programs {Poland / Belarus / Ukraine and Hungary / Slovakia / Romania / Ukraine for the period of 2007 – 2013**

Program types	ERDF funding		ENPI funding		Total funding ERDF and ENPI		Share in two programs sums	
	Funding, Euro	Share in total program funding	Funding, Euro	Share in total program funding	Funding, Euro	Share in total program funding	ERDF	ENPI
Poland / Belarus / Ukraine	114452942	0,193	71748425	0,136	186201367	0,166	0,615	0,385
Hungary / Slovakia / Romania / Ukraine	40971542	0,069	27666741	0,052	68638283	0,061	0,597	0,403
Total all EU neighborhood programs	591275487	-	527158933	-	1118434420	-	0,529	0,471

Program Hungary / Slovakia / Romania / Ukraine forms 59,7% of the European Regional Development Fund (ERDF) (6,9% of total funding) and 40,3% from the European Neighborhood and Partnership Instrument (ENPI) (5,2% of total funding). In total of both programs structure of their funding is: ERDF – 52,9% and ENPI – 47,1%.

Analysis of the given information in terms of EU programs testifies first of all about considerable asymmetry in two program funding. As evident from information materials, Poland / Belarus / Ukraine program by funding indicators exceeds Hungary / Slovakia / Romania / Ukraine program in 2,7 times. Secondly, European Regional Development Fund provides more funds.

### **Program Hungary / Slovakia / Romania / Ukraine, 2007 – 2013**

In the frameworks of the given program the first call took place, which lasted from June 16<sup>th</sup> to September 22<sup>nd</sup> within priorities 1,2,4.

Priority 1. Promotion of economic and social development.

Priority 2. Improvement of environment

Priority 4. Support of people to people cooperation.

Implementation of projects under priority 3 (Border infrastructure development) was carried out by way of direct funding that is beyond contest. Aggregate budget of the 1<sup>st</sup> call was about 14 mln Euro. In total 148 project applications were submitted (table 3).

**Table 3**

### **Applicants (leading partners) by countries and priorities\*, Program of border cooperation of the European Neighborhood and Partnership Instrument “Ukraine – Hungary – Slovakia – Romania”, 2007 – 2013**

Priority	1. Promotion of economic and social development.		2. Improvement of environment		4. Support of people to people cooperation		Total
Country	1.1 Harmonized tourism development	1.2 Creation of better conditions for SME and business development	2.1 Environment protection, sustainable use and natural resource management	2.2 Emergency preparedness	4.1 Institutional cooperation	4.2 Small scale people to people cooperation	
Hungary	13	6	13	2	15	15	64
Slovakia	4	3	4	1	5	5	22
Romania	6	4	7	3	12	3	35
Ukraine	5	3	7	2	7	3	27
Total	28	16	31	8	39	26	148

\* priority 3 is funded not on the contest basis. Source: [1]

Information about submitted application by both direct recipients (leading partners) and as other partners is given in Table 4.

**Table 4**

**Partners (including leading partners) by countries and priorities,  
Program of of border cooperation of the European Neighborhood  
and Partnership Instrument  
“Ukraine – Hungary – Slovakia – Romania”, 2007 – 2013**

Priority	1. Promotion of economic and social development.		2. Improvement of environment		4. Support of people to people cooperation		Total
	1.1 Harmonized tourism development	1.2 Creation of better conditions for SME and business development	2.1 Environment protection, sustainable use and natural resource management	2.2 Emergency preparedness	4.1 Institutional cooperation	4.2 Small scale people to people cooperation	
HU	20	10	21	4	23	18	96
SK	11	6	8	1	14	9	49
RO	15	8	17	3	23	10	76
UA	28	16	31	8	39	26	148
Всього	74	40	77	16	99	63	369

Correlation of submitted and selected project applications is demonstrated at pic.1.



Pic. 1. Number of submitted and selected project applications. Program of of border cooperation of the European Neighborhood and Partnership Instrument “Ukraine – Hungary – Slovakia – Romania”, 2007 – 2013

Total budget of project applications submitted for the 1st call of the Program amounted to 55271931,85 € from ENPI funds or almost 4 times higher than funds allocated for projects.

Transcarpathian oblast by results of the 1<sup>st</sup> call demonstrated the best results on fund involvement among all program participants. From the total number of 47 winning projects with participation of the Ukrainian side **13** projects are from Transcarpathian oblast with the total amount of about 7 mio Euro, including EU funds of **6002289,19** Euro, and budget of Ukrainian partners is **4936972,58** Euro. In addition one more project “Clean Tisa” on the amount of 417500,00 Euro is under repeated assessment with the possibility of being recommended for selection. In additional **28** projects the oblast is a partner which allows attracting additional funds into the region development. Budget of Ukrainian side in partners projects where leading partners are represented by border countries organizations is **9 mio Euro**,

including **2,62% Euro** – for social direction, **1,64%** - for environmental projects, **95,74%** - for economic projects including two projects of the State Customs Service of Ukraine in cooperation with Hungary and Slovakia with the total sum of 7510800,00 Euro or 89,63% from all Ukrainian side budget in all partnership projects. Projects of the State Customs Service of Ukraine are beyond contest and are implemented on the basis of direct financing. Project on the contest basis from Transcarpathian oblast compose only 6,12%.

Having grouped project by social, economic and environmental directions criteria based on analysis by leading partners we receive the following structure o their funding in comparison with two program states: 2004 – 2006 and 2007 – 2011 (table 5):

**Table 5**

**Comparative funding of the EU programs of projects with *leading partners* from Transcarpathian oblast, 2007-2011**

Indicators	Social programs	Environmental programs	Economic programs	Total funding
2004-2006				
Total cost of EU funding, thou Euro	703,170	2793,860	4201,024	7698,055
Share in total funding, %	9,13	36,29	54,57	100,00
2007-2011				
Total cost of funding of projects with leading partners from Transcarpathian oblast, thou Euro	1379,375	3092,866	464,731	4936,972
Share in partner projects*, thou Euro	439172,00	274129,50	8536250,00	9249551,50
Total budget of Transcarpathian oblast, thou Euro	1818,547	3366,995	9000,981	14186,524
Share in total funding, %	12,82	23,73	63,45	100,00

Comparison of funding sums 2007-2011 to 2004-2006 %	258,62	120,51	214,26	184,29
Comparison of funding structure, 2007-2011 to 2004-2006, %	140,42	65,39	116,27	100,00

Having compared data from table 5 one could state the change in funding structure in programs of 2004-2006 and 2007-2011. Total funding of the 1<sup>st</sup> call of the program for 2007-2011 almost doubled compared with the period of 2004-2006, but analyzing the structure of funding by directions one can see that the greatest reallocation of funding took place towards social programs. It is worth mentioning that contest projects of economic direction compose only 10,5% of total financing, the rest of 52,94% are made by direct funding projects of the State Customs Service of Ukraine.

Details of allocation of winning projects from Transcarpathian oblast by EU priorities are given below.

Priority 1. Promotion of economic and social development.

Total amount for the given priority was 4243308 Euro, including for p.1.1. - 2803509 Euro and for p.1.2. 1419798 Euro.

There was 7 projects selected for implementation in the p.1.1., including one project from Transcarpathia – “Transborder cooperation management in the border area Transcarpathia – Szabolcs-Szatmar-Bereg”, Ukrainian – Hungarian regional development center, budget 286560 Euro.

Partners 1 from Transcarpathian oblast are organizations: Mukachevo Greek-Catholic eparchy, Charity Foundation “Center of Social Initiatives”.

There was 4 winning projects selected for implementation in the p.1.2., including one project from Transcarpathia “Development of documentation for creation of transborder industrial park with elements of logistics “Bereg – Karpaty”, applicant – Transcarpathian oblast council, total budget 340358,36 Euro.

Partners from Transcarpathian oblast are the following organizations: NGO Center of local development support, Carpathian innovation center of regional development.

Priority 2. Improvement of environment

Total sum of project under priority 2 is 7257414 Euro, including under p.2.1. – 2997355 Euro and under p.2.2.– 4260058 Euro.

Under p.2.1. only 6 projects were recommended for implementation, including 2 projects from Transcarpathian oblast: applicant – oblast water management authority with the project “Sustainable development of border resources in Tisa river basin”, general budget 1111500 Euro, and applicant Agency of Regional development “Transcarpathia” jointly with Mizhhirya rayon council with project “Bioenergy of Carpathians”, budget – 387100 Euro.

Partners from Transcarpathian oblast are organizations: State environmental inspection of Transcarpathia, social – environmental non-governmental organization “Clean Berehovo”.

Under p.2.2. there were 4 winning projects, including from Transcarpathian oblast 2 projects: applicant - oblast water management authority with the project “Flood prevention in Berehovo transborder polder system using channel Chonda – Latorytsa”, budget not yet identified, and applicant oblast water management authority with the project “Further development and harmonization of anti-flood measures program of the region Upper Tisa with anti-flood monitoring system installation”, budget - 961560 Euro.

The other two projects organizations from Transcarpathia are main partners: Transcarpathian state water management authority, oblast state administration.

Priority 4. Support of people to people cooperation.

Total sum under priority 4 is 5186351 Euro, including under p.4.1. - 4017813 Euro and under p.4.2.– 1168537 Euro.

Under p.4.1. there were 14 winning projects recommended for implementation, including 5 – from Transcarpathian region.

1. Non governmental organization “Institute for Transfrontier cooperation”, project “Borders for people”, budget 400035 Euro

2. Uzhgorod school No5, project “European pupils exchange”, budget 463330 Euro

3. Applicant – oblast children hospital, project “European cradle”, budget 499136 Euro

4. Applicant – Transcarpathian oblast employment center, project “Improvement of capacity of the oblast employment center to carry out activities in the sphere of Ukrainian employees migration”, total budget 441065 Euro.

5. Non governmental organization Agency for sustainable development of the Carpathian region FORZA, project “European Mobility week in Karpathy”, budget 67325 Euro

Under p.4.2. there were 13 winning project, including from Transcarpathian oblast two: Applicant – social organization “Nadiya”, project – “New generation – our hope for better future”, budget - 83914,35 Euro, and applicant Transcarpathian oblast charity foundation “Roma long life”, project – “Creation of conditions for increase of national minority and youth employment”, budget - 89551 Euro.

Under priority 3 about 20 mio Euro were allocated separately for funding of border check points development at the borer of Ukraine with Hungary, Slovakia and Romania (within Transcarpathian region – 7,5 mio Euro).

## LIBERALIZATION OF VISA REGIMEN BY THE EUROPEAN UNION AS A NECESSARY PRECONDITION FOR EFFICIENT TRANSBORDER COOPERATION

*The article analyses issues associated with visa regimen liberalization by the EU in terms of Ukraine and implications of the mentioned factors for efficient transborder cooperation*

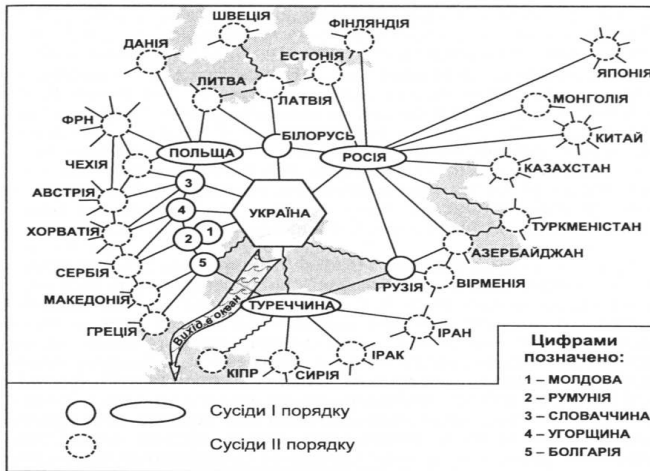
**Keywords:** *visa regimen, liberalization, simplification, “Roadmap”, transborder cooperation*

Under conditions of today’s global challenges Ukraine is getting increasingly engaged into integration processes with the EU. This is especially evident on the basis of concrete examples of cooperation in border regions where considerable part of the neighboring countries national minorities lives. It is for that reason that research of the status of how the existing problems are solved and how negative developments are minimized, all associated with visa regimen functioning, is extremely **topical** and needs system and continuous research and analysis.

The **paper aims** at analysis and assessment of the status of things in the context of visa regimen simplification and liberalization as an important component and strong reserve for transborder cooperation.

**Overview of the research results.** Improvement of transborder cooperation efficiency of Ukraine with the neighboring EU member states depends on many conditions. The most important factor influencing efficiency of bilateral cooperation is the set of problems associated with the necessity to liberalize visa regimen of the European Union towards Ukraine. The attention that was paid during the Summit “EU – Ukraine” in November 2010 to the simplification issue and in the future to abolishment of visa regimen by the European Union is the evidence to this.

It is a common knowledge that the Decree of the President from April 22, 2011 approved a National Plan for implementation of the Action Plan as to liberalization by the EU of the visa regimen towards Ukraine. Issues of border crossing and other connected issues are extremely topical for the border regions of our country. Those also include Transcarpathia which bordering with four EU countries (Poland, Romania, Slovakia, Hungary) is a connecting links of Ukraine with the European Community.



**Рис. 7.6**  
Граф "Україна" в системі країн центральної частини Євразії

*Ukraine in the system of states of the Central part of Eurasia*[1]

It is known that many national minorities live in the border areas of Ukraine with neighboring states; they constantly need to contact with their relatives and cooperate in many direction of social – economic sphere of life.

As an example, only in Transcarpathia in its border areas live more than 151 thou Hungarians (12,1%), 32 thou Romanians (2,6%), a lot of Slovaks and Poles. All of them before the visa regimen with Ukraine and neighboring countries used to enjoy the simplified border crossing to meet their relatives, acquaintances, business partners. Once the Schengen agreement came into force, contacts between population of border areas where national minorities live became more complicated and decreased a lot [2].

It is known that the Schengen legislative framework is made of the Schengen agreement from June 14, 1985 and the executive agreement signed therein on June 19, 1990 which is the implementation act for the agreement. It includes detailed sequence and rules of the steps, identifies what the Schengen area has to offer to their members and what it expects from them. The agreement shall provide for:

- abolish control of persons and goods at internal borders, including in airports and water ports;
  - strengthen control at external borders;
  - introduce more quality and result-oriented cooperation between national systems and legal authorities;
  - introduce Schengen information system as a joint system for crime combating;
  - gradually harmonize joint visa and migration policy, issue of weapons and ammunition, court cooperation in criminal cases etc.
- [3].

It is for this reason that adoption of the Agreement on simplified visa procurement [4] on **January 15, 2008** was very positively taken both in the EU and in Ukraine. Analyzing the status of implementation of the mentioned Agreement, one should take note of the relatively positive changes that took place during implementation of the set of activities in terms of visa regime liberalization, in particular [5]:

- simplification of visa regimes in terms of Schengen visa procurement **reached** (multi-entry, free visas) for selected 14 categories of citizens for the entire country;
- local border traffic for citizens of border areas of Ukraine with Hungary, Slovakia and Poland **implemented** and its implementation with Romania is in process;
- new phase of visa relations with the EU **initiated**, in particular from the simplified procedure of visa procurement up to gradual liberalization of visa regimes (abolishment of visa fees for all categories of citizens of Ukraine);

- structured visa dialogue with the EU **established** (formulation of activities and recommendations, implementation of which will allow introducing a visa- free regimen);
- first steps towards realization of Communication of the European Commission “Eastern Partnership” **undertaken**, including initiating of work over draft “Roadmap” which would include preconditions and technical criteria, implementation of which will allow to cancel visas and improve interrelations of Ukraine with the EU countries.

Efficiency of bilateral cooperation as to realization of Agreement between Ukraine and the EU about simplification of visa procurement is testified by the fact that today **each tenth Schengen visa is issued in Ukraine. In addition to the mentioned positives that took place during the recent period the following should also be mentioned [6]:**

- drastic increase of number of free visas issued;
- substantial increase of the share of multi-entry visas issued (from 1 to 5 years);
- decrease of number of refusals to issue visas in average from 12% in 2007 to 5% in 2010.

**Another important factor of implementation of the Agreement on simplified visa regimen is *practical solving of problems* which exist in the local border traffic of Ukraine which foresees stay within the 50-km border area of the *Ukrainian – Hungarian border*: of residents of 244 Hungarian and 384 Ukrainian settlements and in the similar area of *Ukrainian – Slovakian border* – of 299 Slovak and 280 Ukrainian settlements.** Permit for citizens willing to visit their relatives and acquaintances within the mentioned distance is issued within 10 days.

A real breakthrough for simplification and liberalization of visa regimen of Ukraine with the EU were the **results of the first official visit to Brussels of the President of Ukraine Victor Janukovych on March 10, 2010** when priority of the Euro-integration course of the country was confirmed. This had its influence on the dynamics and efficiency of cooperation in bilateral relations. Concrete activities testify to this as well:

- work on implementation of the “**Concept of integrated border management**” was activated;
- draft “**Migration policy concepts**” and normative-legal acts

developed, necessary for realization of the Law of Ukraine “**On border control**”;

- **State target program of development and reconstruction of the state border for the period of up to 2015** is successfully being implemented;
- Work on implementation of the Law of Ukraine “**On border control**” has been optimized;
- Important activities as to integration of foreign migrants and reintegration of Ukrainian migrants for 2011 – 2015 are being implemented and automatic system “**Refugees**” was put into force;
- activities on provision the going abroad citizens of Ukraine with biometric foreign passports already in 2011 has started etc.

Decisions of the **fourteenth Summit of “EU – Ukraine”** that took place in Brussels in November 2010 were extremely fruitful in terms of implementation of the previous agreements [7]. It approved the **Action Plan as to liberalization of the European Union of the visa regimen for Ukraine**.

Over the after summit period substantial organization – analytical work as to prioritizing of implementation of its decisions was carried out. This is proved by the Decree of the President of Ukraine from April 22, 2011 No 494/2011 that approved the **National Plan on implementing the Action Plan as to liberalization of the European Union of the visa regimen for Ukraine**. [8].

Taking into account the importance of the National Plan on implementing the Action Plan as to liberalization of the European Union of the visa regimen for Ukraine, the President of Ukraine identified tasks to have the larger part of the Plan as to simplification of the visa regimen with the EU implemented already in 2011. Therefore heads of the relevant public authorities are obliged to report about its implementation on a permanent basis. For coordination and strengthen control over implementation of the provisions of the mentioned document on February 7, 2011 the Decree of the Cabinet of Ministers of Ukraine No 77 set up the **Coordination Center** with the monthly sittings or more often if necessary. the activities of the newly established unit and central executive powers are based on the tasks of implementing tasks and activities including [9]:

**Task one – in May – June** to develop and approve all necessary normative – legal basis;

**Task two** – speed up implementation of efficient mechanism of migration management according to the EU standards. **First of all** efficient State Migration Service should be set along with the nation-wide data basis on migration flow control;

**Task three** – establish the system of personal data security according to the EU requirements;

**Task four** – set up an efficient system of integrated border management;

**Task five – until the end of the year** to set up a system of biometric identification of citizens of Ukraine and to initiated issuing corresponding travel documents with electronic media of biometrical information.

Practical actions of Ukraine on implementing the agreements reached during the 14th Summit “European Union – Ukraine” are positively assessed by the EU management. In particular, **the President of the European Parliament Jerzy Buzek on the meeting with the Head of the Verkhovna Rada of Ukraine Volodymyr Lytvyn that took place in Strasburg on May 10, 2011 expressed his satisfaction with the activation of cooperation of Ukraine with the EU in the issues of visa regimen liberalization, as well as in terms of negotiation process as to signing an Agreement on association and free trade zone creation [10].**

#### **Selected conclusions**

Taking into account that visa-free regimen for Ukrainian citizens is a long term perspective, one should not positive developments in terms of liberalization of the EU attitude to this issue. For sure implementation of the “Road map”, Action Plan of the November Summit “EU – Ukraine” depends a lot on concrete actions as to implementation of conditions on the way to the Free trade zone, associated membership of Ukraine in the EU and free visa regimen.

At the same time one should consider the objective status and ambiguous processes taking place in some EU member countries. They included not controlled refugee flow from North Africa countries and Near East, unstable political situation, ambiguous attitude to the existing system of free flow of citizens across borders within the Schengen zone and intentions of Switzerland to restore the border control and walk out from the free visa area.

One should note that along with implementation of the mentioned National Plan provisions, to receive a visa free regimen Ukraine should work

not only with central institutions, but also with capitals of each European Union country. This fragment of intentional cooperation is very important and therefore one should probably consider also the negative impacts from particular decisions and actions of some state instructions of Ukraine towards each EU member state.

In addition, provisions of the appeal of the President of Ukraine Victor Yanukovich to the EU hold a very important proposal to put those tasks for Ukraine for which real possibilities are in place.

At the same time, we believe, there are Schengen challenges which are limiting factors for the UE on the way to grant Ukraine visa free regimen, including:

1. **Insufficient financing** of projects foreseen by the technical refurbishing of the border, and creation of the infrastructure according to the EU requirements.
2. **Increase** of anti-migration attitudes in the European Union member states associated with Ukraine not fulfilling the agreements on visa free regimen introduction [11].
3. **Precaution** of the Interpol as to simplification of visa regimen for Ukraine which falls under the category of risk countries [12].
4. **Ambiguous** assessment of the EU countries of issues associated with dual citizenship
5. **Complicated travel of people** within the Schengen zone countries related with the inflow of migrants from North Africa and Near East [13], and withdrawal of Switzerland from visa free area[14].

We believe that concrete reforms on the regions level in the border areas of Ukraine will contribute to solving the **issue of visa free regimen between Ukraine and the EU**. Necessity to activate work in the local areas in all directions was mentioned by the President of Ukraine Victor Yanukovich in his speech specifying tasks for the regional heads during his visit to Transcarpathia [15]. It is that very issues that have been emphasized by the international experts of the Working Group **National Convent of Ukraine on EU**[16].They attract attention to the following:

- Successful realization of problems is impossible without forming and implementation of the **regional dimension of Euro-integration strategy of Ukraine**;
- Issues of regional policy and regional cooperation development of Ukraine and the EU should be separated and specified in detail in the

distinct chapter of the **Agreement on association** and in the **Action Plan on association**;

- It is necessary to secure the ratification of Ukraine of the Third additional protocol to the **Madrid Convention on regional cooperation associations**, which set forth single legislative framework for functioning of all European Euroregions and contributes to intensified regional cooperation with the EU.

## References

1. Артёмов І.В. Транскордонне співробітництво в євроінтеграційній стратегії України: [монографія] / І.В.Артёмов. — Ужгород: Ліра, 2009. — 520 с. (Серія “Євроінтеграція: український вимір”. Вип. 13).
2. Національні меншини Закарпаття: цифри і факти. [Електронний ресурс]. — Режим доступу: <http://zakarpattya.net.ua/ukr-news-64717-Nacionalni-menshyny-Zakarpattya-cyfr-y-i-fakty>
3. В.Чечот. Розширення Шенгенського простору: політичні і технічні проблеми / Підготовка нових членів ЄС – країн-сусідів України – до вступу в Шенген і виклики для України: матеріали міжнародного «круглого столу» експертів. – Ужгород: Мистецька лінія, 2007. – С.30.
4. Відомості Верховної Ради України - 2008 .– № 10.– С.312.
5. Мітряєва С.І. Лібералізація візового режиму між Україною та ЄС: регіональний аспект // Закарпаття :Науково-популярне видання. –2010-2011. – №3. – С. 62.
6. Там само.– С.64-65.
7. Чотирнадцятий саміт ЄС – Україна. [Електронний ресурс]. — Режим доступу:[http://esbs.kiev.ua/index.php?option=com\\_docman&task=docdownload&gid=468&Itemid=176&lang=uk](http://esbs.kiev.ua/index.php?option=com_docman&task=docdownload&gid=468&Itemid=176&lang=uk)Указ Президента України «Про Національний план з виконання Плану дій щодо лібералізації Європейським Союзом візового режиму для України». [Електронний ресурс]. — Режим доступу: <http://ovu.com.ua/articles/10481-pro-natsionalniy-plan-z-vikonannya-planu-diy-schod>
8. Ключев: Президент поставил задачу выполнить большую часть

- плана по упрощению визового режима с ЕС уже в этом году. [Электронный ресурс]. – Режим доступа: [www.versii.com/news](http://www.versii.com/news)
9. Украина договаривается с ЕС о безвизовом режиме. [Электронный ресурс]. – Режим доступа: <http://www.rosbalt.ru/ukraina/2011/05/10/847076.html>
  10. ЕС в ближайшее время не либерализует визовый режим с Украиной?. [Электронный ресурс]. – Режим доступа: <http://www.unian.net/rus/print/436024>
  11. Европол выступил против упрощения визового режима с странами бывшего СССР. [Электронный ресурс]. – Режим доступа: <http://for-ua.com/politics/2011/05/04/205012.html>
  12. Перемещаться по странам Шенгенской зоны станет сложнее. [Электронный ресурс]. – Режим доступа: <http://podrobnosti.ua/power/2011/05/13/769073.html>
  13. Евросоюз начал рассыпаться: Швейцария уходит из Шенгенской зоны. [Электронный ресурс]. – Режим доступа: <http://www.ua-reporter.com/novosti/103629>
  14. Віктор Янукович: Закарпаття — приклад усій України. [Электронный ресурс]. – Режим доступа: <http://www.karpatnews.in.ua/news/20188>
  15. The project is implemented on the initiative of the National Institute of Strategic Research jointly with the Research Center of the Slovak Association of Foreign Policy in partnership with the Ukrainian Center for Independent Political Studies, supported by the Slovak Development Fund (SlovakAid).

**Артёмов И. Либерализация визового режима Европейским Союзом – необходимая предпосылка действенного трансграничного сотрудничества.**

*В статье анализируются вопросы проблематики либерализации визового режима ЕС в отношении Украины и значение этих факторов для успешного трансграничного сотрудничества.*

**Ключевые слова:** визовый режим, либерализация, упрощение, «Дорожная карта», трансграничное сотрудничество.

## **ECONOMIC SPHERE: THE BASIC SPHERE OF TRANSBORDER COOPERATION**

From the perspective of the European strategy of Ukraine urgency of the transborder cooperation (TBC) problems in both theoretical - methodological and organizational - applied terms raises no doubts. Proof of this is research and publications in recent years, which partly initiated separation of transborder cooperation problems certifying the following: the issue of modern borders with the EU, as well as transborder cooperation are among top priorities for domestic and foreign scientists, experts and numerous research centers, political elites etc. In this sense, our publication is no exception.

As confirmation of the relevance of this thesis, today's united Europe has launched itself in that capacity about 60 years ago, having initiated something it can be proud of. It created a model of successful implementation of deep economic and political integration, which began, in fact, with transborder cooperation. For Coal and Steel Community, which was in fact the beginning of formation of the legal and economic mechanisms of integration processes in Western Europe, is at the same time an example of effective Euroregional cooperation.

The importance of the role and place of transborder cooperation in integration processes development is confirmed by the position of French President Charles de Gaulle, who saw the future of Europe ideally as a Europe of Euroregions. Later formed Euroregional union in Western Europe made a significant positive impact on speeding up its integration by removing or significantly mitigating series of contradictions in social and economic terms, territorial claims, ethnic tensions, etc. which occurred in the border regions of many European countries .

The early 50-ies were not only marked by creation of objective conditions for the formation of a new Europe. Europe was especially lucky at the time to have relevant human factors. The time was marked by galaxy of personalities

among the political elite of leading European countries who were aware of what one needs to start building a new Europe. The human factor plays an important role for transborder cooperation, because it is weakly protected at the organizational and legal level, especially in the first decade of its development, and has virtually no stable own funding mechanism. Therefore, the fate of transborder cooperation in each case, as was often the case in history, to a great extent depends on subjective factors.

It would be wrong to say that on the Ukrainian - EU border transborder cooperation today starts from a scratch. Recorded history of border cooperation between the Soviet Union on one side and Romania, Hungary, Czechoslovakia and Poland - on the other side amounts to several decades. But in those conditions cooperation was so politicized that it is no use in mentioning some kind of tangible economic efficiency or even the economic feasibility. This is due mainly to the most centralized management of foreign relations under the then system of planned economy and lack of market self-regulation mechanism. The possibilities of transborder cooperation in such an environment were restricted to exchange of experience between some teams without any opportunity to use integrative forms of cooperation. This is especially true about direct cooperative links, formation of joint ventures and so on.

There was a new real boost of transborder cooperation in the early 90's. It should be emphasized that the border regions and their governments were pioneers of transborder cooperation - and this was specificity and peculiarity of this process at the mentioned stage. In this respect, as in the early 50-ies, transborder cooperation was again lucky with the subjective factor. During its formation on a fundamentally different socio-economic basis, representatives of the new governments of border regions of Poland, Slovakia, Romania and Ukraine were actively getting aboard - professional, ambitious, energetic, with a desire to make a significant socio-economic contribution to the region's development with transborder cooperation. Often this was done even in spite of central government that rarely supported cross-border initiatives of regional authorities at the borderland because of unreasonable overestimation of the dangers of centrifugal, separatist tendencies of regions. Moreover, it was rather a policy of "obstacles" on their side.

As a result of regional initiatives of border regions of the Carpathian region countries in 1993 a Carpathian Euroregion were formed, this was the first international organization with Ukraine as a member. However further processes in Ukraine, as well as external factors, including the EU expansion

until borders with Ukraine were not particularly inspiring transborder cooperation development. The reason for that was that the new Eastern border of the EU was formed at new geopolitical borders – East frontiers of the Central Europe, to a great extent as sphere of implementation of the European Union political interests with a clear tendency of strengthening its barrier functions, its establishing first of all as of protective frontier from the side of the EU with the long-term character. Such a trend can be explained by first of all execution of Schengen agreements providing free movement of people, capitals, goods and services within the Schengen border. Therefore, actual abolishment of the EU internal borders logically caused strengthening of its external borders. To sum up the abovementioned, one can state that currently transborder cooperation in economic sphere at the Western borders of Ukraine has mostly a sporadic – chaotic character.

At the same time a comprehensive analysis of the difficult conditions of transborder cooperation on the EU Eastern borders gives rise to the following conclusion: in the region of Central and Eastern Europe, and especially the Carpathian region, there are factors that, under certain circumstances, may be the beginning of a qualitatively new stage in transborder cooperation development. The reasons are the following.

Firstly, minimally adequate but quite stable organizational and legal mechanism for regulating transborder cooperation is currently formed; its all-European norms and principles are anchored in the Council of Europe documents. The primary documents among those legalizing such relationships and promoting decentralization of decision-making power of the border regions bodies are: the European Outline Convention on transfrontier cooperation between territorial communities or authorities (ETS No106) - Madrid, May 21, 1980, and two additional protocols - 09/11/95 and 05/05/98 providing regions with much greater competence in foreign economic and political issues, promoting international activation of the regions<sup>1</sup>.

As a result of ratifying the Madrid Convention by Poland, Hungary, Ukraine, Romania and Slovakia, its provisions became part of the national legislation of these countries and take precedence over domestic law.

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1 European Outline Convention on trans-frontier co-operation between territorial communities or authorities (ETS No106) - Madrid, 21.05.1980

**Secondly**, the current readiness of the CEE border regions is confirmed and secured by a number of bilateral and multilateral agreements<sup>2</sup>.

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2 Among bilateral and multilateral agreements the following should be mentioned: Agreement between the governments of Poland and Ukraine on interregional cooperation (signed in Kiev 23.05.1993r.); Treaty “On the relations of good neighborhood and cooperation between Romania and Ukraine” dated 7/17/97; an Agreement between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic on transboundary cooperation (signed in Bratislava on December 5, 2000.); Concept of joint development of border areas of Ukraine and Hungary (Transcarpathian Regional Council, the Council for territorial Development Szabolcs-Szatmár-Bereg region, 2003); The concept of joint development of border areas in Ukraine, Hungary and Romania - INTERREGIO (Transcarpathian Regional Council, Regional Council of Satu-Mare, the Council for Territorial Development Szabolcs-Szatmár-Bereg region, 2003); The Strategy of Ukraine’s integration into the European Union, approved by the President of Ukraine dated 11 June 1998 No 615; Program of Ukraine’s integration into the European Union, approved by the President of Ukraine of September 14, 2000 No 1072; message from the President of Ukraine to Verkhovna Rada of Ukraine “European choice. Conceptual foundations of the Strategy of economic and social development of Ukraine for 2002-2011 “; State Regional Policy Concept, approved by the President of Ukraine from May 25, 2011 No 341; Decree of the Cabinet of Ministers of Ukraine as of April 29, 2002 No 587 “ Some issues of cross-border cooperation and Euroregions “; The concept of sustainable development, approved by the Transcarpathian Regional Council decision of IV convocation as of October 16, 2002 No 71; INTERREGIO agreement on trilateral cooperation of Transcarpathian oblast (Ukraine), Satu-Mare County (Romania) and Szabolcs-Szatmár-Bereg (Hungary), signed in 2000; Agreement on inter-regional cooperation between Transcarpathian oblast of Ukraine and the region of Kosice of the Slovak Republic, signed in 1999; an Agreement on inter-regional cooperation between Transcarpathian oblast of Ukraine and Presov region of the Slovak Republic, signed in 2000; an Agreement between the Transcarpathian Regional State Administration of Ukraine and Podkarpatske Voevodship of the Republic of Poland on cross-border cooperation, signed in 2002.

**Thirdly**, the economic environment, which was formed in the CEE countries as a result of market transformations, promotes activation of transborder cooperation. This is especially true for its micro-level, which through the mechanism of market self-regulation is a unique selection of the most rational forms and methods of transborder cooperation on the principles of economic expediency.

**Fourthly**, it is again about subjective factor in transborder cooperation. Many of those who are currently involved in these issues in scientific, applied, and in practical terms, have considerable experience in this field. In addition to professional skills, they became much more pragmatic in their scientific research, and regional governments have got more capacities to undertake practical implementation of ideas, concepts and specific programs currently proposed by the science.

We believe that currently the following priority problems in the economic sphere of transborder cooperation that should be solved in theoretical – methodological and scientific – applied terms can be distinguished. **Fifthly**, strange as it may be, up to now analysis of transborder cooperation in the economic sphere used to and continues to be based primarily on statistical information that does not reflect its actual state. In particular, transborder cooperation research uses statistics that in general characterizes foreign economic relations of border regions as a subject if international economic relations. It is obvious that such statistical information in both quantitative and qualitative terms does not reflect the real picture of the very transborder cooperation, accounting to only part of foreign economic relations of border regions. Selective analysis shows that it accounts for only 5-7% of total foreign trade activities in border regions. The reason for this substitution is the absence of official statistics, reflecting direct transborder economic cooperation - the movement of capital, goods, services, labor. In this connection it is extremely important, in our opinion, to solve the problems of forming the system of statistical information on the very transborder cooperation in the economic sphere, both in theoretical, methodological, and organizational - applied terms.

**Secondly**, in order to improve efficiency of transborder cooperation management in the economic area, it is of special significance, in our opinion, to introduce a comparative analysis of border areas competitiveness. Moreover, it is essential that such analysis is conducted on both sides of the border according to common methodology. The results of this analysis

can be a good starting point, scientific and methodological basis for the implementation of joint programs in transborder cooperation. This applies primarily to cooperative programs, formation of international special economic territories of cluster type on the border areas of two or more neighboring countries, etc.

For comparative characteristics of socio-economic development of border regions and the level of their marketing attractiveness and competitiveness it is expedient to use regional indicators of socio-economic integration used by the Commission of European Communities. They are quite accessible and are used in the analysis of socio-economic processes in each of the EU states and the EU bordering states on its Eastern border. These indicators include:

- Gross regional product per 1 person (GRP per person);
- Retail turnover of trade enterprises per 1 person (RTO per person.);
- Exports of goods and services (EGS) per 1 national currency unit of GRP;
- Foreign direct investment (FDI) per 1 national currency unit of GRP;
- Distribution of number of subjects of economic activity per 1000 persons of economically active population (EAP);
- Scientific and scientific-technical work performed on its own (STW), calculated per one national currency unit of GRP;
- The level of registered unemployment (LRU);
- Average monthly nominal wage of employees (AMNW);
- Number of students in higher educational institutions per 10 thousand persons of population;
- An indicator of regional human development (RHD);
- Clean Environment, which is calculated as the unit divided by the number of harmful emissions into the air from stationary sources, per resident;
- Access to housing resources, which is calculated by dividing the amount of housing per capita of population.

Comparative analysis of border regions competitiveness should be determined at two levels: national and international. At the national level,

comparative analysis of the competitiveness of border regions is done by comparing regional indicators of a single border region to the average in the country as reference.

$$\text{Index of comparison} = \frac{\text{Indicator value in the border region}}{\text{Average indicator value in the country}}$$

In case border region competitiveness is calculated at the level of two or more neighboring countries the reference (baseline) indicator is calculated as its corresponding average value in one of the neighboring countries with the higher competitiveness rating.

$$\text{Index of comparison} = \frac{\text{Indicator value in the border region}}{\text{Average indicator value in the country with the highest competitiveness rating}}$$

As a result, the competitive position of a border region is defined as the sum of all calculated indices of regional indicator comparison to the indicators of reference parameter. This applies to the aggregate index of competitiveness of the border region at both national and international levels.

$$\text{Aggregate regional competitiveness index (RCI)} = \Sigma \text{ indices of comparison}$$

**Thirdly**, the equally important problem is the issue of indexing and monitoring of transborder cooperation processes in the economic sphere and mapping the competitiveness of border regions and state of transborder cooperation along the whole perimeter of the border with the European Union. We have proposed structural and analytical indexing scheme of transborder cooperation on the border of Ukraine - EU (see Scheme 1). Its justification is a separate issue requiring independent analysis. We shall only mention two, in our opinion, most important structural features of the proposed analytical scheme.









**on the one hand**, this is about grouping segment indices into two blocks. The first block includes a set of factors that characterize the actual level of transborder cooperation. Second block includes factors that characterize the environment, “climate”, conditions of transborder cooperation implementation. **On the other hand**, the scheme attempts to implement formation of social – economic factors according to the principle of “balance”, i.e. equality of their weight in the socio-economic processes.

The above mentioned problems in research - theoretical and applied scientific terms can be solved already in the next two to three years. There is every reason for this, including organizational reasons. In particular, the Institute of Trans-Frontier Cooperation in Uzhgorod established and implements a research program that foresees study of theoretical – methodological and scientific - applied issues according to the above mentioned directions.

### References

1. Європейська Рамкова Конвенція про транскордонне співробітництво між територіальними общинами або владою (ETS No106) – Мадрид, 21 травня 1980р. European Outline Convention on trans-frontier co-operation between territorial communities or authorities from Madrid, 21.05.1980.
2. Регіональна політика і транскордонне співробітництво в євроінтеграційній стратегії України.- Ужгород: Ліра, 2007.
3. Артёмов І.В. Транскордонне співробітництво в євроінтеграційній стратегії України.- Ужгород: Ліра, 2009.
4. Транскордонне співробітництво як альтернатива новій «залізній завісі» та конфліктам.- Ужгород: «Карпати», 2007.
5. Передрій О.С. Міжнародні економічні відносини.- Київ: Знання, 2008.
6. Устич С.І. Кордон, війна та мир в долі сучасного світу. Тріада життя чи колапсу?- Ужгород: «Карпати», 2010.

## TRANSBORDER COOPERATION: THE VISA ASPECT

*The article outlines stages of development, results, problems and prospects of interrelation between Ukraine and the EU in terms of visa regimen liberalization in the context of achievement of transborder cooperation strategic tasks; statistical data are provided as to issuing of Schengen visas and permits for local border traffic, as well as findings of monitoring of visa issuing by Consular institutions of the EU countries on the territory of Ukraine.*

**Key words:** *transborder cooperation, Schengen visa, permit for local border traffic, visa regimen liberalization*

Development of cooperation of Ukraine with the European Union remains to be one of the priorities of external policy of Ukraine [1, p. 13]. In this context *one of most important tools to implement this priority* is cooperation of Ukraine with the EU member states neighboring countries which should promote both economic development of border regions of our countries, and deepened **transborder cooperation** in economic, political, humanitarian, scientific and other spheres in general. By pursuing a steady line towards European integration, *Ukraine is interested in dynamizing these relations at all levels*. The integral element on this way *is full-scale visa free regimen for citizens of Ukraine from the EU member states* [4, p. 35].

The process of visa regimen liberalization between Ukraine and EU has been initiated by Ukraine which *unilaterally* introduced a visa free regimen for the EU citizens [5].

Further visa policy of Ukraine is aimed to maintain the positions of visa free regimen of entry of its citizens into the EU countries based on the principles of mutuality [3, p.6]. Active movement on the side of the EU in terms of visa regimen liberalization for Ukraine started once **the pack of Agreements between Ukraine and the EU about simplification of visa issuing and readmission entered into force on January 1, 2008** [6]. In terms of visa regimen liberalization between Ukraine and the EU the following happened recently:

- simplified visa procedure as to Schengen visa issuing was *reached* (multiple, free visas) for selected 14 categories of citizens of the whole country;
- local border traffic for citizens of border areas of Ukraine with Hungary, Slovakia and Poland *implemented* and its implementation with Romania is in process;
- structured visa dialogue with the EU *established* (formulation of activities and recommendations, implementation of which will make possible introduction of a visa- free regimen);
- first steps towards realization of Communication of the European Commission “Eastern Partnership” *undertaken*,
- the Action Plan *received* by Ukraine as to visa free regimen with the EU countries at the Summit Ukraine – EU (November 22, 2010) [10, p.7].

Due to implementation of the Agreement between Ukraine and the EU about simplification of visa procurement number of Schengen visas received by citizens of Ukraine in 2009 amounted to 1 mio 22 thou, which is 134% more than in 2008 (435 thou visas). In the moment experts state that each tenth Schengen visa in the world is issued in Ukraine.

In addition the following positive changes happened recently should be mentioned:

- drastic increase of number of free visas issued;
- substantial increase of the share of multi-entry visas issued (from 1 to 5 years);
- decrease of number of refusals to issue visas in average from 12% in 2007 to 6% in 2008 and 5% in 2010. The same trends happened in 2010.

However, analysis of the process of practical implementation of the **Agreement on simplified visa procurement as one of basic tools for visa regimen liberalization** testifies that this implementation does *not fully complies with the reached agreements* both from the side of the EU and Ukraine. “Europe without barriers” experts conducted four stage **All-Ukrainian monitoring of visa issuing**<sup>3</sup> to citizens of Ukraine by Consular institutions of the EU states on

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3 Monitoring was conducted by the **All-Ukrainian Consortium of expert organizations and analytical centers of Ukraine**, including Regional subsidiary of the National Institute

the territory of Ukraine and analyzed consular practice of the EU states by various parameter and presented comprehensive assessments of the implementation status by Consulates of the provisions of two important normative documents: Agreement between Ukraine and the EU about simplified visa procurement and the EU Visa Code, that came in effect on April 5, 2010. It should be mentioned that the last stage of the monitoring on the territory of Transcarpathian region was peculiar because it looked at not only **practice of Schengen visa issuing**, but at **permits of local border traffic** by these Consular institutions, as well as the procedure of **Ukrainian – Slovak border** crossing at the international checkpoint “Uzhgorod – Vyshne Nemecke”. The latter is included **due to** a lot of travelers’ criticism (waiting time, speed of work of border guards and customs officers at checkpoints, corruption elements, attitude to citizens, awareness about border crossing regulations etc.).

Four stages of All-Ukrainian monitoring demonstrated that the **Agreement** contributed to some improvement of the situation with visa issuing to citizens of Ukraine mostly in the countries of “old” Schengen. “New” Schengen states pursue a more strict and restricting policy as to entrance of citizens of Ukraine to the EU territory than it is foreseen by the **Agreement**, and provisions in terms of issuing free and multiple visas to privileged categories of citizens of Ukraine are implemented not in the full scale.

According to findings of the regional monitoring in Transcarpathian oblast it can be stated that:

- *quality of Agreement implementation* about simplified visa issuing between Ukraine and the EU (articles 4 – 7) by the Consulate General of the Hungarian Republic in Uzhgorod, Consulate of the Hungarian Republic in Beregovo and Consulate General of the Slovak Republic in Uzhgorod *remains to be at the consistently high level*;
- *awareness of respondents* about basic provisions of the Agreement on simplified visa issuing *increased significantly*, in particular in terms of privileged categories of citizens of Ukraine who have a right for free and multiple visas;

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of strategic research in Uzhgorod, in the frameworks of implementation of the International civil initiative “**Europe without borders**” in 4 stages (July – August, November 2008; July 2009; July – August 2010 [2, p.4-90]

- substantial part of visas issued by the mentioned Consulates are *multiple visas with one year duration*;
- *fulfilling* by the mentioned Consulates of *visa demands in terms of duration and duration of stay remain to be at the consistently high level*;
- *percent of refusals* to issue visas to applicants is at the moment *minimal*; the indicator has been on the same level in Consulates of the Hungarian Republic and *decreased significantly in comparison with previous stages* in the Consulate General of the Slovak Republic;
- the positive innovation in working with applicants in the Consulate General of the Slovak Republic in Uzhgorod should be mentioned, they are carrying out *preliminary consultations* about proper filling out of documents to be submitted for Schengen visas.

Possibilities of residents of border areas of Ukraine, including Transcarpathian oblast, for using tools of visa regimen liberalization are considerably wider, since at the moment the **Agreement** about simplified visa issuing and agreement on local border traffic applies exclusively for them. Introduction of the Institute of “**the local border traffic**” for the citizens of Ukraine should be considered as *testing of new tools of liberalization of visa policy of the EU states to Ukraine with the prospect of full abolishment of the visa regimen*. The Institute of local border traffic was first introduced in 2007 between **Hungary and Ukraine**. Positive practical results of Hungary in applying the local border traffic, and most importantly, the demand for this visa regimen liberalization tool facilitated introduction of the same between **Slovakia and Ukraine** in autumn 2008, and later on – between **Poland and Ukraine**. However it should be mentioned that *forms and conditions of functioning* of this tool vary from country to country.

The form of local border traffic of **Hungary** foresees possibility to stay in the *50 km border zone (244 Hungarian and 384 Ukrainian settlements)*. Cost of the permit for local border traffic is 20 Euro which is not charged for selected categories of citizens (disabled, retired, children *up to 18 years old* and dependent children *up to 21 years old*). The permit will be issued during *10 days*, its validity period ranges from 1 to 5 years, duration of stay should not exceed *90 days* [7].

The form of local border traffic of **Slovakia** foresees possibility to stay within *30 - 50 km border zone (299 Slovak and 280 Ukrainian settlements)*.

Cost of the permit for local border traffic is 20 Euro which is not charged for the retired over *60 years old*, and children up to *15 year old*. The permit will be issued during *60 - 90 days*, its validity period ranges from 1 to 5 years, duration of stay should not exceed *30 days during one* visit and not exceed *90 days during 6 months* [8].

The form of local border traffic of **Poland** foresees possibility to stay in the *30 km* border zone (*1822 Polish and 1545 Ukrainian settlements*). Cost of the permit for local border traffic is 20 Euro which is not charged for disabled, retired, children up to *18 years old*. The permit will be issued during no more than *60 days* from the day of application, in some vases this term can be prolonged up to *calendar 90 days*, its validity period is *up to 5 years*, duration of stay should not exceed *60 days from the* moment of border crossing but general not more than 90 days during each 6 months from the date of first border crossing [9].

Results of practical functioning of the local border traffic between Ukraine and Hungary, Ukraine and Slovakia, Ukraine and Poland so far demonstrated that existing *differences in forms of local border traffic* considerably influence willingness and opportunities of Ukrainian borderland residents to use this tool of visa regimen liberalization. This is also evidenced by official statistical data. For example, from the moment of issuing permits for local border traffic until 01.07.2010 Consulates of Hungary in Transcarpathian oblast issued 62 029 permits for local border traffic, Consulates of Poland in Lviv and Volyn oblast – 39 316 permits, Consulate General of Slovak Republic – only 1132. The **Hungarian – Ukrainian** form of local border traffic came to be more liberal than the **Slovak – Ukrainian** one, and as most efficient and operative it needs to be anchored in normative acts and disseminated to other adjacent with Ukraine EU states. Elaboration and introduction of **single form of local border traffic** between all adjacent with Ukraine EU countries would allow a **breakthrough** in simplified visa procedures by means of disseminating the permit for border crossing with one of these UE countries and stay in defined border area towards border crossing and stay in defined border areas **of all other countries (Hungary, Slovakia, Poland and Romania)**. This would facilitate formation at the joint EU Schengen border and Ukraine of **the area of stability, safety and cooperation** and attainment of **strategic aims of transborder cooperation**.

The conducted monitoring also proved that currently one of most problematic issues of good neighborly relations development between the

two countries is the very **procedure of crossing the Ukrainian – Slovak** border, mainly through incorrect treatment of travellers, humiliation of honor and dignity of Ukrainian citizens by representatives of border and customs authorities of the Slovak Republic, corruption manifestations; insufficient carrying capacity of the border checkpoint; unsatisfactory state of the border checkpoint social infrastructure (mainly on the Ukrainian side); abolishment of possibility to cross the border on foot; complication and limitation of possibility for Ukrainian citizens to cross border with active Schengen visas which had been issued by Consular institutions of other countries.

According to respondent opinions (mainly citizens of Ukraine) one of main reasons for this situation to happen is **insufficiently efficient work of the Ministry of Foreign Affairs of Ukraine in terms of protection of right and freedoms of their citizens, creation of positive image of Ukraine in Europe and in the world.**

Most respondents believe that at this border checkpoint the following changes are required: increase of social infrastructure of border checkpoint improvement from both sides; improvement of attitude of customs and border guard officers of both countries to all travellers; restoration of possibility to cross border on foot; improve quick service of all officers on both sides of the border; increase number of regular buses; let all travellers with active Schengen visas through this checkpoint independently from which country issued visas.

In the moment initiative of the European Parliament representative from Poland Mr Pavel Zalewski is worth attention, at his website <http://www.pawelzalewski.eu/ua/> he announced the internet action “European choice of Ukraine” and collects assessment and reviews from Ukrainians as to how significant is the prospect of visa free regimen introduction for Ukraine. “Europe without borders” actively supported this initiative and also addressed representatives of the European Parliament from Hungary, Slovakia, Czech Republic to join the initiative of Poland representative and to **develop a joint position of the Visegrad Four on this issue in the EU**, taking into account that Hungary and Poland are heading in the European Union in 2011 and Slovakia is heading in the Visegrad Four.

## References

1. Відносини Україна-ЄС у багатополлярному світі: стан і перспективи на майбутнє : матеріали міжнародної конференції (Київ, 23 листопада 2009 р.). – К.: ВД «Стилос», 2010, - 60 с.
2. Громадський моніторинг візової політики і практики країн ЄС в Україні: Аналітичний звіт / [І. Сушко, О. Врадій, О. Сушко] ; Центр миру, конверсії та зовнішньої політики. – К., 2009. – 92 с.
3. Законодавче забезпечення руху до симетричного безвізового режиму між ЄС та Україною. Поточні оцінки візової практики країн ЄС в Україні: інформаційно-аналітичне видання / [І. Сушко, О. Врадій, О. Сушко] ; Центр миру, конверсії та зовнішньої політики. – К., 2010. – 56 с.
4. Європейська інтеграція України: поточна ситуація, завдання та пріоритети державної політики : мат. засідання «круглого столу» / за заг. ред. О.В. Снігир. – К.: НІСД, 2010. – 64 с.
5. Про встановлення безвізового режиму для громадян держав-членів Європейського Союзу, Швейцарської конфедерації та князівства Ліхтенштейн [Текст] : Указ Президента України : [виданий 26.07.05] // Урядовий кур'єр. - 2005. – 30 липня.
6. Угода між Україною та Європейським Співтовариством про спрощення оформлення віз. – Режим доступу: <http://ukraine-eu.mfa.gov.ua/eu/ua/publication/content/11577.htm>.
7. Угода про місцевий прикордонний рух між Україною та Угорщиною. – Режим доступу: [http://www.mfa.gov.hu/kulkepviselet/Beregovo/uk/ua\\_Konzuliinfo](http://www.mfa.gov.hu/kulkepviselet/Beregovo/uk/ua_Konzuliinfo).
8. Угода про місцевий прикордонний рух між Україною та Словаччиною. – Режим доступу: <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi>.
9. Угода про місцевий прикордонний рух між Україною та Польщею. – Режим доступу: [http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=616\\_138&p=1251789577690164](http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=616_138&p=1251789577690164).
10. Формуючи дорожню карту до безвізового режиму для громадян України у відносинах з Європейським Союзом : інформаційно-аналітичне видання / [О. Сушко, О. Врадій, І. Сушко] ; Центр миру, конверсії та зовнішньої політики. – К. 2009. – 44 с.

### **С. Митряева. Трансграничное сотрудничество: визовый аспект.**

*В статье обозначены этапы развития, результаты, проблемы и перспективы взаимоотношений между Украиной и ЕС о либерализации визового режима в контексте достижения стратегических целей трансграничного сотрудничества; приведены статистические данные о выдаче шенгенских виз и разрешений на малое пограничное движение, а также результаты мониторинга выдачи виз консульскими учреждениями стран ЕС на территории Украины.*

**Ключевые слова:** *трансграничное сотрудничество, шенгенская виза, разрешение на местное пограничное движение, либерализация визового режима.*

## CONCEPTUAL FRAMEWORKS OF NATIONAL LEGISLATION HARMONIZATION WITH THE MECHANISM OF INTERNATIONAL LEGISLATIVE REGULATION OF TRANSBORDER RELATIONS

*The object of research is conceptual frameworks of harmonization of national legislation with the mechanism of international – legislative regulation of transborder as well as inter-territorial relations of European border states in interrelation with the integration processes. The author justifies priority of creating conceptually updated efficient organizational – legal and institutional mechanisms for transborder cooperation on the basis of provisions of the Protocol No 3 to the European Framework Convention on Transborder Cooperation Between Territorial Communities or Authorities, as well as implementation of reallocation of scope of authorities between central authorities for the benefit of territorial communities or local authorities, which will create legal foundations for efficient transborder and inter-territorial cooperation.*

**Key words:** *international law, mechanism of international – legal regulation, transborder cooperation, inter-territorial cooperation, border cooperation*

Issues of transborder (border) relations of Ukraine with neighboring European states are marked by their own history, philosophy, economic and law. International European transborder relations and cooperation between local and regional authorities are topical issue and a subject of wide international discussions in science and practice [1].

There are ponderable studies of domestic and foreign researchers on the issues of international transborder cooperation of European states – Germany, Switzerland, Poland, Hungary, Romania, Slovakia and Russia [2].

At the same time the problem forming organizational – legal and institution efficient mechanisms of transborder as well as inter-territorial cooperation by way of reforming local self-governance authorities and

redistribution of scale of authorities between central authorities for the benefit of territorial communities or local authorities, *on our opinion, is a crucial segment in the project "Borders for people"*. [3]. On the analogy, administrative – territorial entities – border cantons of Switzerland, lands of Germany are delegated with rights within the national legislation to conclude international agreements on topics of the region's development, border trade, tourism, cultural relations, environments etc. However this status results from historical processes of state building over centuries.

Creation of Euroregions in European practice in the capacity of international institutional entities is based on border cooperation of administrative – territorial entities on the level of cantons, lands or territorial communities of neighboring European states having common borders. The subject of legal regulation traditionally includes border trade, health protection, education, environment, tourism, recreation as well as business in border adjacent areas. According to researchers signing of cooperation agreements between border regions has a long history. Set up of Euroregions in Brussels, according to researcher of those issues Marcus Perkman, was initiated in early 50s when municipal associations set up inter-municipal associations aimed at regional cooperation at border areas [4].

According to Katri-Liis Lepik "The first Euroregion was set up in 1958 on border areas of Enschede (Denmark) And Gronau (Germany). Other international multilateral and bilateral transborder cooperation agreements like German-Danish signed on May 23, 1991 and Karlsruhe Agreement on transborder cooperation between territorial authorities and local authorities signed on January 23, 1996 created framework legal foundations for more complicated forms of transborder cooperation based on public law [5].

Signature of the European Outline Convention on Transfrontier Cooperation between Territorial Communities or Authorities created regional foundations of international – legal mechanisms for transborder cooperation development between European states (Madrid, 1980) (see Annex 1) [6].

Discussions on future of European transborder relations including Ukraine acquire novelty features in relation to globalization processes in international relations system, challenges and risks which naturally accompany formation of the new world order, including European one. Globalization goes hand in hand with deepened interdependence of main international relations actors in economic, social and political spheres. In the conditions of globally dependant world the state does not possess sovereign jurisdiction in the

contemporary world of global legal order. As a result of universalization of globalization processes a deepening of influence of non-state private actors (private companies) on the processes of universalization of national legislative processes is taking place, for instance activities of transnational companies in the sphere of national policy of states. “Transformation of sovereignty is taking place, but this is not an erosion resulting from global law influence. Transformation data testify about cooperation between national regulatory institutions and private actors with the aim to provide conformity to international standards” [7].

The argument in favor of this statement is the practice of transnational companies' intervention to new markets of non-EU member states of Eastern Europe, testifying to benefits of border areas for location of productions at affiliated companies of foreign investors. For instance, on border areas of Ukraine, Poland, Hungary, Slovakia, Romania the following affiliated companies carry out production activities: “Yadzaki Corp. Ukraine”, “Jabil Circuit Ukraine Limited” of such well known transnational corporations as “Yadzaki Corp.” (Japan) and “Jabil Corp.” (USA). Legal status of the mentioned companies (legal personality of companies etc.) is defined by personal law of the legal entity (*lex societatis*) of the company registration place. The personal law of the legal entity is the law of the state where the entity is incorporated. The place of location of the legal entity is considered to be a location of the permanently active authority of the legal entity (article 30 of the Civil Code of Ukraine). In general various existing criteria of defining “nationality” of the legal entity is conditioned by the fact that the legal procedure of setting up, registration of statutory documents, identification of the status of management bodies, carrying out of activities may be in different countries. The given examples demonstrate that in this case national regulatory institutes of Ukraine have an adequate reaction to the transnational company needs with the aim to comply with accepted international standards. But this is the case of first of all legal conditions of investment attractiveness of neighboring countries transborder areas. In reality priority conditions for locating new productions at border areas are relatively cheap labor force, developed production and financial infrastructure, taxes, state guarantees for investment capital, repatriation of capital conditions.

Relatively clearly put political position of the European Union – no new delimitating borders dividing Europe, carrying out policy of stability and flourishing within new borders and beyond them testifies the available

political will, which is crucial for future international – legal agreements in transborder relations sphere. It is emphasized that the EU enlargement will serve to strengthen relations with Russia and to develop relations with Ukraine, Moldova, Belarus and North-Mediterranean countries on the basis of long term approaches to reform implementation, sustainable development and strengthening of trade relations [8]. Within this context the Manifest of border cooperation declared by the Association of European Border Regions gains particular significance. It recommends to national and European authorities aiming at getting Europe closer to citizens the following: “Border areas are space for projects which, even if constituted, do not aim at administrative functioning but rather create for policy coordination of local, national and European authorities in order to develop programs addressing needs of population living at border areas”.

Status of modern transborder and inter-territorial cooperation of Ukraine with neighboring border states from the viewpoint of international law is defined on the basis of formed international – legal mechanisms in the frameworks of European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid, May 1, 1980), Additional protocol (ETS No 159, Strasbourg, November, 1995) and Second protocol No 2 (ETS No 169, Strasbourg, May , 1998), ratified bilateral agreements about state border with Hungary, Poland, Romania and Slovakia, as well as bilateral international agreements in the sphere of economic, environmental, humanitarian joint projects which are real legal mechanisms in the European integration process [9].

Practical implication of the above mentioned international agreements lies in the fact that they form the basis of international – legal mechanism of international relations regulation on bilateral and multilateral levels. The subject of legal regulation of transborder and interregional cooperation is various hierarchical levels of actors, including both legal and physical bodies. Transborder cooperation based on such agreements may be carried out also between non-governmental organization at various levels (for example, states and regions, regions and provinces, regions and municipalities, local authorities and international organizations) and may correspondingly be about various cooperation spheres: political, economic, trade, cultural and scientific.

Therefore, there are reasons to state that the international – legal foundations are formed for transborder and inter-territorial cooperation of Ukraine with border EU member states.

At the same time international – legal status of European border states actors of the EU law should be considered, in particular: international rights and obligations first of all of the EU members condition the scope of international rights and obligations in terms of border cooperation relations with Ukraine correspondingly. International rights and obligations of Poland, Hungary, Romania, Slovakia as subjects of law of the EU and NATO define system legal creation algorithm and limited jurisdiction of the mentioned members states as to any preferences in the sphere of regional and border cooperation. There are practically no exceptions from general legal regimen of European law for example in the sphere of trade, investment activity, export-import operation, customs procedures, environment etc.

A legal position which was formulated (in particular *specifica differentia* position of legal peculiarities of the mechanism of international – legal regulation (further on ILR) of transborder and inter-territorial cooperation between border EU member states with Ukraine) was conditioned by the content of international legal relations of the European Union member states.

Theoretically mechanism of international – legal regulation (further on ILR) of transborder and inter-territorial cooperation of border EU member states with Ukraine includes set of international – legal means and methods of influence on international legal relations [10].

One significant component of the mechanism of international – legal regulation of transborder relations of border states is the European Charter of local self-governance which upon its ratification (ratified by the Law of Ukraine from 15.07.1997) became part of domestic law. Ukraine accepted legislative acts *lex special* [11]. Analysis of the Law of Ukraine “About transborder cooperation” from the viewpoint of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities testifies in general about the *de lege lata* character of this legislative act in regards to real today's processes developing on the level of local and regional authorities. The mechanism of legal regulation is nonexistent, as are legal obligations. Ihor Studennikov, well known Ukrainian researcher-expert on transborder cooperation issues, also formulated his legal assessment that in essence an absolute centralization of management decision making takes place, when the general coordination of transborder cooperation is by law delegated to the specially authorized central executive authority on economic policy issues [12]. Under conditions of no financial support to transborder

cooperation programs this means that the law is only a declarative intention rather than legal algorithm of relations regulation.

Research of practice of carrying out transborder cooperation demonstrated new challenges and threats to national interests at the state border of Ukraine, in particular: illegal migration, human trafficking, contraband, drug and weapon trafficking. In this relation efficient transborder and inter-territorial cooperation requires forecasted states policy in regards to challenges and threats of global character, as well as high level of coordinated joint action programs with neighboring states. It is transborder cooperation of state having common borders is the only possible mechanism of efficient interstate policy of neighboring states in regards to solving problems of illegal migration, human trafficking, contraband, drug and weapon trafficking. This kind of approach requires conceptual decisions.

In general creation of favorable conditions for efficient and mutually beneficial cooperation of transborder cooperation subjects [13] can be reached only under condition of carrying out system reforms in internal regional policy sphere and existing political will from contractual parties of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities.

According to provisions of Madrid Convention on Transfrontier Cooperation between territorial authorities from 1980 the parties undertook within their national legislations the following obligations: solve legal, administrative and technical problems of transborder cooperation (article 4); look at possibility of support in regional and local authorities with special conditions for transborder cooperation facilitation (article 5); provide necessary information to other parties signatories of the Conventions (article 6), one's own regional and local authorities (article 7) and to Council of Europe (article 8).

Normative provisions of the Additional protocol (ETC No 159, Strasbourg, November, 1995) to the Framework convention propose model contracts / agreements on transborder cooperation adjusted to regional and local authorities needs. There are five model international agreements and six sample agreements of consultative character which lay out various level of centralization and differences in administrative structures of transborder cooperation member states[14] (see Annex 2).

The above mentioned protocol which became operational on December 1, 1998 regulates creation of permanent transborder cooperation institutions

with public-private or private-legal character with the decision making body. These permanent institutions have to motivate administrative-territorial entities and authorities to: a) conclude transborder cooperation agreements with territorial entities and authorities of other countries; b) set up permanent cooperation bodies. Decisions taken by that body shall be obligatory for territorial entities and authorities which enter the agreement.

A special attention requires Protocol No 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities in regards to associations of euro-regional cooperation adopted in Utrecht on November 16, 2009. [15]. The given protocol No3 aims to contribute to framework conditions of support and development serving interests of population in transborder and inter-territorial cooperation foreseen by the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and Protocols to it from November 9, 1995 (ETS No 159) and on May 5, 1998 (ETS No 169).

The draft Protocol was heard in Parliament Assembly which provided its conclusion that the Euroregional cooperation is given great political importance, and also mentioned that Protocol No3 forms procedures of creating legal framework foundations for inter-territorial and transborder cooperation of local and regional authorities [16].

Main legal characteristics of Protocol No3 include the following provisions:

- Territorial communities or authorities and other bodies that can set up transborder cooperation body in the form of Euroregional Co-operation Grouping (further on the ECG) on the territory of Council of Europe member states parties of this protocol, according to conditions foreseen by it (clause 1, article 1);
- Legal personality legal capacity and legal competence and legislation applied to Euroregional cooperation association is defined, in particular: the ECG is a legal entity subject to legislation of the Party which is Council of Europe member state and where its headquarters are located;
- The ECG has the most wide legal capacity which is provided to legal entities according to national legislation of this state;

- Legislation which is applied to the type of corporate subject selected for the ECG by its members is laid out in the agreement about the ECG set up without limitation of provisions of this protocol or any other separate provisions adopted by the Party according to article 13;
- The ECG has the right for own budget and competence to fulfill it;
- The ECG can conclude contracts, hire staff, purchase movable or immovable property and bring legal proceedings (article 2);
- The ECG members are territorial communities or authorities of Parties-states, as well as relevant interested Council of Europe member states; physical bodies can not be ECG members;
- The ECG is set up by way of concluding written agreement between its founding members (Article 4);
- Statute of the ECG is a component of the agreement about its foundation (article 5);
- The ECG shall perform the tasks that its members entrust to it. These tasks shall be in accordance with the competences of the members under their respective national law and shall be listed in the agreement and in the statutes. (article 7);
- The ECG shall adopt decisions and ensure their implementation, in respect and for the benefit of individual persons or legal entities subject to the jurisdiction of the States to which its members belong. Members shall adopt or facilitate all necessary measures falling within their competences in order to ensure that the ECG's decisions are implemented. (clause 2, article 7);
- The tasks given to an ECG shall not concern the exercise of regulatory powers. The ECG shall not be empowered to take measures which might affect the rights and freedoms of individuals, or to impose levies of a fiscal nature. (clause 3, article 7);
- The ECG may not exercise competences that territorial communities or authorities exercise as agents of the State to which they belong,

- except where duly authorised. It may exercise competences that States members of the ECG confer upon it. (clause 4, article 7);
- The ECG shall be established for a limited or unlimited period of time, to be specified in the agreement and the statutes. (Article 8);
  - The ECG – or, if its assets are not sufficient, its members jointly – shall be liable with regard to third parties for its acts, including debts of whatever nature, even if those acts do not fall within its tasks. (article 9);
  - The ECG shall be liable to its members for any breach of the law to which it may be subject. The organs of the ECG shall be liable with regard to the ECG for any breach of law they have committed in the exercise of their functions. A State on whose territory it is intended to set up the headquarters of an ECG may prohibit the registration or publication of notice of an ECG if one or more of its prospective members has limited liability.
  - In the event of a dispute between the ECG and its members, the competent courts shall be those of the State in which the ECG has its headquarters. (Article 10);
  - Decisions and acts of the ECG shall be subject to the same supervision and administrative and judicial review of the legality of acts of territorial communities or authorities as those required in the State in which the ECG has its headquarters. (article 11);
  - Where the ECG carries out any activity in contravention of the provisions on public policy, public security, public health or public morality of the States to which its members belong, or in contravention of the public interest of the said States, the competent authority or body of these States may prohibit that activity on its territory or require those members that fall under its jurisdiction to withdraw from the ECG unless the latter ceases the activity in question.
  - The management and budget implementation of the ECG shall be

subject to financial audit in accordance with the national law of the Party in which it has its headquarters (article 12).

Therefore, analysis of Protocol No 3 to the European Outline convention about Transfrontier Cooperation between Territorial Communities or Authorities in relation to Euroregional Cooperation Groupings (ECG) conditions the possibility to shape the conclusion that ECG forming on transborder areas may serve to further development of organizational – legal mechanism of transborder cooperation under condition of its ratification by the Parliament and harmonization with the national legislation of Ukraine.

The main hindrances on the way to Madrid Convention implementation by states – actors of international law and of additional Protocols are differences in national law and order and lack of expressive social – economic and political preconditions. These discrepancies prevent from direct application of systems of models of the Outline Convention. The legal characteristics of the Convention and additional Protocols testify that the Convention and additional protocols are multilateral international agreements that create legal frameworks for international – legal regulation of transborder cooperation. Based on these provisions states are obliged to set up conceptually new updated efficient organizational – legal and institutional mechanisms for transborder cooperation fulfillment.

Therefore, on the assumption of the initial thesis that international law is international policy \*, it would be logical to deepen the mentioned topic in particular: in the basis of setting up and further development of international – legal mechanism of transborder relations regulation of European neighboring countries is political will of actors of these processes.

This factual condition claims the role of system constituent condition of conceptual foundations for harmonizing national legislation with the mechanism of international – legal regulation of transborder as well as inter-territorial relations of European border states in relation with globalization and integration processes.

Pragmatically, at the bottom of further prospects of efficient transborder cooperation development as well as of inter-territorial cooperation of the EU member states and Ukraine and correspondingly of mechanism of international – legal regulation of interstate transborder relations the priority direction, on our opinion, is implementation of the following activities:

a) set up conceptually updated efficient organizational – legal and institutional mechanisms for transborder cooperation on the basis of

implementation into national legislation of provisions of Protocol No 3 to the European Outline Convention about Transfrontier Cooperation between Territorial Communities or Authorities in terms of Euroregional Cooperation Groupings (ECG), adopted in Utrecht on November 16, 2009;

b) implement reallocation of the scope of powers between central authorities for the benefit of territorial communities or local authorities, that will create legal foundations for efficient transborder and inter-territorial cooperation. General legal backgrounds for participation of local territorial communities and authorities in transborder cooperation are laid out in the European Charter of local self-governance (ratified by the Law of Ukraine from 15.07.1997) and Protocols No 2 and No 3 to the European Outline Convention about Transfrontier Cooperation between Territorial Communities or Authorities.

## References

1. Commission of the European Communities.Brussels, 1.3.2003. COM(2003) 104 final. Communication from the Commission to the Council and the European Parliament.Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours- Access regime: [http://ec.europa.eu/world/enp/pdf/com03\\_104\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf); European Neighbourhood & Partnership Instrument Cross-Border Cooperation Strategy Paper 2007-2013 Indicative Programme 2007-2010- Access regime: <http://ec.europa.eu/world/enp/pdf>; Regional Herald for Promotion of Culture of Minority Rights and Interethnic Tolerance.October 22, 2004 No 6.IV Summary: Top story in this issue: Minorities in Context of Regional Cooperation and Stabilization - Access regime: [http://www.mediaplan.ba/servis/servis06\\_en.pdf](http://www.mediaplan.ba/servis/servis06_en.pdf); <sup>2</sup> Corey M. Johnson. Cross-Border Regions and Territorial Restructuring in Central Europe. doi: 10.1177/0969776409102190 European Urban and Regional Studies April 2009 vol. 16 no. 2 177-191. Brussels, 11.3.2003; *Eduardo Medeiros* Cross-Border Cooperation in EU Regional Policy: a fair deal? - Access regime: [http://edumedcv.no.sapo.pt/docs/fd\\_em.pdf](http://edumedcv.no.sapo.pt/docs/fd_em.pdf); *Eric J.Novotny*. Transborder-Data Flows and International Law:

- A framework for Policy-Oriented Inquiry.-Access regime: <http://heionline.org/HOL/LandingPage?collection>; *Markus Perkmann*. Cross-Border Regions in Europe Significance and Drivers of Regional Cross-Border Co-Operation. - Access regime: <http://eur.sagepub.com/content/10/2/153.abstract>; European Neighbourhood & Partnership Instrument. Strategy Paper. Ukraine. 2007-2013. Indicative Programme 2007-2010. Executive Summary.- Access regime: <http://ec.europa.eu/>; Katri-Liis Lepik. Euroregions as Mechanisms for Strengthening Cross-Border Co-operation in the Baltic Sea Region . Estonian Business School, Tallinn. TRAMES, 2009, 13(63/58), 3, 265–284.-Access regime: [http://www.ebs.ee/public/oppeosakond/doktoriope/Lepik\\_varuta.pdf](http://www.ebs.ee/public/oppeosakond/doktoriope/Lepik_varuta.pdf); Report “Euroregions as A Mechanisms for Strengthening Transfrontier and Interregional Co-operation: Opportunities and Challenges” European Commission for Democracy Through Law (Venice Commission) UNIDEM Campus Trieste Seminar “Interregional and Transfrontier Co-operation: Promoting Democratic Stability and Development”, Trieste, Italy, 22 – 25 February 2010 by Mr. Oriano OTOČAN . - Access regime <http://www.venice.coe.int/docs/2010/CDL-UDT%282010%29008-e.pdf>;
2. Budkin Viktor. Ukraine and the Eastern Border of the European Union. In: Geopolitical Studies, Vol.12. 2004. Warsaw, Poland; *Мікула Н.А.* Міжтериторіальне та транскордонне співробітництво: Монографія. – Львів: ІРД НАН України, 2004. – 395 с.; *Margulíková O., Grusmanová E., Muravský J.* Inštitucionálne aspekty cezhraničnej spolupráce v Slovenskej republike: Vývoj a právne postavenie cezhraničných štruktúr. Analytická štúdia. – Br.: Rada Európy, Ministerstvo vnútra SR, 2004. – 181 s.; Безопасность и международное сотрудничество в поясе новых границ России. Под редакцией *Л.Б. Вардомского и С.В. Голунова*. - М. - Волгоград: НОФМО, 2002. - 572 с.; *Динис Г.Г.* *Международно-правовая основа приграничных отношений СССР с европейскими странами-членами СЭВ .диссертация на соискание ученой степени кандидата юридических наук (международное право), Киев-1988г.*; *Динис Г.Г., Дербак В.І., Сюсько І.М.* Транскордонне співробітництво України // Міжнародні зв'язки України: наукові пошуки і знахідки. – Вип.10: Міжвідомчий збірник наукових праць / Відпов. ред. С.В.Віднянський. – К.:Інститут історії

- України НАН України, 2001. – С.110-127;. *Є.Кіш*. Транскордонне співробітництво та регіональна політика Європейського Союзу // На шляху до Європи. Український досвід Єврорегіонів. – К.: Логос, 2000. – С. 13 – 34; *Ігор Студенников*. Транскордонне співробітництво як дзеркало регіональної політики в Україні. -Економічний Часопис-XXI №1-2'2005 - Режим доступу: [www.niss.od.ua/p/21.doc](http://www.niss.od.ua/p/21.doc). *Долішній М.І., Беленький П.Ю.* Транскордонне співробітництво регіонів у контексті інтеграції України в ЄС // Проблеми економічної інтеграції України в Європейський Союз: теорія і стратегія: Збірник текстів виступів міжнародної наукової конференції – Львів: Діло Лтд, 1996. – С. 157-158. Tschudi Н-М. Promoting transfrontier co-operation: an important factor of democratic stability in Europe. – Strasbourg, 4-6 June 2002. Федан Р. Регіональні чинники активізації транскордонного співробітництва Польщі та України: Монографія. – Львів: ІРД НАН України, 2003. – 336 с.
3. Загальні правові підстави для участі в транскордонному співробітництві місцевих територіальних громад або властей встановлюють Європейська хартія місцевого самоврядування (ратифікована Законом України від 15.07.1997 р.), закони України «Про місцеве самоврядування» (від 21.05.1997 р.) та «Місцеві державні адміністрації» (від 09.04.1999) ,а також Протокол № 2 до Європейської рамкової конвенції про транскордонне співробітництво між територіальними общинами або владами , який стосується міжтериторіального співробітництва, а саме:“  
...враховуючи укладення 9 листопада 1995р. Додаткового протоколу до Рамкової конвенції, який стосується правових наслідків діяльності, що здійснюється в рамках транскордонного співробітництва , та правового статусу будь-яких органів співробітництва, створених згідно з угодами про транскордонне співробітництво“.
  4. See: Marcus Perkman. Policy Debates Construction of New Territorial Scales:A Framework and Case Study of the EUREGIO Cross-border Region.Wolfson School of Mechanical and Manufacturing Engineering, Loughborough University, Loughborough LE11 3TU, UK.
  5. Katri-Liis Lepik. Euroregions as Mechanisms for Strengthening Cross-Border Co-operation in the Baltic Sea Regiuon . *Estonian Business*

- School, Tallinn. TRAMES, 2009, 13(63/58), 3, 265–284.-Access regime: [http://www.ebs.ee/public/oppeosakond/doktoriope/Lepik\\_varuta.pdf](http://www.ebs.ee/public/oppeosakond/doktoriope/Lepik_varuta.pdf);*
6. European Outline Convention Transfrontier co-operation between Communities or Authorities. Madrid, 21.Y.1980.-Access regime: <http://conventions.coe.int/Treaty/en/treaties/html/106.htm>;
  7. See.: Kanishka Jayasuriya, The Rule of Law in the Era of Globalization: Globalization, Law and the Transformation of Sovereignty: The Emergence of Global Regulatory Governance, 6 Ind. J. Global Leg. Stud. 425 (1999).
  8. Commission of the European Communities. Brussels, 11.3.2003. COM(2003) 104 final.Communication from from the Commission to the Council and European Parliament. Wider Europe— Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours. - Access regime: [http://ec.europa.eu/world/enp/pdf/com03\\_104\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf); 6. Manifesto for Cross –Border Cooperation .Recommendations to the national and European authoritiesfor bringing Europe closer to its citizens.EUROMOT - April 2008- Access regime: [http://www.espaces-transfrontaliers.org/en/MANIFEST\\_EN.pdf](http://www.espaces-transfrontaliers.org/en/MANIFEST_EN.pdf);
  9. Європейська Рамкова Конвенція про транскордонне співробітництво між територіальними общинами або владами/ Версія українською мовою /.-Братислава-,1999-С.123; Угода між Урядом України та Урядом Польщі про міжрегіональне співробітництво.- Режим доступу: <http://www.rada.kiev.ua/cgi-bin/putfile/cgi/-.C.1>;Угода про добросусідські відносини та співробітництво між Республікою Польща та Україною від 18.05.1992 р. (набула чинності 30.12.1992 р.); Договір про основи добросусідства та співробітництва між Україною та Угорською Республікою від 6.12.1991 р.; Договір про сусідство, дружні відносини та співробітництво між Україною та Словацькою Республікою від 29.06.1993 р.; Договір про відносини добросусідства та співробітництва між Україною та Румунією від 2.06.1997 р.; Договір про дружбу, співробітництво і партнерство між Україною і Російською Федерацією від 31 вересня 1997 р.; Угода між Урядом України та Урядом Республіки Молдова про співробітництво між прикордонними областями України та адміністративно-територіальними одиницями Республіки

- Молдова від 11 березня 1997 р.
10. И.И.Лукашук. Механизм международно-правового регулювання. Киев.Изд-во при КГУ, изд.объединение «Вища школа», 1989.- 164с.
  11. Закон України “Про транскордонне співробітництво”(26.06.2004 р. № 1861-IV) // газ. “Голос України”, 22 липня 2004р; Кабінет Міністрів України; Розпорядження від 15.09.2010 № 1838-р Про схвалення Концепції Державної програми розвитку транскордонного співробітництва на 2011-2015 роки; Закони України “Про місцеве самоврядування” (від 21.05.1997 р.) та “Місцеві державні адміністрації” (від 09.04.1999).
  12. Ігор Студенніков. Транскордонне співробітництво як дзеркало регіональної політики в Україні. -Економічний Часопис-XXI №1-2’2005 - Режим доступу: [www.niss.od.ua/p/21.doc](http://www.niss.od.ua/p/21.doc).
  13. Стаття 4 Закону України „Про транскордонне співробітництво” від 24.06.2004 р. № 1861-IV( Відомості Верховної Ради (ВВР), 2004, N 45, ст.499.
  14. Model and Outline Agreements, Statutes and Contracts on Transfrontier Co-operation between Territorial Communities or Authorities. <http://conventions.coe.int/Treaty/en/treaties/html/106.htm>.
  15. Draft Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning euroregional co-operation groupings (ECGs). Doc. 11951.15 June 2009 Report Committee on the Environment, Agriculture and Local and Regional Affairs.-Access regime: <http://assembly.coe.int/Documents/WorkingDocs/Doc09/EDOC11951.pdf>
  16. Draft Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning euroregional co-operation groupings (ECGs). Doc. 11951.15 June 2009 Report Committee on the Environment, Agriculture and Local and Regional Affairs.-Access regime: Access regime: <http://assembly.coe.int/Documents/WorkingDocs/Doc09/EDOC11951.pdf>; Review of the EGTC Regulation: Interview with Alberto Núñez Feijoo, rapporteur for the CoR opinion.- Access regime: <http://www.cor.europa.eu>

**European Outline Convention on Transfrontier Co-operation  
between Territorial Communities or Authorities**

Madrid, 21.V.1980

**Preamble**

The member States of the Council of Europe, signatories to this Convention,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members and to promote co-operation between them;

Considering that, as defined in Article 1 of the Council of Europe Statute, this aim will be pursued in particular by agreements in the administrative field;

Considering that the Council of Europe shall ensure the participation of the territorial communities or authorities of Europe in the achievement of its aim;

Considering the potential importance, for the pursuit of this objective, of co-operation between territorial communities or authorities at frontiers in such fields as regional, urban and rural development, environmental protection, the improvement of public facilities and services and mutual assistance in emergencies;

Having regard to past experience which shows that co-operation between local and regional authorities in Europe makes it easier for them to carry out their tasks effectively and contributes in particular to the improvement and development of frontier regions;

Being resolved to promote such co-operation as far as possible and to contribute in this way to the economic and social progress of frontier regions and to the spirit of fellowship which unites the peoples of Europe,

Have agreed as follows:

**Article 1**

Each Contracting Party undertakes to facilitate and foster transfrontier co-operation between territorial communities or authorities within its jurisdiction and territorial communities or authorities within the jurisdiction of other Contracting Parties. It shall endeavour to promote the conclusion of any agreements and arrangements that may prove necessary for this purpose with due regard to the different constitutional provisions of each Party.

## **Article 2**

1. For the purpose of this Convention, transfrontier co-operation shall mean any concerted action designed to reinforce and foster neighbourly relations between territorial communities or authorities within the jurisdiction of two or more Contracting Parties and the conclusion of any agreement and arrangement necessary for this purpose. Transfrontier co-operation shall take place in the framework of territorial communities' or authorities' powers as defined in domestic law. The scope and nature of such powers shall not be altered by this Convention.
2. For the purpose of this Convention, the expression «territorial communities or authorities» shall mean communities, authorities or bodies exercising local and regional functions and regarded as such under the domestic law of each State. However, each Contracting Party may, at the time of signing this Convention or by subsequent notification to the Secretary General of the Council of Europe, name the communities, authorities or bodies, subjects and forms to which it intends to confine the scope of the Convention or which it intends to exclude from its scope.

## **Article 3**

1. For the purpose of this Convention the Contracting Parties shall, subject to the provisions of Article 2, paragraph 2, encourage any initiative by territorial communities and authorities inspired by the outline arrangements between territorial communities and authorities drawn up in the Council of Europe. If they judge necessary they may take into consideration the bilateral or multilateral inter-state model agreements drawn up in the Council of Europe and designed to facilitate co-operation between territorial communities and authorities.
2. The arrangements and agreements concluded may be based on the model and outline agreements, statutes and contracts appended to this Convention, numbered 1.1 to 1.5 and 2.1 to 2.6 with whatever changes are required by the particular situation of each Contracting Party. (1) These model and outline agreements, statutes and contracts are intended for guidance only and have no treaty value.
3. If the Contracting Parties deem it necessary to conclude inter-state agreements, these may inter alia establish the context, forms and limits

within which territorial communities and authorities concerned with transfrontier co-operation may act. Each agreement may also stipulate the authorities or bodies to which it applies.

4. The above provisions shall not prevent the Contracting Parties from having recourse, by common consent, to other forms of transfrontier co-operation. Similarly, the provisions of this Convention should not be interpreted as invalidating existing agreements on co-operation.
5. Agreements and arrangements shall be concluded with due regard to the jurisdiction provided for by the internal law of each Contracting Party in respect of international relations and general policy and to any rules of control or supervision to which territorial communities or authorities may be subject.
6. To that end, any Contracting Party may, when signing the present Convention or in a later communication to the Secretary General of the Council of Europe, specify the authorities competent under its domestic law to exercise control or supervision with regard to the territorial communities and authorities concerned.

#### **Article 4**

Each Contracting Party shall endeavour to resolve any legal, administrative or technical difficulties liable to hamper the development and smooth running of transfrontier co-operation and shall consult with the other Contracting Party or Parties concerned to the extent required.

#### **Article 5**

The Contracting Parties shall consider the advisability of granting to territorial communities or authorities engaging in transfrontier co-operation in accordance with the provisions of this Convention the same facilities as if they were co-operating at national level.

#### **Article 6**

Each Contracting Party shall supply to the fullest possible extent any information requested by another Contracting Party in order to facilitate the performance by the latter of its obligations under this Convention.

#### **Article 7**

Each Contracting Party shall see to it that the territorial communities or authorities concerned are informed of the means of action open to them under this Convention.

### **Article 8**

1. The Contracting Parties shall forward to the Secretary General of the Council of Europe all relevant information concerning the agreements and arrangements provided for in Article 3.
2. Any proposal made by one or more Contracting Parties with a view to adding to or extending this Convention or the model agreements and arrangements shall be communicated to the Secretary General of the Council of Europe. The Secretary General shall then submit it to the Committee of Ministers of the Council of Europe which shall decide on the action to be taken.

### **Article 9**

1. This Convention shall be open to signature by the member States of the Council of Europe. It shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.
2. The Convention shall enter into force three months after the date of the deposit of the fourth instrument of ratification, acceptance or approval, provided that at least two of the States having carried out this formality possess a common frontier.
3. In respect of a signatory State ratifying, accepting or approving subsequently, the Convention shall come into force three months after the date of the deposit of its instrument of ratification, acceptance or approval.

### **Article 10**

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may decide unanimously to invite any European non-member State to accede thereto. This invitation must receive the express agreement of each of the States which have ratified the Convention.
2. Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession which shall take effect three months after the date of its deposit.

### **Article 11**

1. Any Contracting Party may, in so far as it is concerned, denounce this Convention by means of notification addressed to the Secretary General of the Council of Europe.

2. Such denunciation shall take effect six months after the date of receipt by the Secretary General of such notification.

### **Article 12**

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, and any State that has acceded to this Convention of:

- a. any signature;
- b. any deposit of an instrument of ratification, acceptance, approval or accession;
- c. any date of entry into force of this Convention in accordance with Article 9 thereof;
- d. any declaration received in pursuance of the provisions of paragraph 2 of Article 2 or of paragraph 5 of Article 3;
- e. any notification received in pursuance of the provisions of Article 11 and the date on which denunciation takes effect.

In witness where of the undersigned, being duly authorised thereto, have signed this Convention.

Done at Madrid, the 21st day of May 1980 in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe and to any State invited to accede to this Convention.

**Model and Outline Agreements, Statutes and Contracts on Transfrontier Co-operation between Territorial Communities or Authorities <sup>(2)</sup>.**

This graduated system of model agreements was devised by distinguishing between two main categories defined according to the level at which the agreement is concluded:

- model inter-state agreements on transfrontier co-operation at local and regional level;
- outline agreements, contracts and statutes capable of providing a basis for transfrontier co-operation between territorial authorities or communities.

As shown in the table hereafter, only the two model inter-state agreements for the promotion of transfrontier co-operation and regional transfrontier liaison fall exclusively within the jurisdiction of States. The other inter-state agreements merely establish a legal framework for the conclusion of agreements or contracts between territorial authorities or communities, the outlines of which have been placed in the second category.

<p><b>1. Model inter-state agreements</b> <b>General clauses for model agreements</b></p>	<p><b>2. Outline agreements, statutes and contracts between local authorities</b></p>
<p>1.1 Model inter-state agreement for the promotion of transfrontier co-operation</p> <p>1.2 Model inter-state agreement on regional transfrontier consultation</p> <p>1.3 Model inter-state agreement on local transfrontier consultation</p> <p>1.4 Model inter-state agreement on contractual transfrontier co-operation between local authorities</p> <p>1.5 Model inter-state agreement on organs of transfrontier co-operation between local authorities</p> <p>1.6 Model agreement in interregional and/or intermunicipal economic and social co-operation</p> <p>1.7 Model agreement on inter-governmental co-operation in the field of spatial planning</p> <p>1.8 Model agreement in interregional and/or intermunicipal transfrontier co-operation in the field of spatial planning</p> <p>1.9 Model agreement on the creation and management of transfrontier parks</p> <p>1.10 Model agreement on the creation and management of transfrontier rural parks</p> <p>1.11 Model inter-state agreement on transfrontier co-operation in matters concerning lifelong training, information, employment and working conditions</p> <p>1.12 Model inter-state agreement for the promotion of transfrontier or transnational school co-operation</p> <p>1.13 Model agreement on transfrontier or interterritorial co-operation concerning land use along transfrontier rivers</p> <p>1.14 Model inter-state agreement (bilateral or multilateral) on transfrontier co-operation groupings having legal personality and Appendix</p>	<p>2.1 Outline agreement on the setting up of a consultation group between local authorities</p> <p>2.2 Outline agreement on co-ordination in the management of transfrontier local public affairs</p> <p>2.3 Outline agreement on the setting up of private law transfrontier associations</p> <p>2.4 Outline contract for the provision of supplies or services between local authorities in frontier areas (private-law type)</p> <p>2.5 Outline contract for the provision of supplies or services between local authorities in frontier areas (public-law type)</p> <p>2.6 Outline agreement on the setting up of organs of transfrontier co-operation between local authorities</p> <p>2.7 Model agreement in interregional and/or intermunicipal economic and social co-operation (see para. 1.6)</p> <p>2.8 Model agreement in interregional and/or intermunicipal transfrontier co-operation in the field of spatial planning (see para. 1.8)</p> <p>2.9 Model agreement on the creation and management of transfrontier parks (see para. 1.9)</p> <p>2.10 Model agreement on the creation and management of transfrontier rural parks (see para. 1.10)</p> <p>2.11 Model agreement on the creation and management of transfrontier parks between private law associations</p> <p>2.12 Model agreement between local and regional authorities on the development of transfrontier co-operation in civil protection and mutual aid in the event of disasters occurring in frontier areas</p> <p>2.13 Model agreement on transnational co-operation between schools and local communities</p> <p>2.14 Model agreement on the institution of a transfrontier school curriculum</p> <p>2.15 Model agreement on transfrontier or interterritorial co-operation concerning land use along transfrontier rivers</p> <p>2.16 Model agreement on transfrontier co-operation establishing the statutes of a transfrontier co-operation grouping having legal personality and Appendix</p>

## **SELF-GOVERNMENT AND MONITORING OF INTER-ETHNIC RELATIONS IN THE BORDERING REGIONS**

The self-government we understand as a political and legal institution, in frame of which a governing of local and regional affaires is executed. This is done on the level of lower territorial and administrative units (communes) via self-government of there residing population, with the approval and support of state government. Its competencies are in principle delineated by the constitution and further laws of given state, even thought they are coming out of basic European principles. The basic document, which is defining the content, structure and mechanics of functioning of local self-governments, is the *European Charter of Local Self-government* (Charter), adopted by Council of Europe on October 15th 1985.

In the article 3, section 1 and 2 of the Charter, the self-government is defined as the expression of right and ability of local institutions in the limits of law to govern and administer the prevailing segment of public affaires in the frame of its own responsibility and in the interest of local population. This right is executed by a council or gathering of local population, of which the members are elected by a secret ballot based on the direct, equal and general election. The self-government can not to limit the right of citizens to gather, to participate on referendum or to take a part on any participation on public affaires allowed by a law.

The Charter also presents a significance of local self-government in following ways:

- the local institutions and the base of any democratic system,
- the right of citizens to participate on public affaires is the one of democratic principles, accepted by the all members of the Council of Europe,
- this right can be most directly executed on the local level,

- the existence of local institutions having the real authority, can secure effective performance of government and connection with the citizenry,
- the protection and enforcing of self-government in various European countries is an important contribution to the build-up of Europe, based on principles of democracy and decentralization of power,
- important condition is the existence of self-government institutions, of which decision making organs were democratically established and have a high measure of autonomy in regard to competencies a they have a means and ways of realization of their own authority and resources needed to this realization.

The Charter is determining the range of rights and competencies given to local self-governments. At the same time, however, it suppose, that the principle of local self-government is reciprocal via the legislative of given country and, if this possible, is anchored in constitution. This is true also for Slovakia – in *Slovak Constitution*, articles 64 and 64a, the basis of territorial self-government if the town (village). The territorial self-government is created by town and higher territorial unit. The town and higher territorial unit are the independent self-governing units of Slovak Republic, binding persons, who permanent residents of given unit.

In the Constitution of SR is stated, that the self-government institutions of the towns constitute the town representation and the mayor of the town. The town representation is created by representatives, elected to four years term by permanent residents of the given town. The elections are based on the equal, direct and secret ballot. The executive organ of the town is the mayor, who does the governing of the town and is representing given town in outside affairs. In line with the law no. 302/2001 Code of the laws “*In regards to self-governing of higher territorial units (the Law in regard to self-governing counties)*” the general development of its territory and needs of citizenry is the responsibility of the self-government of given county. Given self-government is securing namely the creation and fulfillment of programs of social, economic and cultural development, is preparing, deliberating and approving plans of territorial county development. The self-government is obliged to utilize human, natural and other resources, to participate on creation and protection of natural environment, is preparing

conditions for optimal settlements and other aspects of its territory. It also is creating conditions for development of education, especially on middle level schools and for creation, presentation and preservation of cultural values and protection of memorabilia.

The organs of higher territorial unit are council and chairman of the unit. The council is composed of representatives for four years term by citizens with permanent residence. The chairman of the higher unit is the executive organ representing unit in external dealings.

Many of the mentioned functions of self-governments of towns and counties are closely connected with the aspects of everyday life of ethnic minorities. They are questions of socio-economic development and planning, of culture and education and other issues of ethnic minorities, whose members have a permanent residence on territory belonging to administrative authority of given self-governments.

The democratic principles of organization and functioning of local self-government are anchored in the constitutions of other countries of Central and Eastern Europe. For example, in the Constitution of Ukraine, in article 140 is stated, that local self-government is the right of inhabitants of town or city to independently solve the issues of local nature in frame of Constitution and laws of Ukraine. The local self-government is functioning directly as well as via organs of local self-governments: town councils, city councils and other government bodies (representations) and their executive organs. Institutions of local governments of higher degree are county and district councils.

Similarly as in Slovakia, also in Ukraine representative assemblies of town, city, county and district councils are elected on the base of general, equal and direct ballot via secret vote for four years. Identically are elected mayors of towns and cities, who also chair the executive committees of councils. The chairmen of county and district councils of Ukraine are elected by county and district representative assemblies.

Extraordinary significant area of activities of organs of local and regional self-governments is the ethnic policy, even though its legal regulation and realization on the state level is the matter of the highest legislative and executive institutions. The basic principles of work realized by institution of state and self-governments of European states, including countries of Central and Eastern Europe are included in so called *Frame Agreement for Protection of Ethnic Minorities*, adopted by the Council of Europe in Strasbourg on February 1 1995.

From the beginning it was evident that to maintain stability in European Continent, it is necessary to adopt binding international legal norm aimed at protection and development of rights of ethnic minorities, providing that its realization can be controlled. Exactly this function is doing *Frame Agreement*, which is containing 32 articles divided into five parts. The attention deserves a fact, that *Frame Agreement* does not define the phenomenon of *ethnic minority*, though this is the essential term of the whole document.

In this regard, a definition of general term minority was possible extract from a document *European Agreement for Protection of minorities*, article 2, adopted during 6<sup>th</sup> session of *European Commission for Democracy via Law* on February 8<sup>th</sup> 1991. This document, at that time, characterized the minority as a group, “*which is by number less numerous that rest of the population of the state and its members, who are the citizens of given state, have ethnic, religious or linguistic specifics, different from similar specifics of general population and are determined to protect its culture, tradition, religion or language.*”

The *Frame Agreement for Protection of Ethnic Minorities* in that sense, in relation to ethnic minorities, emphasize following basic principles:

- non discrimination of minorities
- protection of minorities is a part of human rights protection
- support of creation of conditions for protection and development of culture of minorities and preservation of their religion, language and traditions
- freedom of public gathering, associations forming, expression, conscience and religion
- access to mass media and their utilization, use of minority language in private and public life as well as in the official conduct
- use of person name in the mother language
- use of topographic names in the minority language, right to education and learning in minority language
- freedom to establish and utilize educational facilities and right to maintain and to develop trans border contacts
- right to participate on economic, cultural and public life

- participation of minorities on solving of minority matters connected with status of minorities
- abstention from forced assimilation
- The *Frame Agreement* also contains a list of duties of persons, who are adhering themselves to given ethnic minority
- upholding the laws of the state and norms of international law
- respect for rights of persons not belonging to given minority, including members of majority and other minorities
- shy from activities opposite to principles of sovereignty and territorial integrity and political independence of given state

Application of principles, which are articulated in this important document, is realized via internal state legislative of given state and its executed minority policies. An emphasis is placed upon protection of persons belonging to ethnic minorities, who can utilize their rights individually or together with the other minority members. As is stated in the article 3, section 2, this way is recognized the possibility of collective use of these rights and freedoms, however at the same time, the collective rights of minority are not accentuated.

In countries of Central and Eastern Europe, the legal systems emphasize the relation between guaranteeing of ethnic minority rights and civil freedoms. This principle is anchored in constitutions of these states and in additional laws. For example in Hungary in year 1993 and in Ukraine in year 1996 were adopted special legal norms related to ethnic minorities, in Slovakia the adoption of similar minority law is deliberated already several years, but the is alack of political will.

On the other side, the inter ethnic relations, as well as rights of ethnic minorities in states of Central and Eastern Europe, are frequently regulated by a broad scale of legal norms, to which belong laws in regard to use of minority languages, in regard to state language, laws regulating the names of towns in minority languages and the whole complex of laws dealing with the system of education, support and development of culture and other binding legal norms.

In general, it is possible to say that the legislative base, which is regulating the sphere of interethnic relations and is guaranteeing the rights of ethnic minorities in above mentioned region of Europe, is relatively sizeable and

basically on good level. In that sense is responding to basic requirements of European institution. It is dynamically developing and adopting new norms. It reflects a continual evolution of relations among nations and ethnic minorities, which are not a static, but are changing relentlessly.

A significant role of self-governments in territorial-administrative units in countries of Central and Eastern Europe, especially in border regions, is the guarantee of mutual harmony, right to development and preservation of ethnic identity of member of ethnic minorities. One of the effective ways and proven methods of practical realization of this task during the last years is also the monitoring of inter-ethnic relations.

The term “monitoring” is derived from Latin word monitor, - ris, m., which means person who admonish, call to attention. The monitoring of relations among nations or nationalities, is the system of scientifically based, qualified and professionally realized systematic observation of problems and state of every day relations among the members and groups of various nationalities, living on territory subordinated to jurisdiction of given organ of local self-government.

The monitoring is realized in interest of prevention of eventual occasions of tension among the members of various nationalities and in reason to secure harmonization of relations among these groups, including guaranteeing of equal rights of majority and ethnic minorities. The border regions are characterized by mixture of various ethnic groups. This is a result of historical development of past centuries.

Ethnically interspersed regions and multi-cultural collectivities are characterized by mutual ethnic tolerance, by a mutual cultural enrichment and by a development of individual aspects of national and cultural life of every ethnic group. Multi-cultural state is a positive phenomenon, which is typical for the whole European civilization. This is creating wholesome conditions also for realization of measures adopted by institution of self-governments in the area of inter-ethnic relations. The self-governments are frequently playing a decisive role in regulating of system of ethnic relations on regional and local level. This is primarily conditioned by place and role of self-governments in the structure of public administration. Primarily institutions of self-governments are closest to citizens, that is also to members of ethnic minorities, because they representing regional and local communities. Besides, the realization of ethnic policy on whole state level is practically realized via activities of lower strata of state administration,

of which part are also organs of local administration. They have certain advantages in comparison to institutions of state executive in given region and their competencies, including a sphere of regulation of ethnic relations, are steadily increasing. Presently the division of competencies towards to self-governments is a trend in all post-communist countries.

A second convenience is, that the self-governments are concrete tools of realization of representative democracy and among elected representatives are also members of ethnic minorities. This way, automatically is secured their participation on governing of territorial units, on formation of ethnic policies including its practical implementation. Furthermore, on institutions of local self-governments depends also a realization of principle of direct democracy in form regional and local referendums, plebiscites, opinion researchers etc.

Besides, the institutions of self-governments are the favored places for members of ethnic minorities to ask for help. Similarly, the representatives of ethno-cultural organizations and associations are also reverting in cases of need to these institutions. This way the activities of institutions of self-governments almost in decisive measure determine a success of minority policies in regions. Their thoughtful approach and practical steps are conditions of realization of rights of ethnic minorities and practical area. They also play indispensable role in preserving constructive and tolerant relations among individual ethnic communities.

Naturally, the system of inter-ethnic relations is never static and rigid. This process is constantly developing and during its course new problems are occurring, which required adequate and flexible reactions from state institutions. These are obliged to elaborate adequate measures bringing resolve. Measures must prevent possibility of small frictions into contradictions and conflicts. It is necessary to take into consideration also possible occurrence of certain complications and need to solve them flexibly. The role of institutions in that sense is to detect and investigate occurrences of discrepancies and on the base of analysis to adopt optimal solutions. In this regard a system of continual monitoring of inter-ethnic relations is a must.

There is also necessary to mention a very important role of non-government organizations in monitoring of inter-ethnic relations. Their observations, actions and suggestions have for state institutions as well as for general public great significance, especially because in non-governmental sector are included also organizations representing ethnic minorities and

their ethnic-cultural associations. However, even though non-governmental organizations and civic associations are capable to register problems, the actual solving is prerogative of state power, including local self-governments. This, however, is not contradicting the need for continual cooperation between non-governmental organizations and institutions of local self-governments. The so called third sector is presently capable, in coordination with local self-governments and with other state institutions, sufficiently effective perform some social functions. This way a higher level of direct participation of citizens on influencing of state affairs and realization of ethnic communities rights, including sphere of ethnic policy, is secured.

It is necessary to take into consideration, that parallel with deepening and improving of democracy, the role and significance of civic initiatives and third sector will in public life continually increase. In that sense, possibly, it would be rational to create a common system of monitoring of inter-ethnic relations, via local self-governments and non-governmental organizations. It would enable to connect real powers of elected institutions with experiences, activities, mobility, expertise and initiative of civic non-governmental organizations. This would be especially helpful in border regions.

Monitoring of inter-ethnic relations has not only internal, but also external significance, which is covering several areas. Firstly, ethnically mixed regions in border areas are, at the same time, areas of most intensive contacts and cooperation of neighboring states. An in these regions a majority of members of ethnic minorities live, frequently in a compact settlements.

The affinity of such minority to the kin state is a reality. In case of real or alleged injustice against minority, this can lead to calling for protection from kin country. This way, the minority policy can, in a significant measure, to influence status and nature of inter-state relations of neighboring countries.

In practical level, the ethnic policy in towns and cities is executed by self-governments. It is important, that self-government on territory of state in which given minority lives, is the immediate institution which members of ethnic minorities contacting in need of problem solving. Therefore, a constant monitoring of ethnic relations from self-governments side and initiative in adoption of measures aimed at problem solving and preservation of minority rights.

On the other side, from effective activities of institutions of local self-governments in the sphere of monitoring and regulation of inter-ethnic relations also depends practical upholding of principles applied in European

states and requirements aimed at securing the rights of ethnic minorities. The self-governments are the key element in realization also other (bilateral, multilateral) agreements and international conventions in the area of mutual guaranteeing of rights of ethnic minorities, protection of their ethnic identity and development of their culture. Self-governments, however, can act only in the frame of competencies, which were awarded by state institutions. These should concentrate attention upon the spheres of inter-ethnic relations, which are placed in their competencies and can be administered by them.

For above mentioned reasons, one of the decisive tasks of monitoring of inter-ethnic relations is to contribute to improvement of legal norms regulating relations among nationalities. The institutions of local self-governments have possibilities to register occurring phenomena and tendencies and initiate changes of legal norms and mechanisms, which ethnic relations regulate via monitoring.

The second important role of monitoring of inter-ethnic relations by institutions of local self-governments is prevention. By systematic observation, probing and primarily by timely detection of negative occurrences in the ethnically mixed environment, it is possible not only prevent potential growing of inter-ethnic tensions into conflicts, but also exclude possibility of ethnic tensions gaining a political dimension, which is more difficult to diffuse.

The monitoring of inter-ethnic relations by above mentioned institutions has also an informative role. It enables to gain leads for an analysis of ethnic processes and prepare a ground-work for making qualified decisions. The local institutions of self-governments can this way, on the base of real data gained due to systematic monitoring, adopt a much more qualified measures in the broad sphere of inter-ethnic relations.

On the base of above mentioned analysis, which was executed in several countries, it is evident, that in every multi ethnic environment it is desirable in time to establish effective functioning system monitoring the inter-ethnic relations, especially via institution of local self-governments. Until now, such a system was not elaborated in any country of Central and Eastern Europe, even though, some elements of such approach were tested.

According to our opinion, establishment of the complex system of monitoring on the local level of self-government should be done in several stages. In preparatory phase indicators should be delineated, which would regularly monitor and at the same time, an organizational structure of monitoring should be created.

As a possible indicator of inter-ethnic relations we consider:

- statistic changes of ethnic structure of population on the territory under jurisdiction of given institution of local administration
- ethnic schools
- cultural activities of ethnic minorities
- social and economic status of members of ethnic communities
- level of social and political activity of members of ethnic communities, including their representation in the institutions of local self-governments.

State, eventually also further indicators can be expressed also in concrete quantitative data, which could be possible to compare in their development. These indicators can be one of the relevant data suitable for preparation of decisions made by institutions of local self-governments in the area of inter-ethnic relations. And primarily this is a goal, which we are considering desirable in an environment of neighboring countries, so as to prevent possible tensions and eventual occurrences of conflicts.

### **BIBLIOGRAPHIES:**

1. BENČ, Vladimír (Ed.). Readiness of the Candidate Countries for the EU Regional Policy. Bratislava: Slovak Foreign Policy Association, 2003, 228 s.
2. BENDÍKOVÁ, Martzina (Ed.). Medzikultúrny dialóg a migrácia. Zborník. Bratislava: Zastúpenie Európskej komisie na Slovensku; Centrum pre európsku politiku, 2008, 161 s.
3. BÚTORA, M. (Ed.): Slovensko 1996 : Súhrnná správa o stave spoločnosti a trendoch na rok 1997. Bratislava: Inštitút pre verejné otázky, 1997.
4. BÚTORA, M. – IVANTYŠIN, M. (Eds.): Slovensko 1997 : Súhrnná správa o stave spoločnosti a trendoch na rok 1998. Bratislava: Inštitút pre verejné otázky, 1998.
5. CSEFKÓ, Ferenc – KOVÁCS, Pálné Ilona. Kisebbségi önkormányzatok Magyarországon : 1994 – 1998. Budapest: Osiris, 1999.

6. DANČÁK, Břetislav – FIALA, Petr (Eds.): Národnostní politika v postkomunistických zemích. Brno: Masarykova univerzita, 2000, 316 s.
7. ЄВТУХ, Володимір Борисович. Етнополітика в Україні: правничий та культурологічний аспекти. Київ, 1997, 214 s.
8. ЄВТУХ, Володимір Борисович – ЗУППАН, Арнольд (Eds.). Етнічні меншини Східної та Центральної Європи: компаративний аналіз становища та перспектив розвитку. – Київ: Інтел, 1994. 203 s.
9. ЄВТУХ, Володимір Борисович et al. Етнічний довідник : Етнічні меншини на Україні. Київ: Центрум етносоціологічних та етнополітичних досліджень Інституту соціології АН України, 1996, 172 s.
10. ЄВТУХ, В.Б.- ІСИП, Є.В./ SUGLOBIN, S. Ī. Етнополітична ситуація в Україні : Спорби наукової інтерпретації. Київ: Інститут сіціології АН Йзраїни, 1993, 109 s.
11. FIGUSCH, Viliam – SEDLÁKOVÁ, Darina (Eds.). Európska charta regionálnych alebo menšinových jazykov : Zborník z pracovného seminára Bratislava, 11. – 12. novembra 1996. Bratislava: Informačné a dokumentačné stredisko Rady Európy, 1996, 159 s.
12. GABAL, Ivan et al. Etnické menšiny ve střední Evropě : konflikt nebo integrace. Praha: G plus G, 1999, 341 s..
13. GAJDOŠ, Marián – KONEČNÝ, Stanislav (eds.): Etnické minority na Slovensku: história, súčasnosť, súvislosti. Košice: Spoločenskovedný ústav SAV, 1997, 263 s.
14. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij (Eds.). Slovensko 2000 : Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 2000, 872 s.
15. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij (eds.) : Slovensko 2001: Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 2001, 899 s.
16. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij (Eds.). Slovensko 2002 : Súhrnná správa o stave spoločnosti I. Bratislava: Inštitút pre verejné otázky, 2002, 500 s.
17. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij (Eds.). Slovensko 2003 . Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 2003.

18. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij (Eds.). Slovensko 2004 : Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 2004, 992 s.
19. Конституція України - основа реформування суспільства. Харків: Видавництво «Право», 1998, 94 s.
20. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij – BUTORA, Martin (Eds.). Slovensko 2007 : Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 2008, 749 s.
21. KOLLÁR, Miroslav – MESEŽNIKOV, Grigorij – BUTORA, Martin (Eds.). Slovensko 2008 : Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 2009, 756 s.
22. Кордони єднання : Проблеми міжетнічних відносин у Карпатського євро регіоні. Ужгород: Карпати, 2001.
23. КУШНІР, Борис. Транскордонне співробітництво як альтернатива новій „Залізній завіст“ та конфліктам. Ужгород: Всеукраїнське державне видавництво „Карпати“, 2007, 238 s.
24. LISTINA ZÁKLADNÝCH PRÁV A SLOBÔD: Ústavný zákon č. 23/1991 Zb. In Zbierka zákonov, ročník 1991, čiastka 6, s. 114. Prístupné na internete: <http://jaspi.justice.gov.sk>,
25. МАКАРА, Микола Петрович - МИГОВИЧ Іван Іванович. Карпатами поріднені. Ужгород: ВАТ Патент, 1997,
26. MESEŽNIKOV, G. – IVANTYŠIN, M. (Eds.): Slovensko 1998 – 1999 : Súhrnná správa o stave spoločnosti. Bratislava: Inštitút pre verejné otázky, 1999.
27. Міжетнічні відносини на Закарпатті: стан, тенденції і шляхи поліпшення. Ужгород, 2001.
28. ПАВЛЕНКО, Г.В.- МАКАРА, М.П.- КОРОЛЬ, І.Ф.- ГРАНЧАК, І.М. – МАНДРИК, І.О. (Eds.). Соціально-економічні та етнополітичні зміни в країнах центральної і південно-східної Європи : друга половина 80-х - перша половина 90-х років ХХ ст. Ужгород: Господзрахунковий редакційно-видавничий відділ Закарпатського комітету у справах преси та інформації, 1997, 229 s.
29. ПАДЯК, Валерій . Україна та Словаччина на передодні введення візового режиму : двосторонні відносини та прикордонне співробітництво. Матеріали міжнародної наукової конференції. Ужгород: Видавництво В. Падяка, 2000, 169 s.

30. Právní nástroje k ochraně národnostních menšin : Postavené národnostních menšin v České republice a jejich ochrana. Praha: Poslanecká sněmovna Parlamentu České republiky; Informační a dokumentační středisko Rady Evropy; Univerzita Karlova, 1997, 88 s.
31. RÁMCOVÝ DOHOVOR NA OCHRANU NÁRODNOSTNÝCH MENŠÍN: Dohovor 160/1998 Z.z., Zbierka zákonov č. 59/1998, s.1150, <http://jaspi.justice.gov.sk>, prístup: 10.10.2002.
32. Рамкова конвенція про захист національних меншин. In Бюльтеень Центру інформації та документації Ради Європи в Україні, 1997, ч. 2, s. 33-42.
33. SOKOLOVÁ, Gabriela – ŠRAJEROVÁ, Oľga (Eds.). Národnostní menšiny a majoritní společnost v České republice a v zemích střední Evropy v 90. letech XX. století. Opava; Praha: Slezský ústav Slezského zemského muzea; Dokumentační a informační středisko Rady Evropy, 198, 311 s.
34. ŠEBESTA, Štefan: Medzinárodná ochrana národností. Európský štandard v dokumentoch. Bratislava: JUGA, 1997, 255 s.
35. ŠRAJEROVÁ, Oľga (Ed.). Otázky národní identity – determinanty a subjektivní vnímání v podmínkách současné multietnické společnosti. Opava; Praha: Slezský ústav Slezského zemského muzea; Dokumentační a informační středisko Rady Evropy při Evropském informačním středisku UK v Praze, 2001, 442 s.
36. ŠRAJEROVÁ, Oľga (Ed.). Národnostní menšiny na přelomu tisíciletí : Sborník z mezinárodní vědecké konference konané ve dnech 12. - 15. listopadu 2002 ve Slezském ústavu Slezského zemského muzea v Opavě. Opava; Praha: Slezský ústav Slezského zemského muzea; Dokumentační a informační středisko Rady Evropy při Evropském informačním středisku UK v Praze, 2002, 307 s.
37. TILKOVSKY Lóránt. Nemzetiségi politika Magyarországon a 20. században. Budapest: Csokonai kiadó, 1994.
38. ТОКАР, Петро. Нові реалії сучасних кордонів : соціолого-політологічний аналіз. Ужгород: Ужгородський національний університет, 2008, 316 s.

## **ECOLOGY OF THE CARPATHIANS AS A FACTOR OF THE REGION SUSTAINABLE DEVELOPMENT**

The Carpathians are not only one of the most picturesque regions of Europe but, due to its geographical location, large area, rich natural resources play an important role for biological and landscape diversity preservation and for maintaining the environmental balance of the whole European region.

Due to its geologic-morphologic construction and favorable soil-climate conditions the Carpathians have considerable biological diversity. The region's flora includes 3980 species and subspecies of vascular plants that accounts to 31.2% of the flora wealth of Europe. About 12.6% of specious composition is endemic. The Carpathians are also distinguished by rich species composition of both vertebrate and invertebrate animals due to considerable area of natural landscapes.

The Carpathian Mountains due to favorable climatic conditions, picturesque environmentally clean landscapes, rich resources, available historical-cultural monuments, and comfortable railway and airport communication contribute a lot to recreation and tourism. Therefore, of course, sustainable tourism has a great importance for combining nature conservation and development, but a proper environmental control should be carried out, recreational sites should be developed, and violation of rules of conducts should be prosecuted in due order.

Since the Carpathians are located on the territory of seven countries protection of natural ecosystems in transborder locations is an important environmental task.

Taking into account uniqueness of the Carpathian Mountains and their significance for sustaining the environmental balance in Europe the World Wild Nature Funds (WWF) classifies them as part of 200 environmentally most important regions of the world (Program Global 200).

One of the most topical issues of today is degradation of environment state on the planet under the influence of a human, especially: climate warming, ozone layer depletion, emergence of acid rains, accumulation in

soils and plants of toxic wastes, heavy metals, radionuclides and pesticides. All this impacts negatively the environmental situation in Transcarpathia and neighboring regions, as a result of which it is strained and complicated. Improvement of the state of environment is the topic not only for Transcarpathia and Ukraine but also for border areas of adjacent countries of the Carpathian region.

Quite a complicated environmental situation developed over the last decades in the Carpathian region. Cases of environmental disasters, flood in particular, has become more frequent.

Ecosystems of the Carpathians were heavily affected from the series of excessive discharge of cyanides and heavy metals into the Tisa river from the territory of Romania. This caused tremendous material losses to the oblast.

Environment pollution by domestic and industrial waste is getting rampant. Most settlements of the oblast have no water discharge and sewage water purification and centralized collection, processing and utilization of waste. All this is turning Transcarpathia into one tremendous landfill from which waste in huge quantities is carried by rivers to neighboring states.

Nonchalant attitude to natural wealth of the region – forests, underground and surface waters brings about floods, landslides, soil erosion and loss of water recourses.

As a result of careless management forest cover of the Ukrainian Carpathians decreased. Quality composition of forests changed considerably: oak and beech forests are replaced by spruce stands, water regulating qualities of which are lower than of beech virgin forests.

It is principally important for the Carpathians to preserve rare plane formations which due to various reasons have preserved their natural qualities. In general these are natural original not altered by human activity high mountain herb and bush plant formations and virgin forests. They need to be defined and specially protected. This refers first of all to forests, the clear cuttings of which were the reason of catastrophic river floods, decrease of cenotic and flora diversity, depletion of gene pool. In turn floods caused not only moral and material losses but led to such phenomena as soil erosion. It can take several decades to get the fertile layer of the erosion soil restored.

To improve situation it is necessary to drastically reconstruct the forest use system. It should foresee intensification of forest management and the shift to environmental orientation, introduction of watershed management in mountain conditions with consideration of forest cover and location of

forests, as well as introduction of system of measure to optimize age, space, species and ecotypical structure of stands at all stages of use and restoration of forests.

Another extraordinary important issue for the Carpathians, for both its Ukrainian part and European part, is stabilization of state of their ecosystems on the basis of rational use and restoration of biota. For this it is necessary, first of all, to assess the state of biodiversity and coordinate natural resource use with interests of each nation on the basis of calculation of full (that is including environmental and social components) resource value, not limiting to only consumer value, define their quotas and parity calculation.

In connection with globalization processes, the biosafety issue is under discussion. One of this problem's component is use of genetically modified products. Therefore at the border territory of the Carpathians it is necessary to create a regime of GMO that could secure minimal risk of their danger to human health and environment. The approach to risk calculation should include: identification of GMO dangerous characteristics, assessment of the scope of effects for human health and environment, procedure of risk management which would allow decreasing of harm, assessment of negative effects of GMO acting in environment and methods of their liquidation.

Environmental policy in the Carpathians should be carried out according to the single program developed on the foundations of integrity and financial provision. Important elements of such program should include measures to secure awareness of population as to environmental policy in the region, participation of non-governmental organizations in its implementation and operational control, development of the feeling of joint environmental responsibility.

Ecosystems of the Ukrainian Carpathians are characterized by special vulnerability; it takes a lot of time and efforts to restore the disturbed dynamic balance. In this aspect, in order to preserve biodiversity of the Carpathians it is necessary to secure and maintain stability of natural factors. At the same time, biodiversity preservation measures should comply with economic and social development plans of the region.

Summing up the above mentioned, priority tasks for the Carpathian region countries cooperation are the following conditions:

1. It is necessary to create and introduce the program for forming inter-state environmental network that would foresee definition of key areas, environmental corridors, restorative and buffer areas taking into

account bio-geographical zones; selection of preserved ecosystems and landscapes, types of environments for existence of species (ecotones) of regional, national and international significance.

2. It is necessary to make a comprehensive review of forest use strategy, to orient it towards gradual transformation of forest “agrosystems” into natural ones. Creation of forest ecosystems of structurally and functionally close to nature (multispecies, uneven - aged forest stands) will ease the hot spots of forest stability. This will allow them to fulfill their natural functions – climate shaping, water protection, soil protection, sanitary etc.
3. It is necessary to set a single state and international control over GMO use, carry out state expertise of GMO safety, keep strict records in the sphere of genetically engineered activities.
4. The problem of transport and heat energy environment pollution should be solved at the scientific basis of pollutant discharge regulation.
5. The economy should be reoriented so that with minimal negative impact on the environment it could secure sustainable economic development. Today the recreation economy should become a priority in the Carpathian region.
6. It is necessary to enforce in due order the acting within the EU laws about environment protection, impose sanctions to violators, make amendments into acting laws and secure their efficient enforcement. In addition, experts should carefully study to what extent currently acting laws in environment safety meet the current status, when Ukraine is not a EU member state, and if needed, to make their revisions. Scientists already today should work over environmental laws of united Europe, taking into account that in terms of environment it is united from the moment it formed.

**TRADITIONS, TODAY AND PROSPECTS  
OF MULTILATERAL TRANSBORDER COOPERATION IN  
EURO-CARPATHIAN REGION.  
PLACE AND ROLE OF TRANSCARPATIA IN THIS PROCESS**

**Proposal of project “Eurokarpatika 21” development**

**A. General aims**

1. Practical implementation / finalization for the first time of integrated multi-language / multi-cultural documentary fund – treasury of the Carpathian Euroregion which could be used efficiently and without restrictions by all fund founders and all persons (working in mass media, political-administrative, cultural, scientific, educational, business etc. spheres) who wish to research, use and finalize it to the benefit of knowledge and rapprochement of various ethno-linguistic communities (peoples / nations) of the region. This is a necessary and obligatory condition of gradual integration into the Eu structure by way of organic adoption of the European community mentality, laid out by specific peculiarities in the frameworks of each Euro-region.

2. Securing of practical model of academic – cultural transborder cooperation with the target aim: identify the place of the Carpathian Euroregion in Europe, including of each national / state community in the region, with the double prospects of: a) retro-historian-sociological; b) prospective, that is interpretation of restoration of the chance of today in the tomorrow’s world of accelerated globalization according to what was accrued in the past.

**B. Specific main aims of the project “Eurokarpatika 21”:**

Priority regular reasarch of integrated study of archives / libraries )in all partiipcant countires with involvement of experts from the oblast) and field research (with all forces participating in the poject – researchers, youth, students etc.) to create and include international information into the data bank of the region (including creation of joint regional academical – cultural fund “Eurokarpatika 21” that would publish editions,, taking into account joint interest under the name of Eurokarpatika 21 in relation to:

- a) cooperation and decooperation of agriculture;
- b) nationalization and reprivatization of industry, trade, banks etc., including deindustrialization features and urban depopulation resulting from reverse mass migration from town to village;
- c) individual and collective destiny of ex local elites, birth of new elite;
- d) inter-ethnic relations (interference, harmony and dissonance);
- e) impact of the process of transfer from globalization of the modern civilization (postmodernism / postindustrialism) on society / traditional culture (environment, employment, identical practice – education, language, written language, religion, non-governmental organization, economy, property, family, institutions, mentality etc.)
- f) winding up and strengthening of transborder European mentality / consciousness based on long established history experience of the region (role of Austria, Hungary, Poland, Russia etc. in joint cultural – ethnic, religious and language processes);
- g) great roles of culture (academic institutions and artists) in speeding up of this process.

Specific secondary aims:

- a) enrichment of joint cultural and spiritual heritage by way of identification of new cultural values which in other cases would have stayed anonymous;
- b) concrete promotion of knowledge exchange in all industries (state management, economics, trade, finances, culture, science, sport, religion, charity etc.) and including joint mutual understanding of those who contribute to this for the sake of mutual benefit;
- c) acquiring concrete experience in creation and coordination of specific teams / international teams which would carry out interdisciplinary research, including implementation of complex and responsible tasks, carrying out selection and use of cultural and scientific research results.

**TRANSBORDER COOPERATION EFFICIENCY THROUGH  
INTERNATIONAL MONITORING AND COORDINATION  
OF ACTIVITIES OF NATIONAL SUBJECTS**

Western border of our state bordering the European Union countries has been actively used in terms of attempts to violate the state border by illegal migrants and carrying out various kinds of unlawful bargains by criminal elements with the aim of enrichments. Therefore border divisions of the West regional management of the State border service in interaction of law enforcement authorities of Ukraine within their competences implement tasks to prevent all kinds of criminality manifestations at the state border, to increase quality of border crossing by regular citizens, and transit of goods and freight through the border. By their actions, border guards implement government programs and international agreements aimed at improvement of border infrastructure, converge the political course of our state which final aim is to access to the European Community and Schengen space. Therefore for implementation of those intentions our country's political management has set the main aim for border guards - safety of borders and their immunity.

This is indeed important component in the state border protection of not only Ukraine but all states in general. Over the last years situation at the state border has been tense but under control.

For instance, at the border with Poland situation was mainly characterized by non-organized migration processes of CIS citizens, who because of dire financial standing would like to get employed in developed West European countries and use all kinds of smuggling attempts at checkpoints.

Due to targeted countermeasures, including with fruitful cooperation with the law enforcement authorities of Ukraine and Poland, we managed to considerably decrease level of illegal migration and smuggling compared to recent years. However, analysis of results of work testify about attempts to export women abroad to further make them work as a slave or provide sexual

services. Only within the 1<sup>st</sup> quarter of current year a few such attempts were prevented, criminal cases initiated against organizers.

It should be mentioned that in terms of illegal attempts and crimes at the border Transcarpathian direction is the most active one, including parts of Ukrainian – Slovak and Ukrainian – Hungarian border where main channels of illegal migration go through. Therefore our divisions at these areas focus their main efforts. During 1<sup>st</sup> quarter of 2011 border divisions in interaction with adjacent parties 130 illegal migrants were seized in 55 cases (2010 – 73 / 193).

For reference:

Republic of Poland – 11/16(2010 - 20/31);

Slovak Republic – 31/71 (2010 – 31/95);

Hungarian Republic – 11/38 (2010 – 19/53);

*Romania – 2/5 (2010 - 3/14).*

By taken actions it was possible to stabilize the situation in the region in terms of illegal migration. For instance, due to implementing international agreements readmission on issues of citizen seizure at the territory of European countries is up and running at a full capacity. On our side results were achieved as to deportation of illegal migrants to their origin countries. Groups of illegal migrants seized by law enforcement authorities of Hungary and Slovakia are received. During work with those groups main counteraction is focused on identification of the criminal element who had organized their illegal border crossing. In addition to cooperation with Slovak and Hungarian colleagues we try to work the groups which are not handed over to Ukraine's territory but stay in the process of working out the issue of receiving the refugee status in Hungary or Slovakia. The latter gives possibility to be hot on the traces of criminals associated with organized forms of illegal smuggling of people across borders. During current year we managed to initiate 10 criminal cases under article 332 of the Criminal Code of Ukraine in relation to 19 identified and seized organizers of illegal migration, by guilty verdicts of various courts 27 persons were sentenced within this criminal's category.

Another role of the State border authority competence is counteraction of economic smuggling across the state border. The mentioned phenomenon is widespread at all parts of the Western border of Ukraine and is carried out mainly in international checkpoints for motor service. During this year in 727 cases contraband goods and freight at the amount of 46 576 002 UAH were seized.

For reference:

Republic of Poland – 416/15 528 071 (2010 - 567/26 270 249);

Slovak Republic – 61/1564483 (2010 – 87/1 827 375);

Hungarian Republic – 135/8 285 093 (2010 – 224/7 902 082);

Romania – 112/20 868 749 (2010 - 360/9 235 853).

To counteract organized channels of economic contraband from early this year we have initiated 10 criminal cases as to 9 persons participating in contraband business of big lots of industrial goods, consumer products, and expensive cars. It should be mentioned that it is quite complicated to counteract with organized forms of contraband activities. First of all to bring contraband goods in big quantities various kinds of “grey schemes” are applied aimed at evasion of customs and tax payments.

Interaction with the adjacent side plays crucial role in counteracting with the mentioned type of unlawful activities. However in this aspect problems arise first of all associated with receipt of freight documents from the adjacent sides which are submitted to customs of Poland, Hungary, Slovakia and Romania, representatives of which motivate their refusal by protection of economic interest of their countries and lack of specific international agreements in this respect. There are problems with matching of data bases with the adjacent sides in terms of persons, vehicles and freight passed through. Without these data process of crime documentation is more complicated and it is not possible to identify corruption schemes and persons involved, which brings considerable economic losses to the state.

In addition to safety component, one very important aspect in counteracting contraband at the Western border of Ukraine is fight with illegal transportation of tobacco products across the border. This type of unlawful activity is specific for sections of Mukachevo and Chernivtsy border detachments which guard the border with Romania. By the way almost all fixed attempts of tobacco goods seizure were made at the green border section in the amounts of up to 20 boxes of cigarettes. It should be mentioned that there were attempts to smuggle tobacco goods in big lots (over 100 – 200 boxes) in trucks via checkpoints of the Ukrainian – Polish border. Such cigarettes are hidden under the guise of goods officially exported from Ukraine. Most often tobacco contraband was discovered among sawn-timber and logs, charcoal, glass packaging, bulk cargo going to Poland. Cigarettes in small lots (200 – 500) are transported in all without exception checkpoints of the Western border.

There is an impending danger or attempts to transport across border weapon, ammunition, and narcotic substances. We actively counteract attempts to get this type of unlawful activity on track. We can state that plant-based drugs are taken from Ukraine and synthetic drugs – into Ukraine. Border guards at attempts to transport across border have seized the following:

- 13,41 kg of opium extract;
- 136 gr of amphetamines;
- 103,89 gr of methamphetamines;
- 1,47 kg of psychotropic agents pills.

Due to actions taken 4 channels of drug traffic were eliminated at Ukrainian-Polish and Ukrainian-Hungarian border segments. 4 criminal cases were initiated in regards to 5 organizers of drug trafficking under article 305 of the Criminal Code of Ukraine.

It should be mentioned that our detachments at the border jointly with law enforcement authorities during 1<sup>st</sup> quarter of 2011 seized 31 pieces of weapon and 51 022 pieces of ammunition which is way more than in the similar period of last year (20 pieces of weapon and 87 pieces of ammunition).

For the reference:

*Republic of Poland – 10/50006 (2010 – 3/8);*

*Slovak Republic – 8/495 (2010 – 6/4);*

*Hungarian Republic – 6/507 (2010 – 11/75);*

*Romania – 7/14 (2010 - 0/0).*

State border service of Ukraine in the future will keep on implementing innovative methods to counteract criminality at the border, improve border check point and border detachment infrastructure, and simplify formalities for regular citizens and legal entities crossing the state border. Please pay your attention that the borders of Ukraine are open for all comers and travelers officially crossing them. We hope that with active support of neighboring countries and targeted actions of our country political management we will improve cooperation in the frameworks of transborder cooperation and orientation of our state towards the European Union.

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**INPUT OF ONE OF THE EUROREGIONAL RESEARCH  
INSTITUTE (INSTITUTE FOR EUROREGIONAL STUDIES  
«JEAN MONNET» EUROPEAN CENTRE OF EXCELLENCE  
- IERS) TO QUALITATIVE TRANSFORMATION OF  
HUNGARIAN-ROMANIAN BORDER**

*Abstract: Focusing mainly on the Hungarian-Romanian border as an example, this paper attempts to prove how the nature of borders have changed from hard, close and exclusive to soft, open, inclusive frontier. The article introduces the Hungarian and Romanian authors' scientific contributions, with a special emphasis on the members of the Debrecen-Oradea Euroregional Studies Institute (IERS), the "Jean Monnet" European Centre of Excellence and the jointly developed projects. These contributions have created a certain level of expertise and experience in the development of cross-border cooperation that could be transferred as good practice for the benefit of other situations with similar conditions such as the EU's eastern frontier along the Slovak-Hungarian-Ukrainian-Romanian-Moldavian borders or in the West-Balkan region.*

*Keywords: cross-border cooperation, the EU's eastern border, Hungarian-Romanian border, frontier, IERS.*

**Introduction**

This research is intended to highlight the conversion from exclusive, hard, closed border in soft, open, adaptive and inclusive frontier on the example of Hungarian-Romanian cross-border cooperation. We set out aspects of the scientific cooperation of Hungarian and Romanian authors with a special focus on (IERS) Euroregional Research Institute Debrecen-Oradea

and European Centre for Differences “Jean Monnet”, as well as jointly achieved research results. During the cooperation of Hungarian, Romanian and involved in research numerous foreign scholars, there was achieved the significant expert potential and experience in cross-border cooperation, which can be transferred as “best practices” primarily for the benefit of areas with similar circumstances, in particular Hungarian-Ukrainian-Romanian-Moldovan border areas within involvement in EU enlargement to the East and fragmented Western Balkan borders.

### **1. 1. Cross-border cooperation**

Constancy, stability or bandwidth of the borders clearly characterizes the relationship of culture of people, communities, nations, moreover, the relationship and synchronization of stereotypes, ways of thinking and behavior. The question of diversity of political and ethnic, national, linguistic and cultural barriers arise in the case of such borders, such as the borders of Hungary today, which arose in the twentieth century and thus the borders and border areas do not have significant historical traditions (I. Süli-Zakar, 1992).

The nature of borders in greatly influences the fate of the settlements and the quality of life of border areas. Quality of life of the population in the borderland may improve if the empowerment of cooperation between the countries, regions and settlements on both sides of the border (eg city counterparts, Euroregions, eurometropolis, exchange of labor, environmental protection, joint development of territories and settlements, small trade and etc.). Where increased permeability of borders, there is stronger unifying character of the state border and local development to a large extent can be built on the platform of the new territorial cooperation. Despite the fact of domination of dividing, separatist border lines, there remains a typical peripheral nature of the border regions. Simultaneously, in the case of an integrative kind of borders implies the likelihood of these border regions, which are capable of cross-border cooperation, which, unlike the borders of dividing nature could serve as a new example of creating a number of special opportunities for the benefit of sharing, mutual development. Successful cross-border cooperation in fact contributes to the fact that borderlands became the area of knowledge and development. Concerning the Hungarian-Romanian border, in the first place we see a positive change of nature; on the other hand bitter experience shows that

the Hungarian-Romanian border has become one of the most disjunctive borders of Europe (I. Süli-Zakar, 1992).

Border territories within states in the geographical sense are on the periphery and this often puts them in an unfavorable complex position. However, such a specific geographic location can sometimes be an advantage; in this case can compensate other flaws.

Considering the future of the border area highlighting regional characteristics includes the special value because it is matter that between the border and central parts of the states happen fatal, possibly irreversible process of polarization, or such, sustainable development based on conservation of individual values that balances and reconciles the situation of tension originating from territorial disproportionality and recently is becoming more tangible.

Research of cross-border cooperation can also serve as the basis of finding, identifying those positive elements that are endogenous sources in the form of suspension will increase the “gap”. Such positive effects may be part of enhancing the transfer nature, appear of transfer cities that store, transmit information and innovation. Along with the Benelux the territories in Central and Eastern Europe are the most fragmented state borders. The negative impact of these circumstances is very widely felt, creating a barrier of social and economic development in our region, especially plays a significant role the disjunctive nature of the borders of the backwardness of these territories (I. Süli-Zakar, 1992).

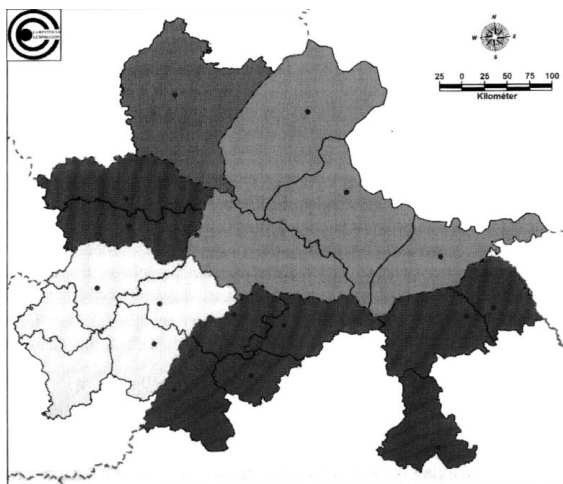
After finishing Second World War one of the most characteristic features of Western Europe was the emergence and development of euro regionalism. Last decades of years the regionalism was an efficient method of solving a number of centenary acute (political, ethnic, regional) issues. At 90-years euro regionalism reaches the Central and Eastern Europe; let's hope that old problems of the territory similarly find their successful solution. Among the most important features of the euro regionalism is reducing the level of disjunction of political borders, and strengthening the cross-border ties, to promote social and economic development (I. Süli-Zakar, 2003).

Development of these areas, unlike the natural situation find themselves cut off from established links across the national borders, much stopped, and this, as an adequate response, reflected aggregate economic performance and low infrastructure provision. This situation is complicated by acute events of the first half of the twentieth century. Moreover, the idea of cross-border

cooperation became important in Western Europe only in the late 1950s, after the first steps of European integration. Since then, appeared the first organized forms of cross-border cooperation (I. Süli-Zakar, 2003).

Based on authors' research the main features of European regions and euro metro polyses can be defined by the following criteria:

- most resulted forms of cross-border cooperation in Europe;
- facilitate deduction of uneven level of development of border areas;
- strengthen trust and cooperation between people;
- are a base of good neighborhood and integration;
- contribute to overcoming the negative geopolitical consequences of the past;
- are important components of integration of Central European states into the European Union.



1. Image. Carpathian Euroregion (Edited by I. Süli-Zakar)

Question on establishing the European regions and euro metro polyses in Western Europe appeared after the Second World War II to prevent international conflicts, to replace international confrontation came to mutual cooperation. To policymakers in the postwar period (Jean Monnet, Robert Schuman) it became clear that as close as possible to convey to the minds of citizens the importance of cooperation, good initiatives and mutual respect. However, it became clear that the efforts of national governments to build

international relations should take into account the initiatives coming from the bottom of the vertical (I. Süli-Zakar, 2007).

In geographical terms Euroregion borders can be defined by common interests rather than administrative units. It is important to emphasize that the Euroregion is not the notion of a new level of local or regional authorities, and it operates on the basis of the existing balance of different skills as the common organization of existing public and private institutions on both sides of the border (I. Süli-Zakar - I. Horgh , 2007).

According to the provisions of Western Europe or interstate Euroregion can be an effective tool for resolving civil and interstate conflicts. We believe in bad faith, that in future unacceptable to tie Hungary or Romania exclusively to European integration. The required is awareness of the importance of a Euroregional initiatives as transnational regions and Euroregions that create cross-border, integrated economic and cultural ties that bind country like economic interest and in the eastern part of Central Europe can be a beginner social and economic development. We therefore consider it important to strengthen and expand cooperation within Vishegrad Four. (In this regard, experience shows the supreme interest of the Government of Romania.)

Hungary - based on geographical location - often played / plays the role of mediator between East and West, North and South. This function is in the effects of globalization and the increasingly intensive integration can become extremely suitable, due to which - of course, if the state will live opportunities - are likely to achieve significant success. Therefore, the development of the strategy concerning the border area can't be imagine without some priorities in a complex that will serve to strengthen transfer capacity of states and localities - Transfer cities - which are carriers of mediation. Consolidation of such functions, «a kind of bridge» is expected from the activities of the presidency of the Hungary and Poland in EU in 2011.

Among Hungary's neighbors are a number of young public entities that are set up to demonstrate success in the international arena for their consideration and recognition as full members. One of these tools is favorable foreign system, a large part of which is sometimes unpleasant ethnic or environmental cooperation. Schengen borders of Hungary length of 2200 km and more than 50 points suffered significant changes after 2007. As a result of the expansion process in the context of accession to the Schengen Agreement Hungary is surrounded by four internal and three external border strips. But the transformation of borders in the «domestic» does not mean that

their functions (separation, combination, filter, and frontier) automatically undergo sudden changes.

With hopes of the Hungarian-Romanian border area as a unique transfer zone will include specific features delay capital. It was repeatedly observed in Europe that borders zone of Common market of the European Union have always been areas of constant investment.

Based on the experience carried out in the border areas of empirical research (Constantin Vasile Toca, 2009; M. Tomori, 2010) we can determine by the overall objective of the development of innovation-oriented, cross-border, aimed at joint development of economic cooperation programs. On this occasion was the birth of European regions in Western Europe. The system of European regions is increasingly spread from Western Europe to the east, so that the comparative advantages across national borders could be better used surrounding territories. Among the main goals of the border area is the tendency of such favorable economic, innovation and public area through the accumulation of various institutions that expand the spaces of a successful economy, and with it will increase the level of success of regional development of border regions of neighboring states (I. Süli-Zakar - I. Horga, 2007).

Countries of Central and Eastern Europe need to be properly prepare for the changes taking place in cross-border cooperation. Increased institutional autonomy and stabilization of the financial position of the regions (provinces) is extremely important both to the opportunities in the positive changes and to reduce negative impact.

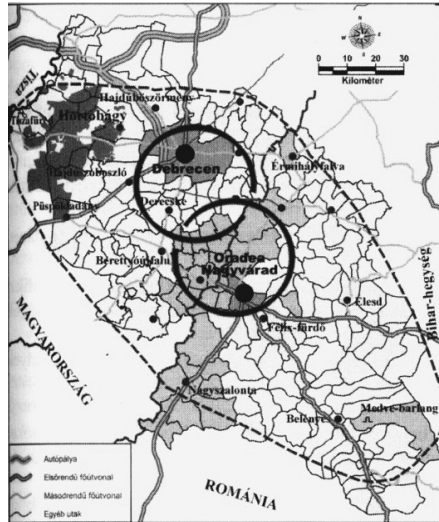
To achieve the above purpose other than direct funding processes should play an important role of semantic and technical training for participation in EU programs. It is important that those border areas that are temporarily staying in highly technical obstacles not rocked the mutual cooperation. If the results of economic Euroregional cooperation are behind expectations, even while still extremely important to support and enhance direct cross-border links in those regions.

For Hungary and Romania in view of the optimal economic and security policy of the European Union is that the so-called external border strip was as short as possible. According to these aspects need to make efforts to ensure that as many neighboring countries could join the organization, and in such cases where in the short term there is no such possibility, there remains the priority of balancing, mitigating the derived

weaknesses of non-participation. So part of our borders soon will join the EU's internal borders, that will be «volatile» in nature. Expected benefits due to the support of business relationships, are diffusion of innovation and the free flow of capital, goods, services and human resources - «four freedoms». Thus the level of dividing nature of borders that have become foreign should be reduce: the border area can be converted from buffer zones in the contact zone due to them - finding the optimal role of «gate of the European Union» - Hungary and Romania will be able to achieve considerable success (I. Süli-Zakar - I. Horga, 2010).

In border areas the launch of favorable economic, social and political processes is possible only if they created by the real contact areas, the population on both sides of the border are active in cooperation and actively support each other. Contact zones, which are under the influence of real relationships, create a real foundation for dynamic economic and cultural ties, and the scope of such links is addressing the institutional inter-regional and regional relations.

To the Hungarian-Romanian-Ukrainian border region has become a region of knowledge and we raise the level of communication much higher, strengthen our network of research institutions across the number of border (State University of Oradea, Hungarian Christian University Partium, Beregovo Hungarian Institute by II. Rákóczi Ferenc, Uzhgorod State University, University of Transylvanian Partium in Chiksereda, etc.). Due to the project there are implemented a number of scientific conferences in Debrecen and Oradea and published a number of scientific collections in Hungarian, Romanian and English languages. Aiming to sustainable development with partners University Oradea established a joint research institution, the name «Institute for Euroregional Studies» Jean Monnet «European Centre of Excellence». Also started publishing an international English-language magazine EUROLIMES, which has published 10 issues. There started the process of research on creating cross-border euro polis Debrecen / Oradea (I. Süli-Zakar - I. Horga, 2006). We believe in the relationship of major cities on both sides of the border is not only competition but also the motivation for mutual cooperation. Experience has shown above during the decades after 1920-1989/90h's leadership since 1990 both cities have sought to make joint ventures, cooperation. Researchers from IERS are trying to support the positive intention by the results of research (Project DEBORA) (picture 2).



## 2. Hungarian-Romanian cross-border cooperation

On June 14, 1920 the Trianon treaty outlined modern Hungarian-Romanian border, as such that not actually has a historical background and is considered “young” border. This border for long years breaks areas and cities that used to work together. For example Oradea and Debrecen for nearly 800 years belonged to a single administrative unit - Zhupa (comities) Bihar, in which the Oradea performed the function of regional center, and economic and educational function provided Debrecen. Over the past nine decades, much has changed on the Hungarian-Romanian border, in functional terms and in terms of its general nature.

As around and in Europe borders are in the process of transformation in terms of their functionality. These changes are expressed first in Western Europe and then gradually expanding to Eastern Europe. The essence of these changes manifested in the fact that the borders dividing nature gradually disappears and in return have become connective function (A. Ilies, W. Gram, 2006).

The decline of communism radically changed the role of borders in Eastern and Central Europe. Europe, which was divided almost half a century, since 1990 gradually reunited, and profound consequences of this appear on the changing nature, role and functions of borders. By

the 1990s the borders of Central and Eastern Europe, mainly performing military, defense function with domination of separation and strict border surveillance. Unlike the aforementioned European Union has defined a goal based on the German-French model, so that the borders were of such fundamental features as unity, common economic and cultural interests. Of course the process of European integration is a long term and in this respect between the former socialist states are significant differences. Considering the above mentioned countries in Eastern and Central Europe can be divided into four groups:

- countries that joined in the first stage (2004) of enlargement (10 countries, including Hungary)
- countries that joined in the second stage (2007) of enlargement (Romania and Bulgaria)
- country, pending the entry, but due to their adverse political circumstances currently cannot enter (the former Yugoslav republics except Slovenia),
- former Soviet Union (except the Baltic states) who are currently partnered with the EU.

In the case of Romanian borders also observed significant functional changes in the communist period compared with the period after the 1990s was, and especially over the years, as after 2000 (A. Ilies, 2002).

Among the many functions of borders we consider most important are: border security and control, fiscal, legal and military function. The value of the four basic functions of borders usually changes over time in relation to the geopolitical and geostrategic position of states. The next we analyze these functions through the prism of the Hungarian-Romanian border.

### ***Controls and border security function***

This function in the case of Hungarian-Romanian border at the time of communism was very important for hard to control and restrict the free flow of people. 2004 brought significant changes along the Hungarian-Romanian border, since the entry of Hungary into the EU this frontier into a foreign. Following in 2007, when Romania became a member of the European Union, this external border pushed to the northern and eastern frontier of Romania. That is, within a few years the role of borders has changed significantly. Today, after Romania's accession to the EU, it acts as a filter controlling border traffic in the direction from Eastern Europe into the European Union.

### *Question permeability and mobility in the Hungarian-Romanian border*

The right of free movement of people is an important general, elementary character. From this perspective, we see that now there is a significant difference between Western Europe and the former socialist bloc.

Natural and geographic data of the Hungarian-Romanian border is largely similar, as are low-lying strip of border crosses the territory, despite more significant crossing the river only a few paragraphs. From the ethnographic perspective is evident that on both sides of the border populated by the same ethnic Hungarians living in Romania and the Romanians living in Hungary (A. Ilies, 2010).

Fundamentally there are three stages of historical development of Hungarian-Romanian border:

- interwar period,
- period of communism, and
- post-communist period.

After the reforms functions and system on conditions of borders often dynamically changed, so in the last period can be highlight a number of subperiods (A. Ilies, D. Ilies, W. Gram, 2007).

- *Interwar period*

During this period, crossing conditions were favorable to a large extent and provide a high level of freedom, like the Schengen area today. When crossing the border were controlled only identification documents. Between the two world wars, border traffic was significant that is the merit of those who attended school every day and went to work. Many among the farmers had lands in the neighboring country and the daily care of the land did not inflict any obstacle.

- *Period of communism*

At this period is typical military fortifications and defensive functions of borders, despite the fact that both countries belonged to the same political-power system. Romanian-Hungarian border went into a closed, some crossing points were eliminated and thus cross-border movement focused on five points. Passenger traffic dropped significantly, much of it manifested in the form of illegal migration. As part of migration on the one hand Rumanians moved to the Yugoslavia and Hungary, and on the other hand much of Germans immigrated to Germany (I. Shuli-Zakar, 1994).

- *Postcommunist period*

In a political sense was the most active period since 1990. The period between 1990 and 1992 brought unprecedented freedom relative to the

border crossing; residents of post-socialist countries were able to freely move within the EU. After reforms in return for military and defense functions entered the economic role of borders. Since this period was largely variable and dynamic, we underline three separate stages in the course of a thorough analysis.

In Hungary and Romania between **1990 and 1994** marks the beginning of post-communist era. During this period, again escapes on the surface the desire of freedom of the inhabitants of post-socialist countries, resulting in actively open new border crossings, and indicators of the dynamics cross-border movement grew rapidly.

In the period between **1994 and 2002** appeared Schengen borders, this meant a new border between Eastern and Western Europe. As a result, for residents of Eastern and Central European border crossing was again difficult. Schengen countries were forced to enter the visa system for Romania. The process of EU enlargement and the introduction of the Schengen area are largely increased and deepened the differences between potential member countries, where previously they were not significantly more visible. After 1994 Western borders were closed or open irregularly for different countries. In the enlargement process became clear that Hungary will join the EU and the Schengen area in the first stage, unlike Romania, which joined only in the second phase. After some time appeared the first institutional forms of cross-border cooperation: the Carpathian Euroregion and the Euroregion Danube-Cris-Mures-Tisa. Visa policy, which was introduced as a result of increasing of illegal migration is negatively impressed the inhabitants of the border in Romania.

**After the 2002** again comes era of major changes as due to convergence of European and Euro-Atlantic integration of Romania concerning visa regime to Schengen countries was canceled. At the Hungarian-Romanian border the number of crossing points markedly increased and the abolition of visa in cross border travel conditions have improved significantly.

### ***Fiscal function***

Fiscal functions of borders are actually instruments and elements of economic policy of individual states. In the case of European Union fiscal functions are performed by external borders. That is what happened in Romania after 2007, where on the Union's internal borders are disappearing customs, fiscal functions while continuing their effect on the EU's external borders, as well as on the external border of Romania.

### ***Military function***

The military function was characterized by decades of socialist times, when large forces were settled near the borders. After Romania's accession to NATO has reduced the military, defense functions of borders, since these problems have moved to the competence of NATO. The defense function on the Hungarian-Romanian and Romanian-Bulgarian border virtually ceased to operate, despite remains important in Ukrainian, Moldavian, Serbian and Black Sea border zone.

### ***Legal, legislative function***

Legal functions define competence of borders of individual states. European integration of Hungary and Romania gradually reduced the competence of national governments, with special focus on foreign policy.

### **3. Contribution to the transformation of the Hungarian-Romanian border to its transformation into a knowledge broker, development and competitiveness.**

The emergence of “volatile” borders meant converting the present geopolitical systems of new states. Borders are no longer lines of demarcation that separate one country from another, but rather their role is weakened dividing and begin to acquire more diffuse, often serve as the arena of cooperation mutually penetrating social communities. There are several interesting examples where the border takes over the role of international mediation in return of the former distribution of identity. Among the examples of changes in cross-border cooperation can be mentioned the South-Tyrol, Cyprus, Northern Ireland and the Hungarian-Romanian border region (G. Delanti, 2007).

Hungarian-Romanian border region for 20 years after the fall of communism and 90 years after the Trianon peace treaty has evolved from a rigid, closed, and exclusive to soft, open border. After the events of 1989-90s for two decades we have witnessed the transformation not only in the geographical sense as a result of over-rapid development of border traffic and cross-border cooperation, but also that the separatist mentality of national-ethnic basis has turned into a mentality of cooperation. In reality, it comes not only the expression of cultural coexistence, but also about re-invention of an example of coexistence that has existed in the region until the establishment of national frontiers.

Commonly understood is that the cooperation between universities played a major role in forming a balanced, cross-border, international deep-

European mentality. One of these examples, there is a great success, working closely Debrecen University and the University of Oradea “Universitas translimes”, which enter in life as numerous exchange programs for student teachers, projects, conferences, workshops, summer schools and so on. In the case of the two main partner universities located just 60 km away, this cooperation gives both schools a true European status.

Among the best practices of cooperation, the project Euroregional Research Institute of Debrecen-Oradea - European Center for Differences “Jean Monnet” ([www.iser.rdsor.ro](http://www.iser.rdsor.ro)). In 2005, a joint project with support of an action plan Jean Monnet IERS (Euroregional Research Institute of Debrecen-Oradea) managed to bring prominent international experts on the borders, implement development and transnational cooperation between universities, moreover, could engage experts from neighboring regions (from Moldova, Serbia and Ukraine) to work together.

Activity of IERS shows two trends:

- a. Promoting the transformation of the Hungarian-Rumanian border in the area of knowledge transfer, development and competitiveness
- b. Promoting a positive updating of the borders that have arisen as a result of recent EU expansions.

It should be noted that on the semi-annual meeting of the Institute, where in order listed the positive results of cooperation and that the results of research have brought several members of the IERS publications. Such scientific publications and articles dealing with issue not only Hungarian-Romanian border, but also the problems of neighboring border regions<sup>4</sup>. Semi-annual magazine EUROLIMES IERS (Euroregional Research Institute) also explores new frontiers contents value. In the special issue of EUROLIMES along with staff IERS other universities and research institutes also have the opportunity to publish their research.

Regarding regional and Euroregional development within the border regions, the emphasis is primarily focused on border towns, as poles of

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4 \* The author’s paraphrase of the conceptual thesis from outstanding international lawyer Louis Henkin (USA): “First of all, law id politics”. *The Nature of International Law*. In: *International Law. Cases and materials*. Third edition by Louis Henkin, Columbia University, School of law , Richard Crawford Pugh, Schachter, Hans Smit ,Columbia University, School of law; American Casebook Series; West Publishing Co, St.Paul,Mnn.,1993, page 1;

development. Cities are centers of regional economic areas, but their potential depends on their distance from regional centers (Pénzes J., Molnár E., 2007). Particular attention is drawn to those options of Debrecen and Oradea due to which there is a real possibility for euro polises (I. Shuli-Zakar, 2009). At present, the possibility of creating joint agglomeration of Debrecen and Oradea is moderate, as evidenced, by a few of the potential settlements that are among the major cities (Constantin Vasile Toca, 2009). Also noteworthy role in local development of Oradea have some Hungarian communities. Between 2006 and 2007 IERS developed a joint strategy for development of Debrecen and Oradea, which was approved and embodied in the form of measures for administrations of the two cities (I. Horga - Constantin Vasile Toca, 2008; I. Shuli-Zakar, 2010).

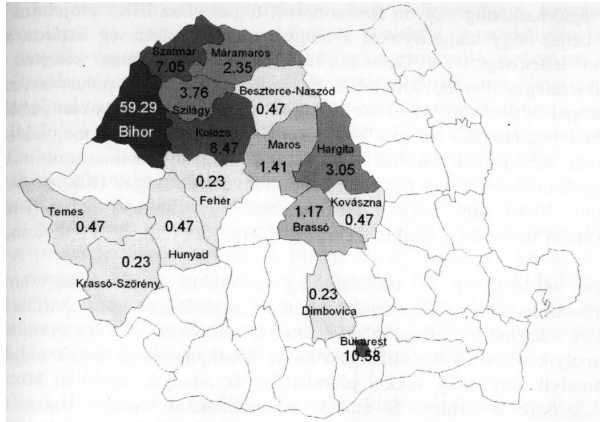
Along with the two cities (the cities of Debrecen and Oradea) and two regions (districts) (Bihar and Hajdú-Bihar) – which are treated as drivers of Hungarian-Romanian border - IERS members conducted research in other areas, such as in areas of Satu Mare County (Romania) - Szabolcs-Szatmár-Bereg region (Hungary) (J. Benedek, 2006) or Temeshvar-Szeged (L. Goulash, E. Sisak, 2009).

One of the priorities of the IERS was a question of economic development of the Hungarian-Ukrainian border region. Team of the IERS took a foothold in the presence of research active regions (counties) at Hungarian-Romanian border (J. Peynzhesh, E. Molnar, 2007), studies of regional development and cooperation in various points of the Hungarian-Romanian border region (G. Nagy, 2008). It was researched the conditions of socio-economic and natural resources to identify opportunities for development of villages (Stasak, 2006). In the sphere of political decisions (J. Palotash, 2008) the results of scientific research have shown significant impact in relation to the local economy in the period after EU accession (L. Sopron, I. Horga, 2009; G. Kozma, 2008), as and conducting comparative analysis of socio-economic and infrastructural indicators of small areas of the territory of the Hungarian-Romanian border.

Before and even after 1989, the fields of Hungarian-Romanian border region qualify as adverse terms of investment, since the territory belonged to the periphery. But, approaching the entrance of Hungary and Romania to the EU, and later after their introduction, development opportunities have changed significantly. However, at present the country does not recognize the importance of common areas, but with the way the borders are

gradually changed and become more glorious through the strengthening of relations between the two countries peripheral border area a chance to develop, not only in the overall development of the two countries, but and cooperation in the sequence of neighboring territories. This change in paradigm Neighborhood Policy is clear in infrastructure of border areas, especially in this economic development strategy, which is based on increasing competitiveness (I. Bosnyak, 2006), where the complementary elements of infrastructure networks play a fundamental role. Attracting Euroregional Research Institute to the process of economic development of the Hungarian-Romanian border area by implementing a number of action plans. First, there was partnership working between unions from regions (counties) Bihor and Hajdú-Bihar, which led to publishing a monthly business newsletter to inform and create opportunities for joint economic projects. On the other hand IERS connected to the research activities of the labor market in order to collect and produce professionals with the information and communication education on demand T-Sysytem / Deutsche Telekom (Debrecen). Thirdly IERS connected to the research related to development and training of human resources (Constantin Vasile Toca, 2006; K. Terepich, 2006; K. Terepich, 2007; J. Hyodor, 2008).

One of the most significant areas of competitive economy is tourism. From this point of view due to tourism achieved significant results in the event cities Beykeyshchaba, Gyula, Debrecen, Hoydusoboslo (Hungary) and Moneasha, Tintsa, Bayle Felix, Oradea, Sekelhid (Romania), where the most significant sources of thermal waters in Eastern and Central Europe. Dynamically growing development of recreational and health tourism becomes serve as a true engine of the regional economy. Tourists in the border regions of Romania, with the same frequency of visiting the other side of the border as tourists from Hungary, who gladly rest in tourist lands of the western part of Romania, especially in mountainous areas.



Picture 3: Distribution (county) performance before entry of Romanian tourist consumers to Debrecen (% , 2007). Sources: M. Tomori, 2009.

It is clear that no consideration passed IERS and phenomena such as joint raids Romanian and Hungarian guards order to transport channels, leading to a Hungarian or Romanian Tourist Destinations, or events to cities such colorful events as gastronomic festivals and festivals of folk crafts in both sides of the border. Such events create opportunities for scientific research, expert assessment and provide important information of the wheels that make decisions (Varheyi T., A. Muller, 2008; L. Chordash, 2008; Z. Buydosho, A Tout, 2008). However, purchasing development of tourism in the Hungarian-Romanian border region is not solely the result of cross-border cooperation, but also serves as an interesting topic of research (M. Tomori, 2006, 2009, 2010) (Fig. 3)..

Research of cooperation in the health sector within the IERS has become one of the topics covered by doctoral thesis (LA Ambrush, 2008).

Of course, these manifestations of cross-border cooperation is the result of the work in administration, economic life, civic organizations, schools and universities in order to convert the full intensity of the border - until 1989 the Hungarian-Romanian border was one of the most closed and strictly controlled borders - in such that social and economic sense is dynamic and interface. These transformations have attracted the attention of researchers away from this territory; this region was considered suitable for the example processes of change European borders (G. Delanti, 2007 E. Banu, 2007;

Hinfrai N., 2006, M. Conde, 2009).

Regional marketing occupies an important place among the projects of IERS, which aims to highlight cross-border investment opportunities in the Hungarian-Romanian border. Based on the foundations of a common development strategy for Debrecen and Oradea, it was planned competitive CBC pole on Central European territory. Members of the Institute published several scientific papers about how to implement a successful regional marketing in the border areas (M. Komadi, 2006), about ways to sync with CBC advantages of the border (G. Kozma, 2006), and the use of specific geographic name (Transylvania) in the marketing strategy of the Hungarian-Romanian border region (L. Sopron, AS Popovichiu, 2006).

Creating conditions for the territory of the dynamic socio-economic development in the Hungarian-Romanian border region-the same course is based on diversity of culture. There are two basic concepts of multi culture, one of them is based on civil rights and multiculturalism, and the second is more plural in ethnic sense, and usually directly connected with regional and ethnic autonomy. At present it is difficult to predict the prospects of the concept of pluralism, which is pressed into the framework of national borders. So the third thesis is: Central and Eastern Europe have a long way to become possible to combine the notion of citizenship and pluralism. At the same time believe that Europe should go further and leave the distributed concept of diversity. Ethnic diversity is in direct relation to the terms of borders because most of the problems arise from the facts that are many ethnic minorities' relations with the dominant social group in a neighboring country (G. Delanti, 2007). As you are when it comes to borders, different social memories that are oposit to each other, the right religion and the use of minority languages, political representation had considerable success achieved by discussion of controversial issues and to establish peaceful relations (G. Delanti, 2007).

Through this approach, the Institute IERS organized debate in the following topics:

How do you see the attitude of the Hungarian and Romanian national minorities to one another, living on both sides of the border? ( (A. Blomkist, 2006; P. Tatrai, 2008). The practice of intercultural dialogue present in multi-ethnic borderland settlements (M. Hoffman, 2006; M. Hoffman, 2008; M. Hoffman, 2009). Impact of Euro-Atlantic integration of Hungary and Romania on the cultural paradigm shift in the border regions (I. Zainea, 2006). Place of cultural and educational ties in the

development of cross-border multi-cultural (Constantin Vasile Toca, 2010). The role of the border traffic and creation of a new frontier culture (V. Chiokan, 2006, S. Matias, 2010).

As even today, there are difficulties in the development of European cross-border cooperation that stem from old habits and national and administrative practices, Institute IERS undertook the training of (both countries) European, national and local legislative analysis and research on Hungarian-Romanian border to its acceleration. Effect of adopted in Hungary and Romania financial laws to cross-border cooperation and trends in the legal balance to facilitate cross-border cooperation are precisely the themes that have been published under the auspices of the IERS (M. Charmachiu, 2010; I. Ursuta, 2010). With reference to one of the projects under Phare (CBC/2006) is within the IERS bill designed to promote cross-border cooperation activities that can serve as a useful document for those entrepreneurs who take part in the Hungarian-Romanian cross-border projects and cross-border activities.

Research projects and development projects that are implemented by the Institute IERS in Hungarian-Romanian border and explored proven ability to convert the closed border to open. The results of the processes of the last twenty years, the Hungarian-Romanian border has become a mutually unified border area, on the basis of effective cooperation, which contributed to the positive effects of socio-economic and political rapprochement Hungary and Romania.

#### **4. Studies on the formation of new borders in connection with the recent enlargement of the EU**

Enlargement of the European Union towards Eastern Europe has opened new dimensions of European borders, namely the ability to integrate Europe into a single space. This possibility was vital that the integration of Eastern European territories held by consensus and consistency (F. Shetch, 2007). According Bilibara Etiye the Europe is also a border (E. Bilibar, 2004). Jacques Rupnik spoke not only about the borders of Europe, and on the new “internal” borders (Jacques Rupnik, 2003; Jacques Rupnik, 2007). Thomas Christiansen writes about the flexible boundaries (T. Christiansen and others, 2000). Olli Rehn believes that the concept of a new border is more useful, more influential than the concept of boundary in terms of European integration capacity (O. Rehn, 2006).

Based on the results of more than ten scientific cooperation Institute IERS launched the issue EUROLIMES, articles which represent a new paradigm

of EU borders since its expansion (2004-2007).

The purpose of the magazine is to demonstrate through significant transformation of borders, such as converted national perspectives in the social goals, and how exclusive external EU borders are converted into flexible, inclusive, adaptive boundaries. The balance of closed and open borders (G. Delanti, 2006), strengthening border - they are ahead (A. Dymytrova, 2007), intercultural dialogue and influence of the media R. La Brosse, 2007; L. Malovich, 2007), the role of media in the change of value Borders (I. Horga, 2003, 2007), Ethnic Relations (L. Sopron, 2006; Folryhova and Ruet, 2007), religious relations (Marshevska - L. Rytko, 2006; C. Bazin, 2007), cross-border social relations were themes that have been published in special issue EUROLIMES<sup>5</sup>.

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- 5 Süli-Zakar I. (ed.) (2003) Borders and Cross-border Co-operations in the Central European Transformation Countries. Debrecen Egyetem Kossuth Egyetemi Kiadója, Debrecen, 360 p.
  - Süli-Zakar I. (szerk.) (2003) Határok és határmentiség az átalakuló Közép-Európában. - Debreceni Egyetem Kossuth Egyetemi Kiadó, Debrecen, 387 p.
  - Süli-Zakar I. (szerk.) (2004) Határon átnyúló kapcsolatok, humán erőforrások. - Debreceni Egyetem Kossuth Egyetemi Kiadó, Debrecen, 359 p.
  - Süli-Zakar I. (ed.) (2004) Cross-border Co-operations - Schengen Challenges. - Debreceni Egyetem Kossuth Egyetemi Kiadó, Debrecen, 280 p.
  - Czimre K. (2005) Euroregionális fejlődés az EU csatlakozás küszöbén (Euroregional development on the threshold of the European Union enlargement) In: Süli-Zakar I. (szerk.) *Studia Geographica* 15. Debreceni Egyetem Földrajzi Tanszékek Kiadványa, Debrecen, 229 p.
  - Horga, I. - Süli-Zakar I. (eds.) (2006) Challenges and Perspectives. - Regional and Euroregional Issues in the New Europe. Institute for Euroregional Studies. Oradea-Debrecen, Metropolis Srl. Oradea. 198 p.
  - Süli-Zakar I. - Horga, I. (eds.) (2007) Regional Development in the Romanian-Hungarian Cross-Border Space - from National to European Perspective. - DE Kossuth Egyetemi Kiadója, Debrecen, 420 p.
  - Süli-Zakar I. (szerk.) (2007) A határok és a határon átnyúló (CBC) kapcsolatok szerepe a kibővült Európai Unió keleti perifériáján. Debreceni

For five years EUROLIMES went into a real scientific forum, facilitating the transformation of eastern and southeastern borders of the EU in the «bridges» the cradle of development. Posted concrete results concerning the Hungarian-Romanian-Slovak-Ukrainian and Romanian-Moldovan-Ukrainian cooperation, as in the edition we tried to find scientific and reasoned answers to questions such as mechanisms for cross-border cooperation and European Neighborhood Policy, transportation and infrastructure, the role of national minorities in the processes of cross-border cooperation, the role of education in the development of intercultural dialogue along the eastern border of the EU.

These studies were conducted by analyzing the changes of real life, and journal articles covering topics mostly about changes in the meaning of borders between new Member States. These changes proved by the fact that researchers are more pragmatic and passionate about a particular prospect than the prospect of a general nature.

Europe - adaptive border is the vector direction, which is supported EUROLIMES in the debate. European borders represent not only geographic space and people who live on both sides of the border, and much more, including migrants, refugees and transnational communities (K. Nikolaidis, 2007).

Studied how changed the concept of boundaries in contemporary trends

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Egyetem Kossuth Egyetemi Kiadója, Debrecen, 417 p.

- Süli-Zakar I. (ed.) (2008) Neighbours and Partners: on the two sides of the border. - Debrecen Egyetem Kossuth Egyetemi Kiadója, Debrecen, 402 p.
- Ambrus A. (2009) A Hajdú-Bihar - Bihar Eurorégió népességi és egészségföldrajzi mutatóinak egyes aspektusai. In: Süli-Zakar I. (szerk.) *Studia Geographica* 22. Debreceni Egyetem Kossuth Egyetemi Kiadója, Debrecen, 119 p.
- Horga, I. - Sialași, G. - Süli-Zakar I. - Sagan, S. (eds.) (2006) *Intercultural Dialogue and European Neighbourhood policy*. University of Oradea Press, 278 p.
- Ambrus A. (2010) *The Quality of the Environmental Elements in Bihar-Hajdú-Bihar Euro Region and their Influence on Population Health*. University of Oradea Press, 152 p.
- Horga, I. - Süli-Zakar I. (eds.) (2010) *Cross-Border Partnership with Special Regard to the Hungarian-Romanian-Ukrainian Tripartite Border*. University of Oradea Press, Oradea-Debrecen, 264 p.

in European society, with special attention to the recent EU enlargement. The changing nature of borders, establishment of «post-Western» Europe associated with the name G. Delanty (G. Delanty, 2006; G. Delanty, 2007). Overrated concept of definition is the periphery that is perceived by the modernization of border territory. Within such a peripheral connection between the internal and external is a complex and ambivalent. Although often seen in the exclusive form that it can be regarded as an arena of international negotiations (R. Bidelyuks, 2006). Under the heading «Rethinking European Borders» (F. maroon, 2007) EUROLIMES supported a number of debates with regard to the enlargement processes.

Entrance of the Central and Eastern Europe into the European space is one of the following topics, which has been rightly EUROLIMES (J. Kundera, 2007). Statistical considerations show that only a few countries satisfy the Maastricht convergence criteria, which casts doubt on the feasibility of using such criteria in the cases of countries that are in the process of transformation. The authors of significant advantages PECO countries after their accession to the European space expected to be more substantial than their economic costs. One of the issues of the journal devoted to the global economic crisis on European economic borders (EUROLIMES Vol.8, 2009).

Trafficking and migration in Eastern and Southeastern Europe also plays an important role, because it dealt with IERS and the matter during their studies (V. Chiochin, 2006, P. Gabriel, 2007; C. Matias, 2010). Thus, human trafficking has affected Central Borders (S. Hemie, 2010). Therefore, for individual countries enter into a duty to strengthen border security, health, to combat and prevent trafficking. Arranging and maintaining direct channels of communication should strengthen ties between the border authorities. This in particular means close cooperation between border authorities and actors of civil structures, for example: Police, prosecutors, NGOs and others.

One of these research topics IERS, its image and identity borders of new Europe. Notable is the controversial image of the border: from a relatively finishing processes and boundaries in a globalized context (D. Duna, 2009) in Eastern and Central Europe from the devaluation of the concept of sovereignty to the intentions of Western powers overlapping borders to immigrants and to the labor force countries that intend to introduction (J. Rupnik, 2007). In the enlarged Europe change condemnation borders is a process of transformation (M.M.Tavares-Riberio, 2003) and approval of changes becomes an important scientific work.

Fabienn Maron believes that the impact of 2004 and 2007 enlargement with increasing mobility, and previous re-migration, trade relations, education, globalization, increased cultural, religious and linguistic relationships within and outside Europe (F. Maron, 2007, Z. Istvanfoya, 2009).

In such a multicultural European society and in the arena of continuous expansion, the role of dialogue between cultures and the media becomes very important in terms of preservation of cultural identity of Union as well as the respect of common values and preserving cohesion (M. Chabanna, 2009; G. Shilashi, A. Doharu, 2009). Media creates an opportunity for dialogue for Europe in order to establish relations with neighboring states (I. Horga, 2007, Robert La Brosse, 2007; Malyovitsa, 2007). In this position, border shall transfer money in a positive sense, as there is the possibility of mediation, mutual values, ideas and projects (R. Rezovhazi, 2007).

The essence of intercultural dialogue is laid in that spot the difference and color space of our existence (T. Pinheiro, 2008). Such differences of opinions, attitudes or values exist, both within cultures and among different cultures. Intercultural dialogue responds to these differences in a way that tries to understand the other, thereby initiating interaction, which aims to exchange views and values (A. Marga, 2009). This gives us the impetus to determine their own cultural barriers and to go beyond their limits. The barriers can be political, economic, cultural nature, but we can talk about the language barrier (I. Horga, M. Brie, 2010). As any barriers and language barriers are dynamic and largely depend on changes in political boundaries (V.Klimen-Ferrando, E. Uhalde, 2006).

Borders in political realities can become a cultural (EUROLIMES Vol.9). Borders, as elements of the definition of «otherness» are affecting minorities (P. Antes, 2008; E. Banus, 2007, G. Kontoheorhis, 2008). Physical frontiers in the mental sense are often manifested in the form of cultural barriers. These mental barriers are trying in an absolute way to separate their culture from the «other» culture (E. Banu, 2006).

Institute IERS involved in the debate on the new eastern borders of the EU on the Lisbon Treaty on subsidiarity new approaches, not only from a theoretical point of view, but also case studies with particular attention at a crucial part of the eastern periphery of the EU, namely the Romanian-Hungarian-Ukrainian border strip (S. Mytryayeva, 2008), or the Romanian-Moldovan-Ukrainian border (N. Dandis, 2009). Also we pay special attention to economic, social and cultural aspects of cross-border cooperation:

investment through a special legal environment of economic activity between Ukraine and the EU (O. Yegorova, 2009). Studied the possibility for establishment of a railway transportation «Intercity» between Ukraine and Hungary; investigated possible integrated rural development, rehabilitation of the environment and ecotourism in the Hungarian-Romanian-Ukrainian border region triple (Z. Raffai, 2010). Developed tourist programs and projects of territorial development of the Hungarian, Romanian, Ukrainian border region (J. Radic, 2008; A. Ilies - D. Druhas, 2006; A. Sturza, 2006) investigated the educational opportunities of the Hungarian-Romanian-Ukrainian border (K. Teperich, 2007).

### **Conclusions**

The research results of authors who published articles among EUROLIMES and scientific collections, publications of the Institute IERS, indicate that the prospects for the future of Europe cannot be predicted without measuring the concept of identity and borders, as European society is fundamentally open (I. Horga - I. Shuli- Zakar, 2010). The European crisis of our day once again makes the problem for borders on the surface (B. Geremek, 2007). Stages of expansion rewrite the concept of internal separatism (M.M. Tavares-Ribeiro, 2004) and put into question a mental barrier, as observed study of the geographical horizon of European integration. In the process, European borders are determined by geography, the order of values and political will (I. Horga - I. Shuli-Zakar, 2010). For example Copenhagen criteria defining European borders so that the link to the fundamental values that have already taken the previous accession countries (N. Paun, G. Chicheo, 2010; I. Pop, 2009). It should be noted that these values are not forced Europe to “shut its gates” after each expansion, as modern transformation and interdependent markets exclude this possibility (Z. Bauman, 2004).

Actual negotiations and agreements indicate that Europe does not want to appear «coherent» state-defined by borders. Fact of the existence of a crisis situation so as doubt, constitutes an element of the European process. Solution of such problems lays in deepening reform the EU's internal processes through adaptive policies in defining European citizenship, addition of historical consciousness in the balance of competitive policy development and public policy and the role of immigration in European society. On the other hand have to find a solution by building a common consciousness and perception of color, in a dynamic code of ethics, which define the border treat dialogue rather than conflict. Researchers from the first CEE cross-

border (soon six years) Research Institute of Debrecen-Oradea (IERS) «Jean Monnet» continue its work on such beliefs in the future (I. Horga - I.Shuli-Zakar, 2010).

### Literature

1. Abonyiné P. J. (2008) A comparative analysis of social-economic-infrastructure indices in the micro-regions of the Hungarian-Romanian border counties, In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 353-358. I
2. Ambrus L. A. (2008) Some aspects on the sanitary service and institutions in the Bihar - Hajdú- Bihar Euroregion In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 359-366.
3. Antes, P. (2008) Religious Borders in Decomposition In: Eurolimes, volume 5, pp.152-158.
4. Aubert A., Csapó J. (2008) Tourism cooperation opportunities in the Danube-Drava-Sava Euroregion. In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 299-308.
5. Balibar, E. (2004) "Europe as Borderland" In: The Alexander Humboldt Lecture in Human Geography, Nijmegen University, 10 November.
6. Balogh P. (2006) The integration of Romania and its neighbours into the EU: A threat to European security, In: Eurolimes, volume 2, pp. 130-140.
7. Banus, E. (2006) Cultural relevance of the border", In: Eurolimes, 2, pp. 198-204,
8. Banus, E. (2007) Images of openness - Images of closeness, In: Eurolimes, volume
9. 4, pp. 134-141.
10. Bauman, Z. (2004) Europe. An Unfinished Adventure, Cambridge University Press.
11. Benedek J. (2006) The system of settlements from the perspective of cooperation beyond the frontier from the region Satu Mare (Romania)

- Szabolcs -Szatmar -Bereg (Hungary), In: Süli-Zakar I., Horga, I. (coord) *Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective*, pp. 371-380.
12. Bideleux, R. (2006) *The limits of Europe*, In: *Eurolimes*, volume 1, pp. 59-76.
  13. Blomquist, A. (2006) "One city- Two Images - Two Communities: The Case of the Romanian Hungarian City of Satu Mare/Szatmárnémeti", In: *Eurolimes*, volume 2, pp. 37-44.
  14. Bosnyák I. (2006) *Analysis of the Competitiveness in Regions of the Hungarian -Romanian Border*, In: Süli-Zakar I., Horga, I. (coord) *Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective*, pp. 317-324.
  15. Chabanna, M. (2008) *The promotion of Intercultural Dialogue in the Carpathian Euroregion States (Involvement of Civil Society in the Implementation of a Cultural Policy)*, In: *Eurolimes*, volume 6, pp. 45-62.
  16. Christiansen, T., Petite, F., Tonra, B. (2000) "Fuzzy Politics around Fuzzy Borders: The European Union's "Near Abroad", In: *Cooperation Conflict*, vol. 35 nr. 4, pp. 389-416.
  17. Ciocan, V. (2006) *The european perspective of the „local border traffic” at the Romanian-Hungarian Border*, Süli-Zakar I., Horga, I. (coord) *Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective*, pp. 253-262.
  18. Ciocan, V. (2006) *The role of migration in Development: Realizing the Potential of Human Mobility in Horga, I. & Süli-Zakar I. (coord.) Challenges and Perspectives in the Regional and Euroregional Issues in the New Europe*, Oradea, Oradea University Press, pp. 113-118.
  19. Climent - Ferrando, V.; Ugalde, E., G. (2006) "EU Enlargements and its Linguistic Borders: A Historical Review", In: *Eurolimes*, volume 1, pp. 136-143.
  20. Contogeorgis, G. (2008) "Religion and Politics in the Nation State and the European Union", In: *Eurolimes*, volume 5, pp. 72-81.
  21. Csordás L. (2008) *Spatial spread and the development of tourism. Motivations of the foreign visitors in the border regions of the Northeast Great Hungarian Plain*, In: Süli-Zakar I. (ed.) *Neighbours and Partners: On the two sides of the Border Debrecen*. Debreceni Egyetem Kossuth Egyetemi Kiadó, pp 315-322.

22. Czimre K. (2006) Cross-border co-operations with the participation of Hajdú-Bihar County, In: Süli-Zakar I., Horga, I. (coord) Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective, Debrecen, a Debreceni Egyetem Kossuth Egyetemi Kiadója, pp. 23-32.
23. Czimre K. (2007) Cross-border co-operation in Europe: scientific research. In Eurolimes, volume 4, pp. 78-89.
24. Dandis, N. (2009) Cross-border cooperation - a strategic dimension of European Neighbourhood at the Eastern Frontier of the EU, In: Eurolimes, volume 7, pp. 35-48.
25. Dávid L, Bujdosó Z., Tóth G. (2008) "Tourism planning in the Hajdú-Bihar-Bihar Euroregion, Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 323-332.
26. Delanty G. (2006) Borders in a changing Europe: Dynamics of Openness and Closure, in: Eurolimes, volume 1, pp. 46-58.
27. Delanty G. (2007) Peripheries and Borders in a Post-Western Europe in Eurolimes, volume 4, pp. 58-68.
28. Diana, C. (2010) Consideration Regarding To The Intensification Of The Romanian-Hungarian Cooperation In The Domain Of Fiscal Administration, In: Horga, I., Süli-Zakar I., Cross-Border Cooperation Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen -Oradea, pp. 167-172.
29. Duna, D. (2009) Approaching the Northern and Southern Neighbours of the European Union, In: Eurolimes, volume 7, pp. 10-21.
30. Faur, A. (2006) New aspects concerning the situation of the Romanian-Hungarian Border (1944-1945), In: Eurolimes, volume 2, pp. 123-129.
31. Gemie, S. (2010) Re-defining refugees: nations, borders and globalization in Eurolimes, volume 9, pp. 28-37.
32. Geremek, B., Picht, R. (2007) Visions d'Europe Paris, Odile Jacob.
33. Gödör Zs. (2008) Changing dimensions of labour and employment in Hungary and Romania, In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 91-98.
34. Griffiths, R. T., Quispel Chris, G. (2006) "When borders move: An agenda for historical research in Eurolimes, volume 1, pp. 34-45.
35. Gulyás L., Sisak E. (2009) "Survey of Urban Competition between

- Szeged and Timiçoara, In: Eurolimes, volume 8, pp. 57-65.
36. Györfy I. (2008) Influence of the transport infrastructure on the territorial cohesion in Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 367-374.
  37. Hinfray, N. (2006) Potentialités et obstacles de la politique eurorégionale au sein des nouveaux Etats members. Réflexion à partir du cas de l'euroregion Biho (Roumanie) - Hajdú-Bihar (Hongrie), In: Eurolimes, volume 2, pp. 174-185.
  38. Hofmann, M. (2008) New spatial theories and their influence on intercultural dialogue Observing relational space in Oradea, In: Eurolimes, volume 6, pp. 92-100.
  39. Hofmann, M. (2009) Intercultural dialogue and the urban space - Observing relational space of Oradea, In: Horga, I., Grigore Silasi, Süli-Zakar I., Stanislaw Sagan (coord) The European Parliament, Intercultural Dialogue and European Neighbourhood Policy, University of Oradea Press, pp. 165-176.
  40. Horga, I. (2003) "Un nouveau paradigme de l'identité européenne: le droit d'autonomie personnelle, In: Maria Manuêla Tavares Ribeiro (eds) Europa em Mutação. Cidadania. Identidades. Diversidade Cultural, Coimbra. Quarteto, pp. 263-289.
  41. Horga, I. (2006) Why Eurolimes, In: Eurolimes, volume 1, pp. 5-13.
  42. Horga, I. (2007) The Role of Media in Changing the Meaning of Borders, In: Eurolimes, vol. 3, Oradea University Press, pp. 28-47.
  43. Horga, I. (2010) The multilevel governance (MLG) and the respect of the subsidiarity principle, In: I. Horga - Süli-Zakar I., (eds.) Cross-Border Cooperation Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen - Oradea, pp. 167-172.
  44. Horga, I. - Süli-Zakar I. (eds.) (2006) Challenges and Perspectives. - Regional and Euroregional Issues in the New Europe. Institute for Euroregional Studies. Oradea-Debrecen, Metropolis Sri. Oradea. 198 p.
  45. Horga, I.. Süli-Zakar I. (2006) Challenges and Perspectives in the Regional and Euroregional Issues in the New Europe, Oradea, Oradea University Press.
  46. Horga, I., Brie, M. (2009) La coopération interuniversitaire aux frontières extérieures de l'Union Européenne et la contribution à

- la politique européenne de voisinage, In: Horga, I., Grigore Silaçi, Suli-Zakar I., Stanislaw Sagan (coord) *The European Parliament, Intercultural Dialogue and European Neighbourhood Policy*, Oradea, Oradea University Press, pp. 232-252.
47. Horga, I., Silaçi, G., Suli-Zakar I., Sagan, S. (2009) *The European Parliament, Intercultural Dialogue and European Neighbourhood Policy*, Oradea, Oradea University Press.
  48. Horga, I., Brie, M. (2010) *Europe: A Cultural Border, or a Geo-cultural Archipelago*, In: *EuroTimes*, volume 9, pp. 153-166.
  49. Horga, I. - Süli-Zakar I. (eds.) (2010) *Cross-Border Partnership with Special Regard to the Hungarian-Romanian-Ukrainian Tripartite Border*. University of Oradea Press, Oradea-Debrecen, 264 p.
  50. Ilies, A. (2002) *La phase de pre-adhesion a l'Union Européenne: differences de cooperation transfrontalière a la frontière roumaine avec la Hongrie et l'Ukraine*. In. *Mosella*, Tome XXVII., 3-4, Metz.
  51. Ilies, A., Grama, V. (2006) *The Dynamics of the Frontier System within the Political Territorial EU Space (ECCS, EEC, EC and EU) 1957-2006*. In: *Revista Romana de Geografie Politica*. Year VIII, 2, Oradea, pp. 11-40.
  52. Ilies, A., Hies, D., Grama, V. (2007) *European Political Borders Typology according to the Natural Background Particularities*. In: *Revista Romana de Geografie Politica*, Year IX., 2, Oradea, pp. 64-73.
  53. Ilies, A., Wendt, J., Grama, V. (2008) *The Euroregional transfrontier cooperation Romanian-Romanian at the EU external Frontier (2008)*. In: *Revista Romana de Geografie Politica*, Year X., 2, Oradea, pp. 100-107.
  54. Ilies, A., Grama, V., Wendt, J., Bodocan, V. (2009) *Geographical management of a Borderless Area at the Internal/External Border of NATO and EU. Romanian Case (I)*. In: *Revista Romana de Geografie Politica*, Year XI., 2, PP. 166-175.
  55. Ilies, A. (2010) *Euroregional cross-border cooperation premises at the eastern external border of EU. Romania - borders and borderlands*. Geography Institute of University of Gdansk - Bernardinum, Gdansk-Pelplin, Poland. PP-54-68.
  56. Ilies, A. - Drugas, D. (2006) *Carpathian Euroregion and the European Union external Frontier. Aspects of Political Geography*, In: Suli-Zakar I., Horga, I. (coord) *Regional Development in the Romanian-*

- Hungarian Cross-Border Space - From national to European Perspective, pp. 119-128.
57. Istvánföyá, Z. (2009) Narrative fiction as means of crossing borders, In: Eurolimes, volume 7, pp. 104-112.
  58. Khonde, M. B. (2009) La place de la formation des techniciens de la coopération transfrontalière pour l'Euro région Bihor-Hajdu-Bihar en Hongrie et en Roumanie, In: Horga, I., Grigore Silaçi, Süli-Zakar I., Stanislav Sagan (coord) The European Parliament, Inter cultural Dialogue and European Neighbourhood Policy, University of Oradea Press, pp. 155-164.
  59. Kornádi M. (2006) The potential roles of place marketing in border regions, In: Eurolimes, volume 2, pp. 80-86.
  60. Kovács M. Cs. (2006) Types of migration in Romania during the period of economic transition, In: Süli-Zakar I., Horga, I. (coord) Region ' Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective, pp. 207-212.
  61. Kozma G. (2006) The use of cross-border cooperation and border location in place marketing, In: Eurolimes, volume 2, pp. 74-79.
  62. Kozma G. (2006) The use of cross-border co-operation and border location in place marketing in Horga, I. & Süli - Zakar István (coord.) Challenges and Perspectives in the Regional and Euroregional Issues in the New Europe, Editura Universităţii din Oradea, pp. 153-159.
  63. Kozma G. (2008) Characteristic features of the economic management of local authorities in the western and the eastern border areas of Hungary, In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 19-26.
  64. Kundera, J. (2007) L'Europe élargie sans frontière monétaire, In: Eurolimes, volume 4, pp. 69-77.
  65. La Brosse, R. (2007) Dialogue interculturel, diversité culturelle et régulation des médias, In: Eurolimes, vol. 3, Oradea University Press, pp. 12-18.
  66. Marga, A. (2009) Democracy as Form of Life, In: Eurolimes, vol. 8, Autumn 2009, pp. 141-154.
  67. Maron, F. (2007) Les nouvelles frontières de l'Europe: repenser les concepts, In: Eurolimes, volume 4, pp. 112-124.
  68. Mátyás Sz. (2010) Analysis and Main Criminal Statistic Indexes of the

- Criminal Situation of Hajdú-Bihar County and Debrecen. In: Cross-Border Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen - Oradea, pp. 109-111.
69. Mytryayeva, S. (2008) Transborder cooperation on the new eastern borders of EU In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 161-166. .
  70. Nicolaidis, K. (2007) “Les fins de l’Europe” In: Bronislaw Geremek & Roben Picht (ed) Visions d’Europe, Paris, Odile Jacob, pp. 275-29.
  71. Nicolaidis, K. (2003) “Turkey is European... for Europes’s sake”, In Turkey and European Union: From Association to Accession? Netherland Foreign Minister, January 2004.
  72. Oláh A., 2010, Hungary - Romania - Ukraine trilateral border area and its potential, In: Horga, I., Süli-Zakar I., Cross-Border Cooperation Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen -Oradea, pp. 48-56.
  73. Páun, N., Ciceo, G. (2010) The limits of Europeanness. Can Europeanness stand alone as the only guiding criterion for deciding Turkey’s EU membership? in Eurolimes, volume 9, pp. 90-104.
  74. Péntes J. - Molnár E., (2007) Analysis of the economical potential in Bihar and Hajdú-Bihar, In: Eurolimes, vol. 4, pp. 23-34.
  75. Pfetsch, F. R. (2007) Borders: Cause of Conflict or Catalyst for Peace? in Eurolimes, volume 4, pp. 12-18.
  76. Pinheiro, T. (2008) Emigration, Immigration and Interculturality: the Meaning of the European Year of Intercultural Dialogue in Portugal, In: Eurolimes, volume 6, pp. 63-74.
  77. Pop, I. (2009) The Assessment of the European Neighbourhood Policy in the South Caucasus: What the European Union can do?, In: Eurolimes, volume 7 pp 22-34.
  78. Preda, R. (2008) Christianity and the Limits of Europe. A Social-Theological Approach, In: Eurolimes, volume 5, pp. 120-150.
  79. Radics Zs. (2008) Tourist-territorial development program in the Hungarian-Ukrainian border. In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 333-344.
  80. Raffay Z. (2010) Complex rural development, habitat rehabilitation and ecotourism in the Hungarian-Romanian-Ukrainian triple border

- region, In: Horga, I., Süli-Zakar I., Cross-Border Cooperation Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen -Oradea pp. 191-197.
81. Rehn O. (2006) Europe's Next Frontiers, Nomos Publishing House.
  82. Rezsóhazy R. (2007) The cultural frontiers of Europe: Our common values, In: Eurolimes, volume 4, pp. 164-170.
  83. Rupnik, J. (2003) L'Europe Centrale et les Balkans a la recherche de d'un substitut d'empire, In: Anne -Marie le Gloanec et Alecksander Smolar (eds) Entre Kant et Kosovo, etudes offertes a Pierre Hassner, Paris, Presses de Sciences - Po, pp. 339-360.
  84. Rupnik, J. (2007, "La nouvelle frontiere" de l'Europe: quels confins pour une Europe elargie?", In: Brjnislaw Geremek and & Robert Pitch (ed) Visions d'Europe, Paris, Odile Jacob, pp. 229-316.
  85. Sebestyén E. (2008) Realization of intercity railway passenger traffic between Hungary and Ukraine, In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 389-394.
  86. Silasi, G. - Dogaru, A. (2009)The Romanian Bánat "Best Practice" of Intercultural Awareness in Horga, I., Grigore Silași, Süli-Zakar I., Stanislaw Sagan (coord) The European Parliament, Intercultural Dialogue and European Neighbourhood Policy, University of Oradea Press, pp. 151 -154.
  87. Skonc E. (2008) The regional relations of the School Alliance of Bihar and its importance in the cross-border cooperation, In: Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 265-270.
  88. Soproni, L. (2006) Cross -border identity in Building a Regional Brand: the Northern Transylvania Region, In: Eurolimes, volume 2, pp. 54-63.
  89. Soproni, L. - Horga, I. (2009) The Romanian - Hungarian Border, link or delimitation for the post-adhesion process of Romania and Hungary, In: Eurolimes, volume 8, pp. 43-56.
  90. Soproni, L. - Popoviciu, A. C. (2006) North-West Region- North Transylvania, looking for a brand with a cross-border dimension in Süli-Zakar I., Horga, I. (coord) Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective, Debrecen, a Debreceni

91. Stasac, M. (2006) Socio-economic and natural indicators of rural settlements development in Crisurilor Plain (Campia Crisurilor), In: Süli-Zakar I., Horga, I. (coord) Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective, pp. 397-402.
92. Stefanescu, B. (2010) Rural Cultural Border in Eurolimes, volume 9, pp. 66-74.
93. Sturza, A. (2006) Cross-border cooperation and neighbourhood programs between Romania and Ukraine in Eurolimes, volume 2, pp. 87-94.
94. Süli-Zakar I. (1992) A Study of State Borders as Factors Blocking Socio-Economic Progress in North-Eastern Hungary. - Geographical Review (Földrajzi Közlemények). CXVI. (XL.) vol., International Edition, pp. 53-64.
95. Süli-Zakar I. (1992) Az államhatár társadalmi-gazdasági fejlődést akadályozó hatásának vizsgálata ÉK-Magyarország határ menti területein. - Földrajzi Közlemények CXVI. (XL.) kötet, 1-2. szám, pp. 45-56.
96. Süli-Zakar I. (2003) A Kárpátok Eurorégió Interregionális Szövetség tíz éve. - Debreceni Egyetem Kossuth Egyetemi Kiadója, Debrecen, 421 p.
97. Süli-Zakar I. (2003) The Role of the Carpathian Euroregion in the Cross-border Cooperations Operating Along the Borders of Hungary. - Würzburger Geographische Manuskripte, Heft 63, Würzburg 2003. pp. 7-20.
98. Süli-Zakar I. (2006) Regions for the United Europe, In: Eurolimes, volume 1, pp.16-33.
99. Süli-Zakar I. (2006) A Euroregional Contact Region - where three borders meet In: Süli-Zakar I., Horga, I. (coord) Regional Development in the Romanian Hungarian Cross-Border Space — From national to European Perspective, pp. 77-90.
100. Süli-Zakar I. (2008) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó.
101. Süli-Zakar I. (2009) The role the Euroregions and Eurometropolises in the Etherelization of the Borders in the Eastern Periphery of the European Union, In: Eurolimes, vol. 7, Spring 2009, pp. 139-147.
102. Süli-Zakar I. (2009) System Problems of the Transborder Cooperation

- in the Carpathian Euroregion. - In: Transborder Cooperation on the New Eastern EU Border, (eds: Zhalilo Y. - Mytryayeva S.) Uzhgorod 2009, pp. 199-212.
103. Süli-Zakar I. (szerk.) (2007) A határok és a határon átnyúló (CBC) kapcsolatok szerepe a kibővült Európai Unió keleti perifériáján. Debreceni Egyetem Kossuth Egyetemi Kiadója, Debrecen, 417 p.
  104. Süli-Zakar I., Horga, I. (2006) Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó.
  105. Süli-Zakar I. - Horga, I. (eds.) (2007) Regional Development in the Romanian-Hungarian Cross-Border Space - from National to European Perspective. -DE Kossuth Egyetemi Kiadója, Debrecen, 420 p.
  106. Tagai G. - Péntzes J. - Molnár E. (2008) Methods of the analysis of integration effect on border areas - the case of Hungary, In: Eurolimes, volume 6, pp 150-159.
  107. Tarpai J. (2010) Cross-border Cooperation at the Ukrainian-Romanian-Hungarian borderland, with special focus on tourism, In: Horga, I., Süli-Zakar I., Cross-Border Cooperation Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen -Oradea, pp. 218-225
  108. Tatrai P. (2008) Interethnic neighbourhood in Romanian border towns in Süli-Zakar I. (ed.) Neighbours and Partners: On the two sides of the Border, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, 151 -160.
  109. Tavares-Ribeiro, M. M. (2003) (eds) Európa em Mutaqao. Cidadania. Identidades. Diversidade Cultural, Coimbra, Quarteto.
  110. Teperics K. (2006) Roots of the joint human resource development in Debrecen and Oradea in Süli-Zakar I., Horga, I. (coord) Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective, pp. 149-158.
  111. Teperics K. (2006) Schengen Challenging the Educational System for the Hungarians Living Abroad in Horga, I. & Süli - Zakar István (coord.) Challenges and Perspectives in the Regional and Euroregional Issues in the New Europe, Editura Universităţii din Oradea, pp. 45-49.
  112. Teperics K. (2007) "Education co-operations along the Hungarian-Romanian-Ukrainian border, In: Eurolimes, volume 4, pp. 37-48.

113. Ticu, O. (2008) Moldova between the Near Abroad Policy of the Russian Federation and the Neighbourhood Policy of the European Union in *Eurolimes*, volume 6, pp. 160-169.
114. Toca, C. V. (2009) *Projet of the Debrecen-Oradea Cross-border Agglomeration*, In; I.Horga, G. Silasi, I. Süli-Zakar, Stanislav Sagan, The European Parliament, Intercultural Dialogue and European Neighbourhood Policy, Oradea University Press, 2009, pp 253-260.
115. Toca, C. V. - Horga, I. (2008) Sociological research. Thinking the future together the Debrecen-Oradea cross-border agglomeration, In: Süli-Zakar I. (ed.) *Neighbours and Partners: On the two sides of the Border*, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 73-82.
116. Toca, C. (2006) *Sociological Research: University of Oradea's Students Knowledge Regarding the Bihor - Hajdu Bihar and Carpathian Euroregions in Süli-Zakar I., Horga, I. (coord) Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective*, pp. 129-136.
117. Toca, C. V. - Stoica, A. (2010) Romanian-Hungarian cross-border cultural and educational relations, In: Horga, I., Süli-Zakar I., *Cross-Border Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen-Oradea*, pp. 70-76.
118. Tömöri M. (2006) The Role of Shopping Tourism in Debrecen, In: Süli-Zakar I., Horga, I. (eds.) *Regional Development in the Hungarian Cross-Border Space - From national to European Perspective*, pp. 403-410.
120. Tömöri M. (2009) Adalékok a hazai és a debreceni bevásárlóturizmus vizsgálatához. In: Süli-Zakar I. (szerk.) *Acta Iuventutis Geographica. DE Kossuth Egyetemi Kiadó, Debrecen*, pp. 101-108.
121. Tömöri M. (2010) Spatial Diffusion of Metro Cash & Carry focusing on Hungary and Romania, In: Horga, I., Süli-Zakar I. (eds.) *Cross-Border Partnership. With special regard to the Hungarian-Romanian-Ukrainian tripartite border, Debrecen-Oradea*, pp. 131-136.
122. Várhelyi T., Müller A. (2008) "Spa tourism and regional development: it can be more successful with cross-border cooperation, In: Süli-Zakar I. (ed.) *Neighbours and Partners: On the two sides of the Border*, Debrecen, Debreceni Egyetem Kossuth Egyetemi Kiadó, pp. 309-314.
123. Veres L. (2006) Transport networks and regional accessibility, In: Süli-

- Zakar U Horga, I. (coord) *Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective*, Debrecen, a Debreceni Egyetem Kossuth Egyetemi Kiadója pp. 223-228.
124. Yehorova, O. (2009) Investment attractiveness of special legal regimes of economic activity in Border regions between Ukraine and the EU, *I11, Eurolimes*, volume 8, pp. 32-40.
  125. Zainea, I. (2006) Normalization of the Romanian-Hungarian relations and euro-atlantic integration, In: Süli-Zakar I., Horga, I. (coord) *Regional Development in the Romanian-Hungarian Cross-Border Space - From national to European Perspective*, Debrecen, a Debreceni Egyetem Kossuth Egyetemi Kiadója, pp. 53-60.
  126. Zielonka, J. (2002) *Europe Unbund: Enlarging and Reshaping the Boundaries of the European Union*, Londres, Routledge.
  127. Zielonka, J. (2006) *Europe as Empire*, Oxford University Press.

## MONITORING OF SYNERGY ASPECTS OF REALITY IN THE PROCESS OF FORMING INNOVATIVE DEVELOPMENT MODEL OF TRANSBORDER REGIONS

*Implementation of the course towards introduction of structural – innovation model of social – economic development of Ukraine needs significant strengthening of interrelation between specific elements of innovation process (companies, scientific-research institutes, higher educational institutions, industries, regions) in the frameworks of national innovation system, functioning of which is ensured by a set of institutional factors and all-round connection with European and world systems of innovation development.*

*One of specific manifestation of contemporary public reality is transborder systems of integrative relations and interregional development at the Western areas of Ukraine bordering and interrelating with the Schengen border areas of the European Union, modern and efficient methods of observation, analysis and reaction on these processes play a prominent part in implementing innovation development models in Ukraine and its rapprochement to the European space of democracy and wellbeing.*

*The paper attempts to take the identified tasks closer to the contemporary methods of reality analysis and synthesis in the frameworks of possible synergetic interrelation of transborder regions and to emphasize implications of deep monitoring and information analysis in order to elaborate and coordinate with the European Union way and directions for transborder cooperation of Ukrainian and foreign adjacent border regions.*

**Key words:** *innovative development, national innovative system, border regions, Schengen areas, synergy, system open, closed, isolated, synergetic organism, entropy, disparate structures, information, self-regulating system, transborder regions, monitoring.*

System complex approach to studying innovations was developed in late 80s – early 90s by foreign scientists, including K. Friman, R. Nelson, Ch. Edquist, B. Lundval and others. They consider innovation development as the process of interrelation and feedbacks between the whole set of economic, social, political, organizational and other factors that determine creation, implementation and commercialization of innovations. This approach is fundamentally different from the traditional understanding of innovations treated as inventions and labor-saving at post-Soviet areas. For instance, Kulibin and Popov were inventors but did not become innovators, as engineers Bell and Edison did, who introduced their inventions into economy and received profit. For now no research nor in Ukraine nor in Russia identifies a link between successes of domestic science and growth of society wellbeing. And this is a contradiction to the work experience, since the stronger the science, the richer the country.

Advanced scientific developments provide an opportunity to formulate an innovative development concept and its official definition by the UN economic and social development organization. According to its official definition, national innovation system is a set of institutes that individually and in interrelation with each other condition creation and commercial implementation of scientific knowledge and technologies within specific state (small and medium innovative and production companies, universities, research centers, laboratories, technological concerns, business – incubators, technological parks etc.) [1, p. 10].

At the same time national innovative system includes a set of institutes of legal, financial and social character that ensure innovation processes and have strong national roots, traditions, reflect political and cultural peculiarities.

According to scientists of the scientific - research economic institute of the Ministry of economy and on issues of European integration of Ukraine, national innovative system should be formed based on urgent outstanding problems of scientific-technical and innovation development. In Ukraine these remain to be the following problems:

- Not finalized and non-existing system approach to forming legislative and normative-legal basis;
- Not perfect state management system;
- Lack of efficient system of resource provision and economic stimulation;

- No system of long- and mid- term forecasting and identification on this basis of state priorities;
- Very insufficient level of program – target management during implementing state scientific – technical innovation priorities;
- Not developed innovation structures of market type, relevant infrastructure, weak development of technology transfer [2, p. 11].

All those negative moments are fully active at the regional level as well, getting even more stronger in depressive border regions that are looking for their own development resources, including on the way to develop and deepen transborder cooperation, in the Schengen border areas in particular.

Border adjacent areas are still the least researched sphere of regional science, especially those situating in between unlike types of regions in terms of geography, social – culture, economy, information. “Character of border lines depends on what areas are we speaking about, whether they are detached areas or areas of continuous or scattered distribution. Region frontiers owing their origin to human activities as a rule are more distinct in comparison with the natural frontiers. Political and administrative borders which have a linear character are a classical example. More or less distinct are borders of cultural landscapes, whereas borders of lets say natural geo-botanical regions are far from being precise. On the other hand, socio-cultural regions borders in most cases have a transitional clearly distinct “marginal character, including at borders of cultural – historical regions. For instance, Languedoc in France or Piedmont in Italy seem to be clearly marked only from a distance, but with a closer look they break down to yet more small-scale typical areals”. There are never-ending disputes about notions of “Central Europe”, “East Europe”, “Middle East”, “Central Asia” etc. [3, p. 51].

Philosophic foundations of marginal states were first laid out by Emmanuel Kant who in this way combined in himself a philosopher and geographer [4]. Only a great scientist who researched spiritual and earthly horizons could formulate a vision about immanent and transcendent world where geographical and philosophical notions are blending in. The scientist’s thoughts about multidimensional communication space were picked up first of all by representatives of the sociological wing in the science, in particular by the Ukrainian scientist V. Derhachovych [5] and Russian scientists V. Kolosov [6] and L. Vardomsky [7]. Brand new approaches to studying

modern processes at European border are put forward by the Ukrainian researcher S. Ustych in his newest papers [8].

In the sociocultural space like border regions the inevitable communication is usually marked as “information transfer” from person to person in the process of any activity. Transborder communication in the sociocultural space has its varieties of complimentary economic relations, in the economic space – communication corridors of accelerated turnover of trade, industrial and financial capitals (for example, free or special economic zones, industrial and technological parks etc) [5].

The border communicativeness is closely associated with the notion of border energetics. The common understanding is that “it is the marginal zones of descending natural, economic, ethnocultural, informational and other fields that serve the source of energy impulses. Border energetics is directly linked to emotional – sensual sphere and therefore could be not only a strategic resource of material development but a resource of spiritual renaissance of socium, ethnos, state” [3, p. 52].

Material objects of the area, including border area, and its entire infrastructure contain certain coded information and are prominent information source of social significance. Integrated understanding of an area with its space – time relations commonly creates a dialectic-synergetic system the self-regulation and management of which requires integrated and cooperative approaches. Different approaches can be employed for process monitoring and analysis in transborder regions.

The history – evolution approach during analysis of space allows identification of origin of objects and events in some space – territory, understanding of the development process, finding in it of not only determinants but also ascending positions of future events.

Informational approach provides an opportunity to understand what information is coded and accumulated in specific space, to make measurements of organization and entropy, quantify information and identify code and types of signs that compose this information.

Synergetic aspects can provide orientation towards search of self-regulation cooperative principles, ways of change-over from lower to higher organizational levels, interrelation of various and drastically different spheres of the material world.

Research and assessment of the place of transborder regions, from the phenomena significance viewpoint, emphasize perception of objects and

events, reveal how a person conceives and values them. Taking into account that individual's perceptions can be personally determined, the advantage is given to the information received in due order from the research of objects and events from the viewpoint of various social groups and individuals evaluation.

Modern social science paradigm is looking for opportunities to establish a better interrelation and exact expression of social and natural structures and tries to understand transformation of evolution of un-organic and organic forms of movement into the social forms of movement.

The integrated essence of place and the activity manifestation of a person in the territory – space can be expressed by the notion of genius loci, which acquires a new information quality on the contemporary stage of science – innovation revolution<sup>6</sup>.

Universally we see that scientists, civil servants and common people make efforts to understand what is going on in society where they live, to identify what should be done, changed, and in what way. “What is common to all those efforts is that everyone tries with equal level of authenticity to make a diagnosis of contemporary status and based on it produce some

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- 6 Europe and It's Borders: Theoretical and Historical Perspective. Vol.1, Spring 2006,
- 179p.
  - From Smaller to Greater Europe: Border Indentitary Testimonies. Vol.2, Autumn 2006,
  - 212p.
  - Media, Intercultural Dialogue and the New Frontiers of Europe. Vol.3, Spring 2007,
  - 205p.
  - Europe from Exclusive Borders to Inclusive Frontiers. Vol.4, Autumn 2007, 196p.
  - Religious Frontiers of Europe. Vol.5, Spring 2008, 189p.
  - Intercultural Dialogue and the European Space. Vol.6, Autumn 2008, 210p.
  - Europe and the Neighbourhood. Vol.7, Spring 2009, 208p.
  - Europe and Its Economic Frontiers. Vol.8, Autumn 2009, 184p.
  - The Cultural Frontiers of Europe. Vol.9, Spring 2010, 196p.
  - The Geopolitics of European Frontiers. Vol.10, Autumn 2010, 210p.

recipes. It is important to realize though that the diagnosis from the very first day will not match the reality, since the aim of final and full diagnosis is as utopia as the belief that by will of one person or few persons who made an exact diagnosis and understood the laws of a historical process the historical order can established or changed” [9].

Society self-organization processes resulting in change of structure take place independently from will and acts of individuals participating in those processes, and independently from understanding that there are no laws that could through the cause-and-effect mechanism describe this dependency, or reveal connection of societal order structures and individual’s will. Therefore there are diagnoses different by deepness and honesty level, and then contra-diagnoses as well. It depends on the level of honesty and skills of the researcher and the connection with thousands of similar diagnoses for the whole set of subjective assessments to produce in the future some positive result which, in principle, is impossible to predict.

Otherwise we would have a so called inconsistency of phenomena and terms-notions, that can not be successive-isomorphically consistent by volumes since the very content of it includes predicative qualities eliminating potential full or partial volume consistency. Incomparable terms-notions are matrices that have no closest genus and species notions. Certain correlations-convergences may exist between such kind of terms-notions, and it is possible to explicate that those joint terms-notions may interpret-illustrate this or that factor-phenomena of the specific-objective reality, but some of those notions can be authentically specific and other only detached-abstract notions. However the coherences can not be modalized neither as relations of subordination nor as opposition agglomerations. This is the reason why it is possible to discourse-interpret that comparison-analogization of inconsistent terms-notions can not have any axiological-practical value [10].

Along with that monitoring and diagnostics processes take place simultaneously with civil society formation because these are parallel processes. It is a common belief that the Central-East European countries at both sides of the Schengen border have already had heir bifurcation points – that is division, splitting, furcation etc. They have already exhausted their individual development potentials and are now destined for interrelation, for joining their potential, for SYNERGY.

The synergy of big and small systems, like border or modernly speaking transborder regions, reflects at least the newly revealed qualities,

attributes marked by notions of dissipative structure<sup>7</sup>, bifurcation<sup>8</sup> and phase transition<sup>9</sup>.

From the viewpoint of energy inputs and outputs systems fall under open, closed and isolated. Under SYSTEM we here understand an organized entity of elements which are mutually related and create unity of these entities [11, 12].

Open systems are characterized by inflow and outflow of energy, information and materia.

Closed systems: these systems do not receive any energy, information or material things because of internal conscious or unconscious closeness.

Isolated systems are systems which receive no energy, information or material but in this case as a result of conscious or unconscious external factors.

One of the classics of system and structure approaches, American scientist I. Pryhozhin mentions that big open systems have structures that are subject to fluctuation<sup>10</sup> and turbulation<sup>11</sup> [13]. In case such rickety structures are exposed to variations that destroy negative feedbacks, the fluctuations are leveled and they preserve their initial status.

In case these structures are exposed to variations that create positive feedbacks, some fluctuations under action of sources of divergences and environment may transform into strong movement which will mean new microscopic organization, initiation, order and creation of new structures by way of bifurcation. In this way the originally organized movement undergoes the stage of unorganizedness and turbulence towards new higher orderliness that meets the new qualities of the changing environment.

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7 The notion genius loci has had various meanings in the historical development. In this case we consider this notion from the viewpoint of individual's unity of creative capacity, his work results and correct use of natural resources, as well as a capacity to stand against natural acts of God.

8 Dissipative (Latin) - unbound, dispersed, diffused, scattered

9 Bifurcation (Latin) – divergence, splitting to two or more parts (лат.)

10 Phase (Greek) – period of development of stage with which the status of system is linked. Phase transition – radical change in macroeconomic status of the system structures resulting from change of new management parameters and their transition beyond critical values of stability

11 Fluctuation (Latin) – vibration, instability, variation

I. Prigogine made an unconventional synthesis of notions of chaos, orderliness and organizedness, chance and imminence, causality and evolutionness [13].

The process of dissipation (diffusion) of structures proves that space and time are not homogeneous but have a concrete historical and regional content. Dissipation and bifurcation processes mean not only creation of new fundamental, evolutionary structures, but also creation of concrete historical and spatial orderliness, mark the evolution of “the space-time material”.

The same process of structure development in unbalanced conditions was observed and described by H. Haken [14]. He described the phenomena of phase transition, which he understands as radical changes in macroscopic status of system structures as a result of change of specific management parameters and their transition beyond critical values of stability. He understands the synergy as first of all a process of new quality creation. He especially deals with relation of creation of fluctuation in microstructures to creation of new organization at macrolevel. H. Haken demonstrated that under unbalanced states the system may be self-organizing. Bifurcation process in dissipative structures and phase transition are close categories that influence the newly perceived quality of development process. Mechanism of transition to new stages shows how the old system in the result of impact of the changing environment matures towards statuses close to crises (in case its structural transformation is asynchronous in relation to changes in space), or to chaos, in other words, towards the turbulence state generating dashes of new structures and formations adequate to the changed environment. These structures and formations provide to the big open system opportunity to exist and survive.

The system synergy reflects in this way also one extremely important quality of the system behavior, which is its interrelation with the environment.

The synergetic organism is the unity of opposites of system and space. Interaction of the open system with its environment gives possibility to understand its dynamics, functionality, morphogenesis and evolution.

New structures are not only independent heritage of previous structures of the system, but also a result of the system interaction with the environment. In this understanding they, in addition to own structures of the system, reflect also structures, statuses and situations that emerge in space. Thereby the role of space in synergetic understanding acquires new unconventional dimension. According to I. Kant, “borders always foresee some space which is beyond

specific place and includes it; frontiers do not need this since they do not have absolute fullness. However since the border is something positive, pertinent to what is inside it, then this is indeed positive knowledge which acquires intelligence only due to the fact that it adjoins this border without trying to go beyond it, since it will find there only void space where it, however, can think forms for things but can not think the things themselves” [15, p. 175, p. 187].

Considering that time and space are inseparable historical categories they are simultaneously geographical categories as well. Each people, ethnos is located in some space and time, borders one another or changes one another to occupy its place in the historical process in the frameworks of cyclic understanding of time in which cultures are mutually incomparable and interpenetrating inseparable unities, the principium. Therefore “not only any anthropogenic but any geographical reality has its own tasks, a call to some destiny in the capacity of final unity – geographical, economic and historical” [16, p. 61].

The open system is characterized by such behavior under which it is in position to receive energy, information and material from environment, decrease entropy in location relation due to transfer of energy from external environment.

Entropy (Greek – turn, change, transformation) is a measure of uncertainty on the eve of activation of elements of some quality or movement from less probable to more probable state. By essence, it is connected to development of closed systems that strive for decay, chaos and disappearance. It is related in some way to ideology expressed in ancient Greek mythology where the history of civilization (metaphorically also of humankind) was expressed in five phases (ages): gold, silver, bronze, heroic and iron. The golden age was the age of richness, happiness and wellbeing of Olympus inhabitants. This richness, happiness and wellbeing was gradually diminishing, degrading and disappearing. By the last Iron Age signs of moral and other decay and chaos appeared. Greek mythological conceptualizations expressed an idea that when the world will fall into utter chaos the SOLIPOTENCE will intervene again and create new happy world in which the degradation process will start all over again [17]. In this way order and disorder have their sequence and cyclism, and the new structures stem from previous decay, destruction and chaos. That is just where the metaphor of entropic achievement of maximal entropy is.

The modern science owes the notion of entropy to thermodynamics. It treats entropy as measurable physical value. The entropy unit is J/k (joule

/ Kelvin). The notion of entropy acquired importance significance in the theory of informatics. Here it is expressed as a relation discovered by L. Boltzman and F. V. Hivls in statistic physics as a measure of orderliness and in disorderliness (order and disorder).

On the basis of second formula of thermodynamics, the isolated system transforms from less probable to more probable state. Isolated system in non-homogenous state will probably transform into future homogenous state. There the notion of entropy expresses a decay of this system of organization.

Any process, event, occurrence directed against decay, act against entropy growth. For example, a living organism or social – economic system decrease entropy growth by means of “sucking” orderliness from space environment, that is are characterized (marked) by entropy with the minus sign which is a measure (level) of orderliness in the same sense as entropy with plus sign and expresses the measure of in disorderliness. Via measure of orderliness we come to information:

$$H = -P_i \log_2 P_i$$

$$H = \sum_{i=1}^n P_i \log_2 P_i$$

Where  $p_i$  = probability of an event in the system under research. Therefore, the parallel or a formal identity appears between measure, entropy value and information value [18].

The process of disparate structure formation expresses contemporary process of progressive differentiation that is the process from lower to higher complexity. This process structurally resemble Ethnogenesis (from the Greek - origin, birth) – individual development of any organism from the moment of its birth and until death, and philogenesis (from Greek – race, tribe, birth) and generalizes them to the universal state. It is about inevitability of search for relations of internal trends development of system and environment. It also expresses general and individual qualities of functional and evolutionary structures of open systems (for instance, machine, organic and social systems).

Human perception has long before discovered the process of continuous of origin and disappearance of various forms of existence. These qualities of big system structures are explained with the help of the entropy notion. Direction

of entropy found its formulation in the second formula of thermodynamics, and later on it became applied in problems of measuring orderliness and in disorderliness, that it in general organization. Information theory showed its similarity with entropy and organization from the viewpoint of their quantity characteristics, which is how in the result of information growth they are stabilized or evolutionary. Evolution aspect of the system behavior leads however to the necessity of creation, in the capacity of the contrast to entropy, that is destruction and decay, of constructivity and creativity, or appearance of new forms of open system organization characterized by these very qualities. That is, exchange of information, energy and material with environment has not only quantitative but also qualitative aspect.

But from the one hand there is a reality which, for example like energy which is received from environment and once carried out some work qualitatively degrades into lower form of energy, then big open system has a capacity to transform lower forms of energy into higher forms. By this it expresses not only capacity of concentrated use of energy but also capacity to concentrate and accumulate energy. Similar qualities also have open systems in the sphere of information.

In 1950s – 1960s rationalistic thought achieved yet another breakthrough result. Science paradigm starts transforming after introduction of INFORMATION and ORGANIZATION as a third component of MATERIA along with substance and energy. Information allows casting a deeper view onto unity, its structure, multi-cause conditionality and self-regulation. Works of E.S. Shennon - “The Mathematical Theory of Communication” (1949) and N. Wiener – “Cybernetics or Control and Communication in the Animal and the Machine” (1961) on the basis of discovery of system analysis L. von Bertalanfi provide foundation for new synthetic approaches and thereby for new understanding on internal structure of space-time. It was discovered that such notions as system, information, feedback, homeostasis, controlled system, regulator, law of inevitable variability have a universal action and express essence of reality behavior in various spheres and industries.

Big open system transforms lower form of energy into the higher one with the “help” of environment. Local processes of entropy emerge in spontaneous processes on the account if their accelerated growth in environment surrounding the system. From the synergy of system a very important notion is emerged – constructivity. It appears in all three components of materia:

- a) in the sphere of information – as capacity to create new information in the process of self-regulation and interaction of the system and environment;
- b) in the sphere of energy – as a movement directed against entropy, dispersion and reconstruction, that is the capacity to concentrate, accumulate and transform energy from lower to higher level;
- c) in the sphere of substance (material) structures – in the process of creation concentration of elements in ore, fuel, organic substances etc.

The mechanism of those transformations is worth attention both from the viewpoint of tactics and theory, because we are speaking about self-regulating, informational, energetic and substantial (material) processes. Spontaneity and self-regulation of the system as a rule are based on maximal efficiency of using sources of energy and information. Activities of relevant big systems are defined by the capacity to activate such mechanisms that by using relatively a little energy can transform those structures and create new structures and forms. Such kinds of ascending principles are the basis for practical application of this leverage in biotechnology, electronics, use of spontaneous cycles in various spheres of reality and search for industrial use of photosynthesis principle.

Synergy reflects also such important role of integration of system as asymmetry of behavior of the system during processes of transformation and creativity. One manifestation of such asymmetry is influence of microstructure on macrostructures and unity of process at various hierarchical levels and in various dimensions of value measurements. Not only reorganization of movements and structures takes place in the processes of system self-regulation, but also subordination of all lower movements and structures to the higher ones.

Cause-and-effect relations are a very important issue for understanding how the big system behaves. Synergy by its self-regulation function leads to combination of causality and information and energy. Information in the self-regulating system moves from the phenomena causes to phenomena effects and this transfer requires energy. Interrelation of subsystems – elements in the system therefore combines causality and information flow. Complicated systems can not limit themselves to classic simple binary linear relations: cause – effect, since information flows and, as an effect, also causality have multi-causal character. Similar to multi-source information, there is also multi-source causality. This creates extreme complexity of unity of impact and interrelation of information sources and receptors of homeostasis, movable and fluctuation-creating feedbacks in the process of self-regulation

and creation. Informational reasons are created by multisources at the basis of own structure of the system in interaction with the environment.

Selection mechanism of the environment eliminates the range of forms and structures which at the basis of incoming information are not adequate and capable to survive, but also develops those forms and structures which at the basis of feedback relations with space are adequate and express capacity to survive.

Such mechanism develops forms and structures that, based on feedbacks with space, express the capacity to function and evolve. In case the system in the historical development process accumulated information it can apply it for combating stereotypes according to self-learning mechanism. In this sense internal and external information reasons are classified. A.D. Armand mentions existence of information reasons directed to maximize entropy, and of information reasons aimed at stabilization and organization [19].

According to D.T. Sprang [1984] the measure of entropy at the macrolevel is a specific case of information reason which often comes out of the macrolevel. In case macrostructure has a lot of levels, the entropy (hidden information) is high. The information flow from the microlevel to macrolevel has an asymmetric character, and it is hardly comparable. This is an interesting approach since it shows that the directivity towards entropy, that is towards the process of loss, absorption of information is led by hidden directives of information.

The system synergy reflects extremely interesting quality – a process of new information creation by way of using self-regulation mechanism. The self-organization process in the beginning lacks influence of information on creation of next stages of new structure and organization. Such information reason is created as a capacity of initially not linked sub-systems to get mutually linked, interrelated and create new reality. Environment in the frameworks of synergy mechanism forms criteria of such interrelation and selection. System under action of stimulation of environment gets restructured and adapted. Continuous information stops existing, dissolves under influence of noises and hindrances, which are always abundant in external environment [Armand A.D., 1984]. Efficient information influences appearance of new forms, which in turn influence environments through feedbacks, and the changes in environment are a basis of for changes in system. This mechanism of creating information causes in the framework of creative process was clearly mentioned by M. Maruyana [20]. Because of its creative character he named this process morphogenesis. This discovery holds significant essence

of the model of multi-causal interactions. It demonstrates the mechanism of gradual sequence in the process of new information creation.

Environment therefore not only stimulates appearance of information causes of disappearance and creation, but is also an important element of self-regulation of the evolution functional system. And this is a necessary condition for self-development. An information system is neither mechanical, nor equilibristic, nor organic homeostatic system, but rather integrated adaptive, morphogenetic and creative one. Mutual combination of positive and negative feedbacks is a key to understanding development mechanisms. Any open system makes efforts to preserve its functional structure stability, but only until this stability provides survival for it. As soon as such stability begins to mean ossifying and prevents the system from adapting to conditions of the changing environment, the principle of interchangeability enters into force, allowing the system to transit to new structure and thereby get adapted to new conditions. This self-regulating creative mechanism most probably holds the logical transition to synergy of the system. Further development of research should take into account the synergy theory as well.

Synergetics reveal mutual relations between the system and its structure and leads to redefinition of the notion “structure” and refusal from previous approaches. If in the past the structure was often assessed as ontological category directed at learning the reality, in our times under the effect of synergy, application of time dynamics and dimension for system approach it should be necessary from the viewpoint of self-organization and self-development to research linking principles of the system with their functional, substrate, horologic, chronologic and evolution structures.

Synergy principles reveal that previous understanding of structure in the frameworks of theory of systems that emphasized first of all functional – organizational sides of morphogenesis, paid insufficient attention to historical, that is evolution – organizational sides of structures. Combination of historicity and functionality is a necessary precondition for integrity and one of main tasks for transborder system research.

## References

1. International Forum Science, Innovations and Regional Development. – L., May, 23-25, 2005.– C. 10

2. Шкворець Ю.Ф. Національна інноваційна система: напрями створення в Україні./ Науково-методичні підходи до формування інноваційної політики. – Л. Центр науково-технічної і економічної інформації. – 2005.– С. 11.
3. Гладкий Ю.Н., Чистобаєв А.И. Регионоведение. – Гардарики, М., 2003, –С. 51.
4. Кант И. Сочинение в шести томах. – Академия Наук СССР: Институт философии, М., Мысль,–1964.
5. Дергачов В.А. Раскаленные рубежи: очерки маргинальной коммуникативности. Одесса,– 1998.
6. Колосов В.А., Мироненко Н.С. Геополитика и политическая география/ Учебник для вузов. М.– 2001.
7. Вардомский Л.Б., Голунов С.В. Безопасность и международное сотрудничество в поясе новых границ России. – М. – Волгоград: НОФМО, 2000.
8. Устич С.І. Транскордонне співробітництво як альтернатива новій “залізній завісі” та конфліктам. Ужгород: Карпати, –2007. Устич С.І. Кордон, війна та мир у долі сучасного світу. – Ужгород: Карпати,– 2010.
9. Дутчак А. Время диагноза. – Зеркало недели, 9-15 апреля, 2011.–С. 15.
10. Современный словарь по логике, Минск: Современный словарь, 1999. – С. 403.
11. Ivanicka K.: Prognoza ekonomicko-geografickych gystemov. Bratislava, Alfa,– 1980.
12. Ashby W.R.: Principles of Self-Organizing System In: Principles of Self-Organizing. New York, Pergamon Press. –1962.
13. Prigogine I. Cas, structura a fluktace. Praga, CCF. –1979.
14. Haken H. Cooperativ Effects Progress in Synergetics. Amsterdam, Oxford, North-Holland. –1974.
15. Кант И. Критика чистого разума. Сочинение в шести томах. –Т. 4, часть 1. М.:Мысль, 1965 - 1975.–С.187.
16. Seriot Patrick. Struktura a celek. – Academia, Praha, 2002. – P. 61.
17. Grant Michal. Zrozeni Recka. ART, Praha,– 2002.
18. Больцман Л. Статьи и речи. – М.: Мысль. –1970.
19. Арманд А.Д. Процессы саморазвития и управления в геосистемах (основные понятия, модели и методы общегеографических исследований).– М., АН СССР.– 1984.
20. Maruyana M. The Second Cybernetics – Deviation Amplifying Mutual Causal Process. – American Scientists. –1963.

## **И. Устыч. Мониторинг синергетических аспектов реальности в процессе формирования модели инновационного развития трансграничных регионов.**

*Реализация курса на внедрение структуро-инновационной модели общественно-экономического развития Украины требует существенного усиления взаимосвязи отдельных элементов инновационного процесса (предприятий, научно-исследовательских институтов, вузов, отраслей, регионов). В рамках национальной инновационной системы, функционирование которой обеспечивается определенным набором институциональных факторов и всесторонней связью с европейской и мировой системами инновационного развития.*

*Одним из специфических проявлений современной общественной реальности являются трансграничные системы интеграционных связей и межрегионального развития на западных рубежах Украины, граничащих и взаимодействующих с Шенгенским приграничьем Европейского Союза. Современные и эффективные методы наблюдения, анализа и реагирования на эти процессы играют заметную роль во внедрении инновационных моделей развития в Украине и приближения ее к европейскому пространству демократии и благосостояния.*

*В статье делается попытка приблизить с определенными задачами современные методы анализа и синтеза реальности в рамках возможного синергетического взаимодействия приграничных регионов и подчеркнуть значение глубокого мониторинга и анализа информации для выработки и согласования с Европейским Союзом путей и направлений трансграничного сотрудничества украинских и зарубежных смежных приграничных регионов.*

**Ключевые слова:** *Инновационное развитие, национальная инновационная система, пограничные регионы, Шенгенское порубежье, синергия, система открытая, закрытая, изолированная, синергетический организм, энтропия, диспаративные структуры, информация, саморегулируемая система, трансграничные регионы, мониторинг.*

**UKRAINIAN – SLOVAK BORDERLAND:  
SEARCH FOR NEW PRIORITIES OF TRANSBORDER  
COOPERATION IS A DEMAND OF THE TIME**

Generalization of prospects and actual cooperation status between border regions of Ukraine and Central – East European states in the context of Eurointegration processes is a strategic priority of the analytical work of regional centers of the National Institute of Strategic Research, it holds a significant place within the interdisciplinary research complex.

Most forms of state cooperation between Ukraine and the Slovak Republic are carried out through the gate of relatively short joint border of 98,3 km. Its role in supporting foreign trade, humanitarian contacts of neighboring countries, implementation of international economic cooperation projects requires from both countries permanent steps to enhance cross-border cooperation and regional collaboration.

Interrelation of regions in the Ukrainian – Slovak borderland in the aftermath of accession of the Slovak Republic to the EU (May 1, 2004) is fully impacted by the following strategically important dimensions as; geopolitical (emergence of new and permanent in the mid-term Eastern border of the united Europe), regional and subregional (requiring review of the existing up to 2004 system of bi- and multilateral cooperation of regions of Ukraine and Slovakia), interregional and transborder (with the increasing role from the viewpoint of supporting Ukrainian prospects of Europe-wide integration and accession of the Slovak Republic to bodies of new unity of the world level) [1].

Practice shows that both Slovak and Ukrainian sides consider implementation of interregional and transborder cooperation as part of an integrated, carefully calculated mechanism for regional development which should be based on the spatial approach and institutional foundation, and contribute to the long-term sustainable effect in the form of integrated harmonized development of states and their regions and enhance participation in international integration processes [2].

It is worth mentioning the quite synchronized work of governments and authorized agencies of both countries in terms of international - legal and national institutionalization of transborder cooperation system between Ukraine and Slovakia, which experienced a phase of high activity on the eve of receiving by the Slovak Republic a EU-member status and in the period after its accession to the Schengen visa area. Although there is enough criticism in assessing transborder cooperation by public and scientists in terms of its inadequate prevention steps, system character of measures, activeness of regional and local authorities, the fact remains that there is a permanent mechanism for the formation of an agreed position on key issues of transborder cooperation and representation of those by European institutions [3].

Available and operational system of bilateral coordination of all kinds of international relation issues, including interrelation of border regions, made it possible for the two states to constantly keep an eye on the geopolitical situation factors like necessity to amend international – legal acts of bilateral cooperation taking into account the EU position as a strong partner regulating Euroregional cooperation, combination of national interest and foundations of social – economic and migration policy of European community [4].

Results of the official visits of the President of Slovakia Ivan Gasparovic to Ukraine in 2010, of the President of Ukraine Viktor Yanukovich to Slovakia in 2011, visits by prime ministers, other leading figures of the state and public life in Ukraine and Slovakia will contribute to more active cooperation of Slovakia and Ukraine, including in the sphere of border regions cooperation.

Ukraine and Slovakia possess enough potential to scale up cooperation both at international and at inter-regional level, to exchange practical experience and technologies of reforming many industries of economic and public life. In particular, drivers of high growth in the Slovak GDP and exports in the pre-crisis days were considerable internal and external demand, investment demand, the positive dynamics of employment and wages. Launch of new export productions, automobile companies of the so-called Central European Detroit is continuing to contribute to export increase [5].

From January 1, 2009 Slovakia introduced the Euro. Fiscal, banking, administrative, tax, pension, social reforms, privatization of some state monopolies in energy, banking and telecommunications sectors, legislative incentives of investment process proved effective. Implemented during

the 1999-2008 they brought a worldwide recognition to Slovakia as a reformer in 2005, made it in the top three among East European countries in terms of GDP per capita in 2009, and number one in the EU among those countries that decreased tax burden (up to 29.5% of GDP) in 2006 [6].

The economy of Ukraine and its regions has a great resource and investment attractiveness, in particular, in terms of human and intellectual resources, mineral resources, agricultural, water and forest lands, high (at the world level) amounts of capital funds, developed social infrastructure [7]. Ukraine's accession to the World Trade Organization and its accession to the European energy market add to the positive opportunities for the Ukrainian – Slovak cooperation. In the medium term, new qualitative changes are going to happen once Ukraine and the EU sign agreement on free trade, visa free regimen and once Ukraine becomes an associate member of the European Community.

World economic crises of 2008 - 2010 and its dramatic progress in Ukraine and Slovakia that resulted in drastic GDP decrease pointed out the key challenges for both countries requiring strenuous and unconventional decisions. This refers first of all to common for partner's problems of energy safety, demographic issues, unemployment and flexibility of labor market, combating corruption and ensuring transparent state – private partnership. Necessity to diversify production and overcome depressiveness and inconsistency of development of some areas remain to be urgent as well [8].

Slovak researchers also note such important issues as increase of regional disparities, concentration of high figures of GDP share per capita, foreign direct investment, saving of jobs in the West of the country compared with high unemployment, insufficient involvement of EU funds in Eastern Slovakia, a large gap in terms of GDP in different regions. Business contacts are insufficient between entrepreneurs from Slovakia and Transcarpathian oblast of Ukraine where 66 joint Ukrainian-Slovak enterprises were operational, involving Slovak investment of about 9 million USD [9].

The negative but at the same time motivating factors for Ukraine are ageing capital assets and infrastructure, necessity to finalize market of land formation. It is high time to implement the new Tax Code as soon as possible, approve stable legislation on incentives and guarantees of foreign investment, finalize administrative, court and educational reform, carry out transition to insurance medicine.

In the post-crisis era the establishment circles of both countries are becoming increasingly favoring the idea that in order to overcome crises

impacts and create stable foundations for secure sustainable development and quality of life increase for both Slovakia and Ukraine, it is necessary to shift to knowledge and innovation based economy.

Border regions of both countries have enough space for cooperation in terms of innovation development, but are using the available scientific – technical potential not to the full extent.

To give an example, in Transcarpathian oblast of Ukraine in 2007 out of 16 scientific academic educational and industry institutions carrying out activities in dozens of directions of research and development, the share of innovation implementing companies amounted to mere 7,2% from the total number of companies in the region (compared to the Ukrainian indicator of 11,5%) [10]. The state executive and self-government authorities of Ukraine and Slovakia responded by adoption of mid-term (for the period until 2017) regional programs of sustainable development and framework agreements about transborder cooperation, that foresee increase of international cooperation in investment – innovation projects. Development in the border regions of the network of state, communal and corporate regional innovation centers, investment agencies and regional development agencies goes in the same line [11].

The search for new landmarks of Ukrainian – Slovak cooperation leads to conclusion that economies of Ukraine and Slovakia and their border regions in particular, are among the most attractive in the Central and East Europe foothold of world outsourcing, particularly in such areas of machine building industry as automotive and electronic industry, production of components for them.

There are ample opportunities for concrete transborder cooperation projects and new jobs creation especially in investment projects in transport - logistics and energy industries, implementation of which is either under way of planned at the Ukrainian – Slovak border. This refers first of all to exploitation of existing and construction of new power lines that supply electricity for export to the Slovak Republic and other EU countries within the European energy island, as well as international project of expansion of the broad gauge railway, which runs through Transcarpathian oblast and Eastern Slovakia, from Kosice to Vienna [12]. The Ukrainian side has undertaken a large investment project on reconstruction of Beskydy railway tunnel at the expense of international financial organizations. The Slovak side is making efforts to complete

the construction of new highway network in the frameworks of the fifth transport corridor with the end point at the Ukrainian-Slovak border crossing.

Regional Chambers of Commerce and the civil formations of the Carpathian Euroregion are in position to become a constant intellectual and methodological platform for intensification of the investment – innovation component of transborder cooperation. In this sense it is worth mentioning active joint work of customs authorities and Chambers of Commerce within the joint project «SlovakAid» and Ministry of Foreign Affairs of Slovakia “Ukraine in international trade in the aftermath of joining the WTO”. Once the Slovak Republic has joined the European Union the point occurred in the development of the Carpathian Euroregion, where it is high time to shift from declaratory cooperation to implementation of specific joint transborder projects that meet the regional development priorities [13].

The logic and justification of such findings are demonstrated by the success of creation of industrial parks and clusters on the territory of the Slovak Republic and the positive preconditions for formation of automotive and electronic industry cluster in the Carpathian region of Ukraine (in Transcarpathia, Lviv, Volyn and Ivano-Frankivsk region).

Analysis of industrial cooperation, supply of raw materials, components, technologies and know-how between the Slovak and Ukrainian enterprises of energy, mining and metallurgy, automobile and electronic industries, measures of governments of both countries to overcome the depression of the border and mountain regions make it very important to form international clusters in these industries and support these projects as relevant intergovernmental agreements and programs [14].

The fact that there are active regional innovation centers of the Slovak technical university [15] and State agency of investment and innovation of Ukraine in the border areas, makes it real to implement an innovation model of border cooperation between businesses, scientific institutions, the main aim of which is strengthening of integral competitiveness of regions. The positive changes in forming innovation development institutions in Ukraine (creation of technoparks, scientific parks etc.), a draft Law of Ukraine “About priority development territories” will only add to it.

Not only production – cooperation relations of companies within transnational corporations active in Slovakia and Ukraine, but also intensive scientific – technical and educational exchange between higher educational

institutions of Ukraine and Presov and Kosice self-governing counties of the Slovak Republic can become a reliable substantial basis for investment and innovation cooperation in border areas.

Development of tourism and recreation, protection of the environment is seen by the public authorities and local self-government of the border regions of Ukraine and Slovakia as priority policy and transborder cooperation. All previous experience, availability of a network of international, national and regional programs in this field make it possible to consider the establishment of an international Tatra – Carpathian tourism – recreation cluster.

Real shape this project can take as a result of actions of the Ukrainian side to implement the initiative of the Ukrainian President Viktor Yanukovich for holding the Winter Olympic Games 2022 in Ukraine, in the preparation and holding of which the Slovak partners could more fully use their expertise and technology acquired during conduction of World Student Games in the Tatra Mountains, other winter sports events of high world and European level. Such cooperation could give a good effect for the development of border regions of both countries.

It is in the Ukrainian-Slovak borderland that points of high investment activity were formed, which require support from governments of both countries. In particular, Chierna-nad-Tisou (SR) and Solomonovo (Ukraine), where the objective conditions are ripe for formation of large - scale international transport and logistics complex with development of logistic warehouses on Slovak territory, the industrial park on Ukrainian territory and a new bridge across river Tisa.

Extremely attractive is the railway border crossing in the Pavlovo-Matovce, where the broad gauge Uzhhorod 3 – Kosice runs, close to which the Ukrainian side established a promising area of prospective development of electronic industry and a reconstruction of the export lines of high voltage energy networks is taking place.

The measures in recent years carried out by the Ukrainian and Slovak parties and the European Union led to formation of the microregion of high investment activity in the area Humenne, Ublya (SR) and Maly Berezny (Ukraine), where the infrastructure of custom checkpoint and tourism recreation complex Krasiya were built up, enjoying great popularity among the population of both countries.

The abovementioned and other points of high integration activity on the Ukrainian-Slovak border deserve, in our opinion, to be granted by governments of

Ukraine and Slovakia a status of international (joint) structures modeled as border industrial parks, logistics and tourism clusters.

Analysis of potential of investment and innovation component of the Ukrainian-Slovak cooperation leads to a number of additional recommendations to public authorities and self-government bodies in Ukraine. The following on our opinion are urgent:

- Improving the investment preferences for the subjects of innovation activity in Ukraine, including at border areas in accordance with EU standards, the Kyoto Convention on simplification of customs procedures and obtained on this basis experience our Slovak partners in terms of stimulation of investment and innovation activity;
- Providing investors with guarantees of the stability of the legislative framework for a long period;
- Development and approval of the State strategy for investment and innovation development and the Investment Code of Ukraine.

## **References**

1. Актуальні проблеми стратегії розвитку України: Регіональний вимір. Науковий збірник./НІСД, Регіональний філіал в м. Ужгороді/. Ужгород: В-во В.Падяка, 2003, с. 31-32.
2. Регіональна політика в країнах Європи. Уроки для України. С.Максименко, Є.Кіш, М.Лендьел, І.Студенніков./ За ред.. С.Максименка/. – Київ: «Логос», 2000, С. 56
3. Aleksander Duleba. Ukrajina a Slovesko. Bratislava: VEDA, 2000. P. 241-269.
4. Володимир Приходько. Відносини України з ЄЕС і державами Центрально-Східної Європи в контексті євроінтеграційних процесів. Випуск 22. Проблеми історії, політології, етнології та літературознавства. Ужгород: В-во УжНУ, 2003, С. 136-139.
5. Микола Миколайчук. Економічна політика регіонального розвитку в умовах глобалізації. – Київ: «К.І.С.», 2009, С.180.
6. Владімір Бенч. Словацька республіка: досвід трансформації, економічні та соціальні реформи, пов'язані із світовою

- економічною кризою та обмін ноу-хау з Україною. Пряшів: В-во АДІН т.о.в., 2009, С. 20-21.
7. Державне агентство України з інвестицій та інновацій. – Проблеми залучення іноземних інвестицій в економіку України. Київ: «Київська типографія», 2006, С.21-22.
  8. Жаліло Я.А., Бабанін О.С., Белінська Я. В. та ін. ( За ред. Жаліло Я.А.). Економічна криза в Україні. - Київ: НІСД, 2009, С. 4-21.
  9. Владімір Бенч. Ibid.; С.30-31; Регіональна політика ЄС після його розширення. Аналітичні оцінки. – Ужгород: В-во «Ліра», 2004, С. 89.
  10. Держінвест України. Інвестиції та інноваційний розвиток. Науково-практичний бюлетень, №2, (2008). – Київ: Зовнішторгвидав України, 2008, С. 42.
  11. Хименко О.А. Регіональні аспекти інноваційної політики. В: Держінвест України. Інвестиції та інноваційний розвиток. Науково-практичний бюлетень, №1, (2008). – Київ: Зовнішторгвидав України, 2008, С. 47.
  12. [Електронний ресурс]. Режим доступу: <http://www.sme.sk/>
  13. Діловий вісник. Інформаційний бюлетень Закарпатської торгово-промислової палати. № 1-3 (165-167), 2010 р. – Ужгород: ВАТ Патент, 2010, С. 10-11.
  14. Фонд «Ефективне управління. Кластерний підхід до регіонально-економічного розвитку України. Матеріали семінару. Київ, 27 квітня 2010 року.
  15. ACSEE. Best practices across partner regions in automotive industry. April 2010. P. 12-13. [www.autoclusters.eu](http://www.autoclusters.eu)

## **ECONOMIC COMPONENT OF TRANSBORDER COOPERATION OF UKRAINE**

*Attempt is made to analyze the economic component of transborder cooperation of Ukraine. Attention is paid to contemporary forms of economic cooperation that proved to be most efficient.*

**Key words:** *transborder cooperation, border regions, European Union, industrial parks, clusters*

Among strategic tasks of updated transborder cooperation including at the new Eastern border the European Union identified promotion of economic and social development of border regions as a priority. Economic and social development of border regions has been promoted, among other things, by diversified assistance from the European Union where three stages are identified by researchers [1, p. 34-35].

At first – preparatory phase when current new EU member states have been only preparing for their membership in the European Community, large scale assistance programs PHARE and TACIS were developed for them. They played a significant role in solving many regional problems of those countries. Their accession to the European Union marked finalization of this phase of the EU assistance.

Phase two relates to the “Neighborhood Policy” announced by the European Union in 2004, and a new form of cooperation introduced by it – “Neighborhood program”. It was later announced that until late 2006 new updated forms of transborder cooperation will be prepared – “New partnership instruments”. With their approval as well as with approval in May 2009 of new EU foreign policy initiative “Eastern partnership”, which according to experts are still stuck, phase three of the EU assistance at the Eastern direction started [2, p. 226].

The Law of Ukraine “About transborder cooperation” defines the aim of transborder cooperation as “development of social – economic, scientific

– technical, environmental, cultural and other relations between subjects and participants of transborder cooperation”, and aim of state policy in transborder cooperation sphere as creating conditions for efficient and mutually beneficial cooperation of subjects and participants of transborder cooperation of Ukraine, improvement of social – economic development of the regions of Ukraine and population level of life.

With the European Union support diversified transborder cooperation is successfully developing at the new EU Easter border. Aimed at better its coordination and efficiency increase with the TACIS program funds the Agency of Regional development and transborder cooperation “Zakarpattya” with participation of partners from neighboring countries developed the Strategy of transborder cooperation development in the Carpathian region “Carpathia 2004 – 2011” covering border regions of five countries (Podkarpatske Voevidstvo of Poland, Kosice and Presov kraj of Slovakia, oblast Szabolcs-Szatmar-Bereg of Hungary, Transcarpathian region of Ukraine, povits Satu-Mare and Baja-Mare of Romania) [3, p. 223]. The project based on analysis of considerable information massive proposes strategic, middle-term and short-term tasks for their implementation.

According to one of the leading experts in this topic Nadia Mikula transborder cooperation of adjacent border areas of neighboring countries creates additional opportunities for synergy effects from joining forces for solving joint and similar problems and is actively developing towards institutional support of cooperation on the basis of new foundations and in new forms [4, p. 132]. From direct contacts to transborder contracts cooperation started to develop in forms of Euroregions (this form was the most widespread one in 1990s and in early this century) [5, p. 526-527], and currently – transborder industrial zones, transborder clusters, “development triangles”, transborder growth poles, “transborder innovation projects” etc [6, p. 4].

Transcarpathian oblast council by its decision on March 12, 2008 No 487 approved the Program of industrial parks creation in Transcarpathian oblast fro 2008 – 2012. As experience of Eastern European countries shows, in particular of Hungary, Slovakia, Czech Republic, creation of industrial parks is one of prospective ways of investment attraction, including foreign investments, into economic development of a region, first of all economically depressed regions.

The program has the following main aims:

- create favorable conditions for locating in oblast of new companies, including foreign;
- activate attraction of external and internal investments into economy;
- increase budget revenues from taxes and fees (obligatory payments);
- carry out technical refurbishing, increase output of competitive goods;
- provide efficient use of innovation potential of companies, first of all of defense industry and other companies of production sphere;
- speed up restructurization processes in some industries. [7].

Idea of creation of joint industrial park and ways to implement this project was discussed on February 18-10, 2010 at the international scientific conference in Uzhgorod. It was particularly mentioned that the industrial park will be located on border areas of Ukraine and Hungary and its components will be mirrored by both structure and functions. However, the main problem on the Ukrainian side remains to be lack of necessary normative-legal acts that restrains from having the full potential effect from the transborder initiative. Another problematic issue on the way to joint industrial park creation at the Ukrainian – Hungarian border is lack of consistent standards, norms and rules as to setting up and operating of such parks, as well as nonconformity of Ukrainian norms to the ones of the European Union [8].

As a result of program measures for industrial park creation it is expected that improvement of investment climate of Transcarpathian oblast and increase of its investment potential will take place. A positive trend of increased foreign direct investments into economy of oblast and Ukraine in general will remain, that will ultimately have an impact on creation of new jobs, transfer of technology, innovations and modern management. The example is the Central European countries which joined the EU recently and could in practice make advantage of efficient means of economic development boosting, which made them possible to reach the EU standards. Hungary, Slovakia, Czech Republic used the same mechanism for investment attraction. They set up industrial parks where investors could carry out production for export. One of the means of industrial park creation is granting to investors of status of free customs zone during the preparatory period before EU

accession. Industrial parks proved to be efficient and successful means of foreign investment attraction, new jobs creation and economy modernization according to the EU standards.

Industrial parks, special economic zones, scientific parks and technological free zones came to be efficient tools for foreign direct investment attraction, new job creation, increase of foreign trade, technology transfer, production development, increase of economic indicators and livelihood of citizens [9, p. 37].

By decision of the Transcarpathian oblast council from April 24, 2009 No 835 the Program of creation of transborder transport – logistical centers as structural links of innovation cluster in Transcarpathian oblast for 2009 – 2011 was approved [10].

The program proposes the model for creation on the Ukrainian side of transport –logistic centers with functions of the complex of transport services on the Ukraine border with the European Union and joint activities with similar agencies of neighboring countries.

Important role in development of economy and social sphere is played by creation of innovation business – incubators. Strategic aim of their activities is boosting of new companies creation, predominantly in priority industries of the oblast economy, in particular – in logistics, that will allow to provide for continuous increase of labor productivity and competitiveness of domestic producers based on technological modernization of national economy, increase of their innovation activity level, introduction of new products, services, technologies, methods of organization and management.

Clusters are understood as geographically close groups of interrelated companies and associated institutions in specific industry, linked by joint technologies and skills. As a rule, they exist in geographical zone with easily accessible communication, logistics and human resources.

Cluster based economy is a model of competitive and investment-wise attractive economy that provides for high level and quality of life for the population [4, p.134].

Transport-logistics clusters include the set of infrastructure and companies specialized on warehousing, accompanying and supplying freight and passenger servicing.

Cluster can also include organizations serving port infrastructure objects, companies specializing on marine, river, land, air transportation, logistics complexes etc [9, p.40].

Main aim of cluster policy implementation is providing for high rates of economic growth and economy diversification by the means of increased competitiveness of companies, suppliers of equipment, parts, specialized production and services, scientific-research and educational organization that form territorial-production clusters.

Cluster policy implementation will contribute to increase competitiveness of business at the account of realization of potential of efficient interrelation of cluster participants, associated on their geographical proximity, including increased access to innovation, technologies, know-how, and specialized services and qualifies personnel, as well as decreased transaction costs that provides for forming preconditions for implementing joint corporate projects and productive competitiveness.

Transborder transport-logistics centers in Transcarpathian oblast will be consolidating units for intermodal transportation management oot the Western border of Ukraine, where on the basis of common information space they will be able to solve important transborder issues and provide for efficient integrated logistic service for freight supply and processing.

Creation and servicing of transborder transport-logistics centers at the junction of the EU borders will facilitate dynamic development of Ukraine transit potential, modern production structures, will have a positive impact on region development, including improvement of economic and social indicators, new jobs creation, increased level of life of population and will bring integration of Ukraine closer to the European Community [9, p.46].

Development of such modern management forms as technological parks, innovation business incubators and clusters will facilitate solving problems of separate municipals and the region as a whole. Such types of formations are regarded as an important element of social, economic and innovation policy.

The aim of National strategy of formation and development of transborder clusters as important means of state regional policy implementation is to increase the level of life of citizens, secure competitiveness of Ukraine and its regions, introduce innovation-investment model of transborder regions development with simultaneous increase of the level of harmonization of normative-legal and social-economic conditions for development of industrial, scientific-technical and other ways of transborder interaction in the production and service sphere and technology transfer [9, p.62].

Main tasks of the National strategy of formation and development of transborder clusters are:

- 1) secure development of transborder regions in innovation – investment way, including with use of cluster opportunities;
- 2) develop transborder cooperation as an innovation element of new state regional policy, facilitation of integration of Ukraine and its regions into all-European space;
- 3) create in the transborder areas of economic growth centers aimed at increased index of human life quality and competitiveness of domestic products at the world market;
- 4) decrease potential pressure at Ukrainian borders and level the negative role of borders in the daily life of citizens.

Therefore, economic component of transborder cooperation is an important factor for Ukraine on its way to the European Union, which needs yet further research and clarification.

### References

1. Транскордонне співробітництво як альтернатива новій «залізній завісі» та конфліктам: Комплексне дослідження (українською, російською та англійською мовами). / Керівник авторського колективу Устич С.І. – Ужгород: Карпати, 2007. – 240 с.
2. Гарагонич Василь. Нова регіональна парадигма Європейського Союзу та характеристика основних сучасних фінансових інструментів ЄС на період 2007-2011 рр. // Вісник Тернопільського національного економічного університету. Науковий журнал. – Вип. 5 – Тернопіль: ТНЕУ. – 2009. – С.226-232.
3. Устич С.І. Кордон, війна та мир в долі сучасного світу. Тріада життя чи колапсу? Монографія. – Ужгород: Карпати, 2010. – 328 с.
4. Гарагонич Василь. Нові форми транскордонного співробітництва і можливості використання їх в Україні // Історико-політичні проблеми сучасного світу: збірник наукових статей. – Чернівці: Чернівецький національний університет, 2011. – Т. 23-24. – С. 132-135.
5. Гарагонич Василь. Єврорегіони у транскордонному співробітництві України // Україна дипломатична. Науковий щорічник. Випуск XI. – Київ, 2010. – С. 526-537.
6. Розвиток нових форм транскордонного співробітництва.

Матеріали «круглого столу» 28 квітня 2009 року / Відп. ред. Мікула Н.А. – Львів: ІРД НАН України, 2009. – 109 с.

7. Поточний архів Закарпатської обласної ради. Рішення від 12 березня 2008 року № 487.
8. Газета «Новини Закарпаття». – 2010. – 23 лютого.
9. Стан законодавчого та нормативного забезпечення транскордонного співробітництва. Матеріали міжнародної конференції 7-8 квітня 2010 р. – Київ: Верховна Рада України, 2010. – 69 с.
10. Поточний архів Закарпатської обласної ради. Рішення обласної ради від 24 квітня 2009 року №835 .

#### **В. Гарагонич. Экономическая составляющая трансграничного сотрудничества Украины.**

*Сделана попытка анализа экономической составляющей трансграничного сотрудничества Украины. Акцентируется внимание на современных формах экономического сотрудничества, которые рекомендовали себя наиболее эффективными.*

**Ключевые слова:** трансграничное сотрудничество, пограничные регионы, Европейский Союз, индустриальные парки, кластеры.

## FORMATION OF THE SYSTEM OF TRANSBORDER COOPERATION OF UKRAINE

The article deals with research of the issue about prospects of developing the European system of transborder cooperation of Ukraine as a factor that contributes to acceleration of European integration. Based on the analysis of main sphere of most efficient functioning of border relations with the neighboring countries a range of measures is proposed as to their intensification in the Western regions of Ukraine.

**Key words:** *Ukraine, EU, system, integration, transborder cooperation, region, Euroregion*

Scientific analysis of the theory and practice of transborder cooperation of Ukraine in the context of modern European integration processes is of great importance for development and implementation of the strategy of internal and external policy of Ukraine on the current stage. In early 20<sup>th</sup> century, under conditions of changing geopolitical situation on the European continent, Ukraine face the important task in external policy sphere – to develop a new efficient system of transborder cooperation. The topicality of the issues of international relations at the regional level is defined by prospects and logics of European integration development, since one important component of external policy of Ukraine in the Central-European region should become activation of relation at the new level, dynamic *development of efficient transborder cooperation system*.

The key or even one of the most important components of transborder cooperation is **border**, or the **border transparency**. Transborder relations and transborder cooperation are integral part of the subsystem and sublevel of holistic system of modern international relations. At the same time transborder cooperation relations is a specific sphere of international relations that is carried out and developing on the basis of clear criteria and principles.

**Geopolitical status of transborder cooperation of Ukraine** with the EU regions, and therefore **geopolitical status of the new Eastern border of**

*the EU* rose on the drastically higher level. Ukraine is in position to more efficiently solve problems of strengthening transborder relations not only with each of European states or with their regional associations (Vysegrad, Central European Initiative etc.), but also directly with Brussels and Strasburg – at the level of central general – European institutions. In turn, with each state – Western neighbor and at the level of cooperation between adjacent border administrative-territorial unities Ukraine can coordinate and carry out joint steps in the EU bodies, for instance, aimed at of joint border projects implementation [3].

The strategic aim of transborder cooperation is its orientation towards strengthening the state in general by way of harmonized integrated development of regions and their deepened participation in international integration processes. In development of modern transborder cooperation basic part should be performed by regional self-governing authorities and territorial communities of border administrative-territorial unities of those countries. Therefore, Ukraine should withdraw from the improper practice of restricted competences of local self-governing authorities in carrying out independent activities in international relations sphere according to commonly accepted principles of decentralization and subsidiary.

The issue of *forming the system of transborder cooperation* according to the European standards in Ukraine is a topical issue of theory and practice of European integration of Ukraine.

It is principally important to, first of all, undertake a system approach to real development of Euroregional cooperation of Ukraine and give up declarations and imitations of Euroregional cooperation.

Secondly, at the moment, when Eurointegration of Ukraine is “stuck”, it is the development of the European level of transborder cooperation of Ukraine that can become a serious concrete presentation of European aspirations of Ukraine. Its is also important to underline that although transborder cooperation is not part of *acquis communautaire*, it is however a component of regional policy of the European Union, norms and principles of which are commonly accepted in the European Community states [4].

Formation of *new subsystem if international relations between regions* of Ukraine and the European Union states conditions the necessity to undertake a system research of the new status of Euroregions at the *new Eastern borders of the European Union*. This process of transformation of essence characteristics of Euroregions is of especial topicality to Ukraine in

the aftermath of the Eastern EU enlargement. Basically, it is the *Euroregions* that play the key part in forming the efficient system of transborder Euroregional cooperation of Ukraine.

Euroregions are an institutional form of interregional / transborder cooperation. Euroregions are bilateral and multilateral international associations of border administrative-territorial unities of the states. In this context it is important for Ukraine to form a European – level system of Euroregions of Ukraine as part of efficiently acting system of interregional cooperation of Ukraine and European Union. It is by mechanisms of Euroregional cooperation that the neighboring territorial self-governing bodies and neighboring states' regional economies integrate quite productively [1].

Specific reaction to “presentation” of actions of five quasi-successful Euroregions of Ukraine used to idealize and mythologize their role and significance, and especially the tasks. Detailed analysis of statutory documents of Ukraine Euroregions specifying aims and tasks clearly demonstrate that today's reality does not match the previously specified aims and tasks. Obviously one can not state that they have null results since sporadic achievements of non-system character were indeed reached first of all in the cultural sphere, and mostly with the financial support from the EU funds, and the necessity of introducing integrated socio-economic projects and programs are only mentioned in decrees. Sporadic success under conditions of limited funding, celebrating Euroregions' anniversaries or imitation of work by their cumbersome structural elements as of today did not lead to creation of *efficiently acting models of Euroregions of Ukraine*.

The following essential provisions should be mentioned in this context:

1. No powerful state funding of transborder cooperation projects, development of Euroregions (by the way, the really pragmatically developed Decree of the Cabinet of Ministers of Ukraine from April 29, 2002 No 587 that included the Program of Euroregions development, currently has null effect indeed) [6].
2. Extremely insufficient efficiency of operating institutions (agencies, centers which mostly aim at own self-sufficient development) for forming the stratum of European grants managers as well as for development of important topical for the borderland projects, is not facilitating a dynamic development of Euroregions of Ukraine.
3. No real program of transforming the Euroregions of Ukraine that are existing but inefficient and not complying with the European

standards. Let us only mention that all critical observation as to how Euroregions operated in 2004 – 2007 did not become a basis or a phase for their institutional or functional changes. Even in the Central Europe Eastern regions distinct segmentation of cumbersome and inefficient Euroregions took place.

4. No Euroregional identity with population of West border regions of Ukraine. By this we mean lack of popularization of the Euroregion idea in Ukraine under conditions when this identity has not become immanent essence with border regions of Ukraine population (compared with also periphery and economically weakly developed East regions of the Central Europe) [5].
5. We believe that the problem of Euroregions of Ukraine is not so much about their number or their large scales, but rather in their quality system characteristics. System approach Euroregion development in Ukraine requires implementing first of all economic, organizational and institutional leverages of their development. In this context of special importance is development, with application of system approaches and Euroregional standards, of special integrated programs of Euroregion development in the aftermath of the EU enlargement to the East.

Under new geopolitical conditions it necessary today to apply a new thinking to the status and role of Euroregions of Ukraine. Euroregions of Ukraine first all from 2004 on carry out transborder cooperation directly with the EU at its new Eastern borders which barrier functions grows increasingly; secondly, EU transborder cooperation became a component of the new Eastern policy of the European Union and Ukraine, and so its dynamic development especially on regional level becomes an aim for the EU as well; thirdly, under conditions of evident difference in transborder cooperation quality between Ukraine and Central Europe states initiatives of immediate Ukraine neighbors like Poland and Hungary to jointly develop program and concepts of transborder cooperation are very positive.

Let us mention the conceptual provisions that on our opinion will contribute to most efficient development of transborder cooperation system of Ukraine.

1. Regions as main subjects of transborder relations are legally authorized exclusively within the frameworks of competencies delegated to them according to international agreements and decisions of the state competence center in regards to independent activities

at the international scene. The clear contemporary all-European trend towards decentralization oriented at expansion of powers of local authorities, territorial communities and at delegation of part of competences from the state center is a positive contribution to further transborder cooperation development.

2. Decentralization is a structurally decisive factor of transborder cooperation development of Ukraine and efficiently acting Euroregions of Ukraine in the European comparative context. It means that Euroregions are built from below based on imitative from self-government authorities; maximum involvement of cooperation of regions; delegating real competencies to self-government authorities of Ukraine.
3. Border areas from both sides of new Eastern borders of the EU and Ukraine traditionally more or less lag behind in the socio-economic development from their relative country's industrial centers. They are not in a position to solve their complex economic problems independently exclusively with the help of their own internal resources. Ukrainian state yet does not have a powerful regional policy to serve as a tool for the periphery development. Therefore, it is advisable to engage external resources for solving regional problems. Therefore, an important aspect of dynamic Euroregional development is financing. The question is how much Ukrainian Euroregions can maximally use benefits of the EU enlargement and to tune in to joint implementation of interregional international programs.

***As of today, transborder cooperation in Europe is at the phase of system quality changes.*** Transborder cooperation entered the phase of active implementation based on significant decrease of the barrier character of internal for the EU state borders, and becomes a tool for successful implementation of joint regional policy, principle of subsidiarity, decentralization of power etc., and in more wide context – construction of holistic “Europe of regions”. On the other hand, on new external EU borders, transborder cooperation transforms into efficient tool of intensive development of relations of the European community with all border states along the perimeter. At the same time, for many non-EU states like Ukraine transborder cooperation with the bordering EU member states under new conditions is an extremely important way to be practically involved into all-European integration processes.

## References

1. Транскордонне співробітництво як альтернатива новій «залізній завісі» та конфліктам: Комплексне дослідження (українською, російською та англійською мовами). / Керівник авторського колективу Устич С.І. – Ужгород: Карпати, 2007. – 240 с.
2. Гарагонич Василь. Нова регіональна парадигма Європейського Союзу та характеристика основних сучасних фінансових інструментів ЄС на період 2007-2011 рр. // Вісник Тернопільського національного економічного університету. Науковий журнал. – Вип. 5 – Тернопіль: ТНЕУ. – 2009. – С.226-232.
3. Устич С.І. Кордон, війна та мир в долі сучасного світу. Тріада життя чи колапсу? Монографія. – Ужгород: Карпати, 2010. – 328 с.
4. Гарагонич Василь. Нові форми транскордонного співробітництва і можливості використання їх в Україні // Історико-політичні проблеми сучасного світу: збірник наукових статей. – Чернівці: Чернівецький національний університет, 2011. – Т. 23-24. – С. 132-135.
5. Гарагонич Василь. Єврорегіони у транскордонному співробітництві України // Україна дипломатична. Науковий щорічник. Випуск XI. – Київ, 2010. – С. 526-537.
6. Розвиток нових форм транскордонного співробітництва. Матеріали «круглого столу» 28 квітня 2009 року / Відп. ред. Мікула Н.А. – Львів: ІРД НАН України, 2009. – 109 с.
7. Поточний архів Закарпатської обласної ради. Рішення від 12 березня 2008 року № 487.
8. Газета «Новини Закарпаття». – 2010. – 23 лютого.
9. Стан законодавчого та нормативного забезпечення транскордонного співробітництва. Матеріали міжнародної конференції 7-8 квітня 2010 р. – Київ: Верховна Рада України, 2010. – 69 с.
10. Поточний архів Закарпатської обласної ради. Рішення обласної ради від 24 квітня 2009 року №835 .

**Е. Киш, В. Ковач. Формирование системы трансграничного сотрудничества Украины.**

*Статья посвящена исследованию проблем и перспектив развития европейской системы трансграничного сотрудничества Украины как фактора, который способствует ускорению европейской интеграции. На основе анализа основных сфер наиболее эффективного функционирования пограничных отношений с соседними странами предложен ряд мероприятий по их интенсификации в западных регионах Украины.*

**Ключевые слова:** *Украина, ЕС, система, интеграция, трансграничное сотрудничество, регион, еврорегион.*

## **ETHNOPOLITICAL ASPECT OF INSTABILITY IN RUSSIAN NORTH CAUCASUS**

***Abstract:***

*The article “Ethnopolitical aspect of instability in Russian North Caucasus” reviews ethnopolitical aspects of instability in the North Caucasus. It is noted that national policy of USSR and Soviet science being internationalized laid the foundation to form and institutionalize the ethnicity. Aspects of interethnic tension are given in the article as well.*

***Key words:***

*Ethnopolitical, ethnocultural, national autonomy, national republic, ethnos group, National Security, titular ethnos.*

The peculiarity of the North Caucasus as a frontier geopolitical region of Russian Federation is poly-ethnic structure of population. There are a great number of ethnic groups or nationalities belonging to different ethnocultural and language families or groups, such as people of Caucasus-Iberia or Japheth family having people of Cherkess-Adighe group settled in the western part of the North Caucasus and Abkhazia; highland peoples of Dagestan – Avar, Dargi, Lezgi, Lak, Tabasaran, Rutul, Aghul and others; Nah group comprising Chechen and Ingush people and others [11, p.35].

It has to be noted that the republics of the North Caucasus occupy 111,8 thousand square km or 0,65% of territory of Russia. According to the population census data of 2002 6650,5 thousand people live there, which is 4,6% of population of Russian Federation. This is the most densely-populated region of the country [10, p.315-320]. National republics of the North Caucasus are few among federal subjects of Russia and natural population increase is a typical event there through exceeding birth rate over death rate. In spite of reduction of natural population increase level in the region in general, the levels of natural population increase of titular ethnic groups of republics – Ingushetia, Chechnya and Dagestan - remained the highest in Russian Federation within period 1989-2002: 24,6 against 16,5 for 1000 of population [4, p.211].

From Ancient Times the region served as a bridge for nomadic tribe's movement from Asia to Europe, Middle East and back. Under this and the other factors in ethnopolitical dimensions the borders of North Caucasus stint its self on south state border of Russian Federation or north border of trans-Caucasian states but extend to the territory of South Caucasus and Middle East as well [6, p.110]. Thereby any escalation of situation in South Caucasus has a direct effect on circumstances in Russian North Caucasus and vice versa. The fact is that in determination of geopolitical lines of North Caucasus ethno-national factor is a key value, supplying the National Security and State Unity of Russian Federation. In respect to North Caucasus ethnopolitical approach is important not only for understanding and resolving of home-policy issues but also for development of foreign policy course in relations with many neighboring countries, especially in cases when ethno-national problem becomes the source of different kind of conflicts and contradictions and may become the source of threat to state unity and social-political instability in the country.

Among the federal subjects of Russian Federation the republics of North Caucasian are characterized with high conflict potential. Concerning the reasons of conflicts in North Caucasus K. S. Gadjeiev wrote that they arose "within the scope of fulfillment of so called Lenin foreign policy... Theoretically the policy of people's self-determination was proclaimed but practically state-administrative institutions were not established strictly according to ethno-national feature... The principle of administrative-territorial delimitation according to strictly national character contradicted the realities of Caucasus. Randomly established borders between the republics in soviet period became the potential source of different conflicts in nowadays" [5, p.77].

It should be noted that national policy of USSR and Soviet science being internationalized laid the foundation to form and institutionalize the ethnicity in medias res. Ethnographic science encouraged emphases of cultural differences and territorial ethnic borders in every way, absolutizing the importance of ethnocultural communities, cultural unity, based on the belief in common ethnic origin and common ethnic code, thereby providing the argumentation of political ethnonationalism [9, p.43-49]. And the principle of national territorial structure itself was considerably violated. The most ethnos groups found themselves divided between two or even three-four republics in the result of reiterated and violence administrative territorial cutting outs

without taking into account the ethno-national factors. In every republic there were titular i.e. state establishing people and national minorities, those rights were not always honored properly. For example turk-language people of region – Kumuks, Nogais, Karachais, and Balkars didn't receive their own territorial formation, but entered into other formations where they were not able to dominate by their numbers. Cherkess-Adighe ethnic group were politically disunited between Russian federal subjects. Ossetia people were divided between the Russia and Georgia, Lezgis and Avars – between Azerbaijan and the Russia and so on [3, p.249-255].

Fatality of such policy clearly revealed after USSR Collapse. Perestroika and Glasnost proclaimed at that period and expanded afterwards processes of USSR Collapse unveiled the hidden tension in national relationship, accumulated during the long period of time. The policy of ignoring the issues of national originality used by USSR leaders and even actual denying the fact of national issue existence made a huge harm to interethnic relationship between the people of North Caucasus, created nutrient medium for ethnic and confessional extremism [8, p.302-303]. Administrative borders in the region ceased to conform the border areas of one or another people residence, who migrated with each other especially in towns, and the areas of their residence were found broken, cut or completely disappeared [7, p.180-181].

One of the most important sources of conflicts in North Caucasus is existence of bipolar and even multipolar national republics. Striking example is territorial claims of subjects of Russian Federation of North Caucasus to each other. The borders established in soviet period are strictly secured, becoming the main attribute of potential interethnic proneness of conflict. Practically every republic has a territorial claim to the neighbor: Republic of Ingushetia always brings up the issue about the suburban area of North Ossetia. There are constant discussions about outline border of Dagestan/Stavropol region, Dagestan/Azerbaijan. The borders between Ingushetia and Chechnya are still not settled, there are always land disputes between Chechnya and Dagestan in highland regions for pasture lands [1, p.10].

Thereby the territory of Russian North Caucasus is a zone of interethnic tension. To achieve harmonious and rational well-being of people it is necessary to deny the policy of suppressing different potential threats and use actively elaborated and approved in international practice different political and legal, diplomatic, social economical resources to settle the most acute problems.

Specific of building and evolution of Russian state system demands the special understanding of sovereignty and self-determination of those people and republics who live together within the state system during long generations and even centuries. Anyway any political formation can be retained for more or less long period of time either by violence or by integrated interest, agreement and common will to united cohabitation of political formation segments. The North Caucasus is pluralistic multi-constituent society consisting of great number of ethno-national communities or groups, cultures, confessions, languages and so on. Every community or segment has interests coinciding with interests of other segments and also it has its own interests contradicting the others, conflicting with them. It's natural that national issue has a key meaning for most of North Caucasian republics, and it will be impossible to resolve any serious matter of social, economic and political character without solution of national issue.

At present North Caucasian republics represent the example of society where different segments representing ethno national communities partially coincide and cross each other or in other words we have combination of territorial and outside territorial segments here. With this point of view the specific peculiarity of North Caucasus is a migration place for the people, areas, communities and families. It creates extreme tangle of problems and it is practically impossible to consider and resolve the problem of one nationality or ethnos separately from the other nationalities or ethnic groups, and in no way to solve them for the account of other people.

It is necessary to accept the fact that separation of national autonomies into independent units of state- territorial structure of USSR actually played a positive role in economic, social and cultural development. But the fact of developmental lag of administrative territorial divisions of country and separate regions from basic directions and tendencies of social economic and political development of country and the rest world becomes obvious. In modern conditions the principle of administrative territorial division inserted many decades ago became obsolete and exists only by virtue of historical tradition, or another word, by inertia.

To say more, that principle became one of the factors blocking the conclusive overcoming of region proneness to conflict, provision the unity, stability and security of the state [2, p..21]. That is why it is necessary to search the new forms and ways of movement from national territorial to territorial administrative federation. It's no doubt that coloring federalism

with ethnic tone, inherited from Soviet Union, considerably reduces the unity of country.

It should be noted that the right of every Russian ethnos for self-determination comes into conflict with the principle of territorial integrity maintenance of the country. This aspect has an important meaning for the multinational country, because the effectiveness of measures directed for blocking the possible secessionist disintegration tendencies depend on the response to this issue. This all is the evidence of necessity to refuse the obscure and simple interpretation of national sovereignty idea and people self-determination and bring them to conformity with up-to date realities. The international experience shows that the solution of problems of national relationship can be found not by forming independent state structures but by assuming the necessary legislative, administrative and other measures to provide the security of human rights and basic freedoms of persons belonging to national minorities.

#### **List of sources**

1. Blandy C.W. North Caucasus: On the Brink of Far-Reaching Destabilisation. Camberley, Surrey, 2005, - 17 p.
2. Bremmer, I. Reassessing Soviet nationalities theory. In: Bremmer, I., Taras, R. (Eds.), Nations and Politics in the Soviet Successor States. Cambridge University Press, New York, 1993, pp. 9–28.
3. Cornell, S. Autonomy as a source of conflict: Caucasian conflicts in theoretical perspective. *World Politics* 54 (2), 2002, pp.245–276.
4. Dzadziev A.B. Demograficheskie protsessy v respublikah Severnogo Kavkaza v mezhperepisniy period 1989-2002 gg./A.B. Dzadziev//Mezhetnicheskie otnoshebia i konflikty v postsovetskih gosudarstvah. Ezhegodnyy doklad.2002/ Pod redaktsiye V. Tishkova i E. Folippovoy.-M., 2003. – 315 s.
5. Gadjiev K.S. Geo politika kavkaza. -M.: Mezhd.otnoshenia, 2003. 464 s.
6. Gadjiev K.S. Kavkazskiy uzel v geopoliticheskikh ptioritetah Rossii. -M.: Logos, 2010.- 532s.
7. Gammer M. From the challenge of nationalism to the challenge of Islam: the case of Daghestan. In: Gammer, M. (Ed.), Ethno-nationalism,

- Islam and the State in the Caucasus: Post-Soviet Disorder. Routledge, Abingdon, 2007, pp. 179–193.
8. Holland E.C., O’Loughlin J. Ethnic competition, radical Islam, and challenges to stability in the Republic of Dagestan. *Communist and Post-Communist Studies* 43, 2010, pp. 297–308.
  9. Falkowski M., Rogoza J. North Caucasus: The Russian Gordian Knot / Putin After Re-Election. Centre for Eastern Studies (OSW), Warsaw, Poland, 2004. -67p.
  10. *Rossia v tsifrah: 2010: Statisticheskiy sbornik/ Rosstat – M.,2010. – 558s.*
  11. Umaev U.M. Etnicheskiy sostav Severnogo Kavkaza. Problemy tolerantnosti v Rossii/ U.M. Umaev// Put Vostoka. Kulturnaya, etnicheskaya I religioznaya identichnost. Materialy VII Molodezhnoy nauchnoy konferencii po problemem filosofii, religii, kultury Vostoka. Seria “Symposium”. Vypusk 33. - SPb., 2004. S. 36-39.

**CIVIL PROCEDURE RULES OF ENGLAND  
AND UNIFICATION IN REGULATING THE CIVIL  
PROCEDURE IN THE CONTEXT  
OF INTERNATIONAL REQUIREMENTS**

*Peculiarities of English civil procedure are reported. Both the most important aspects of Civil Procedure Rules and new unified procedure of legal investigation are analyzed. Attention is paid to the jurisdiction in English legislation. Special features of unification in regulation of English civil procedure in the context of international requirements are given.*

**Key words:** *Civil Procedure Rules, unification in civil procedure, Civil Procedure Reform*

In recent years, in many countries, the long-felt need exists for the reformation of civil procedural legislation and civil process. The most crucial changes in the civil process of England and Wales took place at a period beginning in 1998 when a first consolidated procedural act (the Civil Procedure Rules) was adopted. Attention must be drawn to the fact that the reforms in England's civil process came to be a model to follow in reforming and cardinally updating the civil procedural legislation in other countries of the world (Germany, Spain, France, etc.).

Among external reasons that spurred the need for reforms in the procedural legislation were the problems of unification and harmonization associated with procedural legislations in the EU member states. The Amsterdam Treaty that had taken the effect on May 1, 1999 came to be a starting point to offer and discuss suggestions aimed at developing improved and yet simplified national civil procedural provisions as well as at unifying isolated institutions of law inside the EU. The codification of civil procedural law in the EU member states comes up against certain problems associated with the forms of delivering justice, since these forms are distinct in each individual state. Hence the demand arises that national legal systems are to be brought close together, primarily in the sphere of regulating commercial and procedural

relations in the course of the international commercial turnover. Because if this, two separate methods of bringing national legal systems together may be singled out [1, p.5, 6].

The 1998 Civil Procedure Rules were framed as an act of delegated legislation. At the direction of Lord Chancellor, these rules came to be enforced by English courts ever since 26 April 1999. From this date onward, provisions concerning identical procedural issues, formerly valid rules, and subordinate acts ceased to be in force. The main body of the text of the Civil Procedure Rules is broken down into parts, with practically each part being supplemented with practical instructions. The parts, in their turn, bear a name and contain items and sub-items designated in an alphanumerical manner. It is notable that the Civil Procedure Rules terminate in a *glossary* where definite legal terms are specified. The Civil Procedure Rules are also supplemented with a list of pre-trial records for cases of certain categories. These records, according to definitions set in the Civil Procedure Rules, present intentions of lawyers or other persons in relation to a certain case and a forthcoming suit. For example, the Civil Procedure Rules are supplemented with a list of cases where the parties are recommended to keep pre-trial records. Attached to the Civil Procedure Rules are also basic typical forms of definite procedural documents.

Along with the adoption of the Civil Procedure Rules, a solution was found to the problem of how to identify the role and status of the 1965 Rules enforced by the Supreme Court and the 1981 Rules enforced by county courts. In view of the fact that these both sources of law were not completely cancelled, some of provisions thereof were included in the 1998 Civil Procedure Rules in the form of Addenda 1 and 2, respectively [2].

Thus, 1500 pages of the Civil Procedure Rules took the place of 4000 pages of the 1965 Supreme Court's rules and the 1981 county courts' rules. Because of this, the Civil Procedure Rules can be considered as being a unifier in regulating the civil law procedure [3, p. 26].

The wording of the new Civil Procedure Rules was also updated – it became far much simpler and understandable, with the previous terms being changed for new ones and clarified directly in Law. Lord Wolf who might be believed to be the framer of the new rules hoped that the changes in terminology would also contribute to changes in the attitude towards this legislative instrument in terms of the accessibility of public justice owing to the balance attained by removing the preponderant position of one of the parties who possess more knowledge and information. Notwithstanding the

fact that a considerable body of changes and new institutions have been introduced, the new Civil Procedure Rules do inherit much from the rules enforced by the Supreme Court and the rules enforced by county courts.

A unified character of the new Civil Procedure Rules makes itself evident not only in the terminology changes, but also in “procedurally incorporating” all judicial instances, without breaking down the order of reference to the court (county courts or the Supreme Court) and the order of trying a case into separate procedures, and in creating a versatile mechanism through introducing a unified form of reference to the court (a plaintiff’s statement of claim) to replace the former diversified system. For example, according to the Rules enforced by the Supreme Court and by county courts, it was required that several types of statutory documents be presented to the court, namely, the order for appearance of a defendant before the court, the plaintiff’s prayer, the pretrial notice, the petition to sue. The very procedure for reference to the court has also undergone changes to become considerably simplified [4, p. 481].

Part 7 of the Civil Procedure Rules contains a provision that a plaintiff’s statement of claim is a multi-purpose form to be used both for civil actions with a specified amount of money at stake and for civil actions with an unspecified amount of money at stake as well as for nonmonetary civil actions where the plaintiff may, for example, demand that the court be giving an order in relation to a certain issue [5, p.272].

When framing the Civil Procedure Rules, the law-makers sought the unification of procedures for reference to the court and for trying cases, and a mechanism to achieve this goal was simplification. In contrast to the Rules of the Supreme Court and those of county courts, the 1998 Civil Procedure Rules do not give answers to questions that may arise in each specific case. Instead, they set forth general provisions to be used for a wide variety of cases and present clear and understandable instructions to the court and to the parties in an effort to treat a case in an equitable and fair manner. The lack of detailed information is compensated for by three basic “tools” provided for by the Civil Procedure Rules – the determination of main goal, the mechanism of juridical management and the practical instructions [6, p.3].

It can be noted that the unification, along with the enactment of the Civil Procedure Rules, affected England’s institutions of civil law in terms of the order and procedure for reference to the court. Let us give a detailed characteristic of the changes introduced directly in the above areas.

Worthy of notice is the new unified procedure of trying cases that will be considered in more detail when analyzing a general multi-stage algorithm of the English civil process. *The first stage* is characterized by the presence of activity of the parties aimed at settling the controversy prior to court proceedings and at completing all necessary preparations such as those provided for by pre-trial records that are kept in certain categories of cases. *The next stage* is with the submission of a plaintiff's statement of claim. According to a common rule, trying a specific case both by a county court and by the Supreme Court begins with the submission of a plaintiff's statement of claim (to be more precise, beginning with the date of registration of the above statement with the court). In compliance with the Civil Procedure Rules, a plaintiff's statement of claim has to contain some requisites and a necessary substantial part. As for the requisites, a plaintiff's statement must indicate the name of the court to which it is submitted and information on the plaintiff and defendant. If the plaintiff acts through a solicitor the defendant is to be given information on this solicitor. The substantial part of the plaintiff's statement of claim must comply with Clause 16.2(1) of the Civil Procedure Rules, presenting a summarized character of claim, a remedy that is called for by the plaintiff (e.g. recovery of money or property, keeping from doing certain actions, compensation for a damage to health, etc.[7, p.386]), the amount of money at stake (if money is claimed) and other data that may be provided for by the practical instructions. An appendix to the Civil Procedure Rules contains a typical form for a plaintiff's statement of claim.

In the English civil procedural legislation, it is of interest that a plaintiff's statement of claim must not necessarily contain details of circumstances presented in the case. Such details may be given later (they have to be handed over to the defendant within the 14 days' period after the defendant has received the main plaintiff's statement of claim). A legal innovation of the Civil Procedure Rules lies in validization as a method to verify credibility and truthfulness of information submitted to the court. If a party did not present such a validization this party may refer to facts set in this document as evidence in certain issues. *The third stage* is with the defendant's performance that may be of two types – affirmative performance and negative performance. The negative performance means a lack of action on the part of the defendant, thus providing legal grounds for the plaintiff to demand the court's approval of a judgment by default. The affirmative performance of the defendant lies in choosing a certain form of

reply to the plaintiff's statement of claim. Such a reply may be given in one of the following ways – to agree with the plaintiff's statement of claim in full or partly, to put forth counter-arguments, to submit a counter-claim or to declare an intention to appeal against the competence of the court. The defendant's intention has to be documented by filling out an appropriate special form provided for by the legislation. The defendant is given 14 days to complete this activity, beginning with the moment when he/she received a detailed plaintiff's statement of claim. At *the fourth stage*, the court sends questionnaires to the parties with the aim of coordinating their activity when the case is to be referred to one of three tracks, i.e. with the aim of choosing the order of trying that is directly applicable to this case. Such questionnaires should be filled out and sent to the court by the parties, as a rule, within two weeks. The Civil Procedure Rules (see it.2.3 - part 26 of Practical instructions) encourage the mutual co-operation and consultation of the parties when filling out the above questionnaires in an effort to work out a unified common strategy aimed at coordinating the parties' views. *The next stage* involves the court's activity directed to identifying a procedure of trying the case (when small civil actions are dealt with the procedure of trying may be either fast-track universal). The track of procedure is decided on by the court independently on the basis of documented conclusions and grounds presented by the parties. In the event that the court considers the information presented by the parties as being insufficient to resolve the issue on the allocation of the case, the court may require that the parties be presenting the necessary information or even initiate hearings in relation to involved issues. Upon selecting an appropriate track the court gives the parties relevant instructions and draws up a time plan for them to complete their activity. Thus, the *sixth stage* may be considered as being a cooperative activity on the part of the court and on the part of the parties in an effort to prepare the case for trying. The court gives the parties its instructions depending on the selected procedure of trying the case and on the essence of the case itself. The court also fixes the date to start proceedings in the case in essence. So, the final stage is with proceedings in a case [8, p. 172, 173].

The unification in regulating the civil legal process in England was also considerably affected by the diversification of procedure for trying cases of different categories (trying small cases; fast-track trying; universal trying) because the unification of a form of action, when court procedures are differentiated, presents a dual trend in developing the civil process. The

unification does not imply a regulatory uniformity. On the contrary, reflecting general regularities of process development, it provides a basis on which to develop court procedures that are different in their content. This is consistent with the idea of fair trial (as provided for by Clause 1 of the Civil Procedure Rules). The civil process is constituted by a form of action. The unity of the civil process has also to be based on the essential and functional unity of court activity and on the implementation of unified tasks [9, p.55].

In relation to the general unification of procedure for trying civil cases and to the separation of civil process stages, it is of interest to turn attention directly to the institution of court jurisdiction in the English civil process. An analysis into England's legislation makes it possible to arrive at the conclusion that there exist exclusive jurisdiction and territorial jurisdiction. Within the framework of exclusive jurisdiction, competence is allocated among courts at different levels of the legal system [7, p.199].

Until now, there are three autonomous legal systems in the United Kingdom:

- the common legal system for England and Wales
- the separate legal system for Scotland
- the separate legal system for Northern Ireland

In England and Wales, the court hierarchy is formed by lower courts, including magistrate courts and county courts, and by superior courts, including the Supreme Court and the House of Lords. The above courts deal with cases according to their nature, complexity, and the amount of money at stake.

As far as territorial jurisdiction is concerned, an interested person may, as a rule, apply to any court that is competent in trying cases of relevant categories, which is also a manifestation of unification. According to a common rule, the selection of the court to be applied to is at the discretion of the plaintiff or his/her lawyer. Separate statutory acts require that a plaintiff's statement of claim be submitted only to courts that are assigned by law (e.g., cases whose subject of controversy is a land lot or other real estate may be brought before the court by way of submitting a plaintiff's statement of claim at the location where the real estate in question is situated). A final decision on the competence of the court to be applied to is taken by a governing institution following the receipt of the plaintiff's statement of claim. If, in doing so, it is found out that the interested person intentionally infringed

established prescriptions that are mainly related to jurisdiction in rem this may lead to unfavorable consequences [7, p.203-204].

Based on a doctrinal analysis into the development of unification processes in England's civil procedural law, a general classification of areas of unification may be introduced. Thuswise, it is possible to identify the following kinds of unification: statutory unification (implying the incorporation of procedural acts), procedural unification (resulted from the introduction of a unified procedure for reference both to a county court and to the Supreme Court); terminology unification (associated not only with the terminology ordering but also with assigning unified terms to the basic notions set in the 1998 Civil Procedure Rules); unification of a form of action which seems possible to be considered both separately and in conjunction with the above areas of unification. It is our opinion that the unification of form of action refers to a common notion that comprises the statutory, procedural and terminology unification.

It is worth noting that the problem of legal unification is not a new problem. In theory the unification is thought to be a method of quality improvement in relation to legal rules. Two levels of unification are identifiable – unification at the national level and global transnational unification, with these being interrelated because supranational unification is a possibility only after a definite standardization has been performed in relation to legal institutions through systematizing the legal rules. Here the challenge and the purpose of unification is first of all to single out and refine the most effective procedures and rules that are to be subsequently integrated in a logical manner and brought into a unified system [10, p.401]. Thus, the unification in regulating the England's civil process in the general context of globalization may be recognized as being a fundamental basis for the development of transnational unification processes in view of the timeliness and urgent character of the process aimed at simplifying the procedures for protection of rights and conflict resolution where foreign parties are involved [11, p.16].

## References

1. *Kudryavtseva, E.B.* Sovremennaya reforma angliyskogo grazhdanskogo protsesssa (A modern reform of the English civil process): avtoreferat dissertatsii na soiskanie uchyonoy stepeni

- doktora yuridicheskikh nauk – M., 2008. – 52 p. [Elektron. resurs]. – Access:// (<http://www.law.msu.ru/doc/kudryavceva.pdf>)
2. Civil Procedure Handbook 2008/2009 by Victoria Williams. – Oxford University Press. – 2008. – 1168 p.
  3. *Colbey Richard*. Bleak House lives on. *New Statesman*. 26 April 1999. – p.25-26
  4. *Elliott Catherine, Quinn Frances*. English legal system. Eighth edition. Pearson Education, 2007. – 659 p.
  5. *Slapper Gary, Kelly David*. The English legal system. Fifth edition. London: Routledge Cavendish, 2001. – 650 p.
  6. *O'Hare John, Browne Kevin*. Civil litigation. Twelfth edition. London: Sweet & Maxwell, 2005. – 706 p.
  7. Grazhdansky protsess zarubezhnykh stran (Civil process in foreign countries): Textbook. / Editor: A.G. Davtyan. – M.: TK Velbi, Prospekt, 2008. – 480p.
  8. *Osborne Craig*. Civil Litigation 2007-2008. Fifteenth edition. Oxford: Oxford University Press, 2007. – 500 p.
  9. *Sakhnova T.V*. Kurs grazhdanskogo protsesssa: teoreticheskie nachala i osnovnye instituty (The course of civil process: theoretical principles and basic institutions). – M.: Wolters Kluver, 2008. – 696 p.
  10. *Kerameus Konstantinos D*. Procedural Harmonization in Europe. *The American Journal of Comparative Law*, Vol. 43, No. 3 (Summer, 1995), pp. 401-416
  11. *Abolonin G.O*. Grazhdanskoye protsessualnoye pravo SShA (Civil procedural law of USA): Monograph/ G.O. Abolonin. – M.: Wolters Kluver, 2010. – 432p.

*Освещаются особенности гражданского судопроизводства Англии. Анализируются важнейшие аспекты правил гражданского судопроизводства, а также новый унифицированный порядок рассмотрения дел. Обращается внимание на подсудность по законодательству Англии. Раскрываются характерные черты унификации регулирования гражданского судопроизводства в контексте международных требований.*

**Ключевые слова:** Правила гражданского судопроизводства, унификация в гражданском процессе, реформа гражданского процесса

Висвітлюються особливості цивільного судочинства Англії. Аналізуються найважливіші аспекти Правил цивільного судочинства Англії, а також новий уніфікований порядок розгляду справ. Звертається увага на підсудність в законодавстві Англії. Розкриваються характерні риси уніфікації регулювання цивільного судочинства в контексті міжнародних вимог.

**Ключові слова:** Правила цивільного судочинства, уніфікація в цивільному процесі, реформа цивільного процесу

## SPECIAL LEGAL REGIMES OF ECONOMIC ACTIVITIES IN BORDER REGIONS OF UKRAINE BORDERING THE EU: COOPERATION OPPORTUNITIES WITH THE EU

*The paper lists reasons that prevented development of potential opportunities of special legal regimes of economic activities in the border regions of Ukraine with the EU, and provides recommendations as to their further application for more dynamic cooperation between border regions of Ukraine and neighboring EU states.*

**Key words:** *border region, special legal regime of economic activity, special economic zone, territory of priority development, technological park, industrial park*

From 1998 to 2004 in four (Volyn, Lviv, Transcarpathian and Odessa) from six bordering with the EU oblasts of Ukraine 10 (from 101 in 15 oblasts of Ukraine) special legal regimes of economic activities of encouraging nature (further on SLREA) were implemented: special economic zones (further on (SEZ) (“Interport Kovel”, Javoriv”, “Kurortopolis Truskavets”, “Zakarpattya”, “Reni” and “Porto-Franco”), technological parks (further on TP) (“Javoriv” and “Ukrainian microbiotic center of synthesis and new technologies”) and special regimes of investment activities on the territories of priority development (further on TPD) in Volyn (the town of Novovolynsk and village of Zhovtneve) and Transcarpathian oblasts.

The mentioned SLREA were assigned a significant role in cooperation development with the EU, since objectively they were more attractive for business structures, especially the EU states adjacent with Ukraine, because of territorial proximity, rich natural resource basis, relatively cheap qualified labor force, more beneficial conditions of economic activities compared with nation-wide regime etc. Results of activities of their subjects in general comply with the aim of their foundation, facilitated investment attraction and had considerable positive influence on economic indicators of the regions where they were located. However the potential of

those SLREA was not unfolded and used to the full extent because of the following reasons:

- *Lack of system vision of the role of SLREA as tools for solving economic problems of regions, industries and country as a whole.* The place and role of SLREA and new forms of SLREA are not identified in the list of implementation of tasks of the State strategy of regional development for the period until 2015 and corresponding regional development strategies, Strategy of economic and social development of Ukraine “On the way of European integration” for the period of 2004 – 2015 (April 28, 2004).
- *Incompliance of structure of acting SLREA to needs of dynamic reformation of economy of Ukraine in modern conditions of overcoming effects of the world financial crisis.*
- *Harsh, but often not constructive, sweeping and non-consistent critics of results of activities of management subjects in SLREA* in yet first years of their application in Ukraine, despite attained generally positive social – economic results.
- *Non stable legal environment for external and internal investors.* Simultaneous cancellation on March 31, 2005 [1] of foreseen by the law forms of state support to SLREA management subjects and guarantees as to permanence of legal regime of their activities turned off non only potential but also active investors, negatively affected on economic indicators of SLREA management subjects.
- *Undertaken state regulation measures [2-5] as to SLREA management subjects aimed at correction of situation played a certain positive role in improvement of investment climate in the country, however they could not restore the favorable investment climate in the frameworks of SLREA and trust of investors towards stability of state policy in this sphere.*
- *Unsatisfactory information policy as to investment needs, peculiarities of legal regimes and results of activity of SLREA subjects* that limits informational space for investors (in particular, only three functional SLREA entities had official web sites - SEZ “Zakarpattia”, SEZ “Reni” and TP “Javoriv”, non efficient and untimely updating of information at official web sites of local state authorities about effective conditions of economic activities in the frameworks of SLREA).
- *Available more preferential, stable and predicted conditions for SLREA*

*management subjects in adjacent with Ukraine EU countries (Romania, Poland, Hungary, and Slovakia).*

- Incompliance of most SLREA to requirements of *acquis communautaire* as to state assistance and ignoring economic viability of applying transformation period foreseen by the Action Plan “Ukraine – European Union” [6], implementation of which during three years had to foster implementation of provision of Agreement on partnership and cooperation between Ukraine and European Community and its member states [7].

Not used potential of SLREA by opponents was considered mostly as argument against them. The list of arguments against SLREA also included low innovation component of attracted investment projects in the frameworks of SLREA, distortion of competitiveness on internal market by way trade of goods from 1-24 groups of the Ukrainian Classification of Commodities for Foreign Economic Activity imported with application of privileges in the frameworks of SLREA, excess of amount of privileges over payments to budgets and state funds etc. However reasons that that prevented unfolding SLREA potential were neglected. Those are:

- It is evident that the initial phase of SLREA management subject establishment was marked by increased costs and objectively could not ensure maximal economic effect. Unambiguous interpretation of results of SLREA functioning in this period was conditioned mostly by vague aim of their introduction and no concrete term for its implementation, imperfect system of their result monitoring and.
- Excess of the general amount of provided privileges over payments to budgets and state funds from early stage of investment as of 01.01.2005 affected only two functional entities of SLREA in areas bordering EU – TPD in Volyn oblast and SEZ “Portofranco”. The excess was 120 mio UAH and 2,5 mio UAH correspondingly. In addition it should be mentioned that sums of received privileges by SLREA management subjects were purely conventional assessed payments which did not include any financing from state and therefore comparison with actual receipts is not correct. The reason of such economic misbalance apart from subjective factors lies with forms and amounts of state support that were defined by laws when SLREA functional entities were introduced. Evidently there were more than enough privileges granted. But this is not the fault of the SLREA management subjects that only took advantage of provided opportunities.

- Innovativeness of investment project for SEZ and TPD management subjects was not a necessary condition and was not required by relevant normative documents.
- Legislation active up to 2002 did not prohibit the management subjects of SEZ and TPD to import goods of 1-24 groups of the Ukrainian Classification of Commodities for Foreign Economic Activity in the frameworks of SLREA functioning. It was only in May 2002 that the Decree of the Cabinet of Ministers of Ukraine laid out use of only domestic raw resources in the framework of investment project implementation in food industry of TPD (the town of Kharkiv, Shostka, Volynsk, Donetsk, Zhytomyr, Lugansk, Chernihivsk oblasts) and SEZ (“Mykolaiv”) [8] and only in the late 2002 it was legally defined that the action of SLREA for subjects of SEZ and TPD does not include excisable goods and products of 1-24 groups [9, 10].
- Therefore, not SLREA should be criticized as economic tools but rather legislative and executive powers that did not make the best selection and use of it. Feasibility of further use of these tools is evident and work over it is in progress.
- Initiating by investors and SLREA management authorities, state authorities and local self governance, including also regions of Ukraine bordering with the EU, of restoring the privileged regime of economic activity within the acting SLREA.
- Creation of new SLREA structures, including in areas of Ukraine bordering with the EU, including: TP “International center of producers” in Odessa [12], “Euroregion Bukovyna” [13] over the whole Chernivtsy oblast, SEZ “Achilia” [14] on island Zmiiny of Kilijsky rayon of Odeska oblast, TP “Khemo-Pol” [15] in the town of Teplodar of Odessa oblast.
- Development and implementation of new forms of SLREA adapted to the EU requirements to foster investment and innovation activities of management subjects in Ukraine. From January 2010 the framework law about creation and functioning on scientific parks came into effect [16] in Ukraine and system work on elaboration of by-laws and forming network of scientific parks in regions of Ukraine by various directions is in progress, in Odessa and Volyn oblasts in particular. It is foreseen to set up industrial parks (IP) and territories of prospective development in Ukraine [17,18], relevant draft laws are being considered in Verkhovna

Rada of Ukraine. There are also proposals to set up investment parks, innopolices and zones of high and new technology development with application of special customs, currency-financial, tax and other mechanisms for investor boosting.

In particular, Transcarpathian oblast already started work to set up few IPs, including transborder ones. Main department of economics of Transcarpathian oblast state administration developed the Program of transborder industrial parks development with elements of logistics in Transcarpathian oblast for the period of 2009 – 2015, that foresees creation of transborder IPs at the border of Ukraine with the European Union, in particular: IP “Bereg-Karpaty: at Ukrainian – Hungarian border in the village of Dyjda of Berehovo rayon, IP at the Ukrainian – Romanian border in the village of Dyakove of Vynohradiv rayon, IP “Chop – Zahony” at the Ukrainian – Hungarian border; IP “Solomonovo” at the Ukrainian – Slovakian border. Industrial parks at the Ukrainian – Hungarian, Ukrainian – Slovakian, Ukrainian – Romanian borders will be distinguished by ingeniously developed land plots and located there industrial, warehouse and administrative premises designated for industrial activities with application of cutting-edge technologies.

The new Tax Code of Ukraine was adopted in December 2010 [11], but the expected restoration of the special regime of SLREA subjects taxation did not take place, since active in Ukraine SLREA were not included to the list of special tax regimes, and the special regime of taxation of TP was abolished by way of withdrawal of provisions as to privileges on TP taxation from the list of targeted subsidies.

In case of pragmatic attitude to SLREA use as to the state managed economic tool of international and foreign resource concentration to ensure strategic priorities a quality breakthrough in economy development of border regions and Ukraine in general may happen. To ensure this, it is viable to carry out such priority measures in the nation-wide and regional policy:

- Coordinate investment priorities of SLREA in areas of Ukraine bordering with the EU with the State regional development strategy for the period of up to 2015 and with regional strategies of development of regions of Ukraine, as well as with the national Strategy of economic and social development of Ukraine “On the way to European integration” for 2004 – 2015 by way of amending relevant laws about their approval.
- Designate the indicator of involved foreign investments (first of all into border oblasts from neighboring countries) as one of the indicators

demonstrating efficiency of work of SLREA management authorities and local authorities

- Expand the section “Special tax regimes” of the Tax Code of Ukraine by foreseeing in it tax stimuli for active SLREA in Ukraine of encouragement type, defined by the Code of Economic Procedure of Ukraine and other normative-legal documents, as well as possibly to introduce new types of SLREA which are currently being under consideration in Verkhovna Rada of Ukraine.
- To encharge SLREA management bodies to set up and timely update web sites with information, and to oblige Ministry of Economy of Ukraine to unite these web sites within the single investment – informational system of Ukraine.
- In regional state policy to regard SLREA in oblasts of Ukraine bordering with the EU as an “economic testing ground” of adapting the economy of Ukraine to the market conditions of the EU countries.
- For honest investors of existing investment project in SLREA – to restore all forms of state support foreseen in laws when the project had been initiated. Such implementation of the supremacy of law principle will remove all existing violations of hierarchy of normative-legal acts in economic sphere as to SLREA in Ukraine, will eliminate the grounds for legal collisions in this sphere, and will restore trust of investors.
- Adopt necessary normative - legal basis as to creation and functioning of transborder IPs coordinated with standards and norms of the EU.

## References

1. Про внесення змін до Закону України «Про державний бюджет України на 2005 рік» та деяких інших законодавчих актів України : Закон України [прийнятий 25.03.05 : чинний з 31.03.05.] // Урядовий кур’єр. – 2005. – 31 березня.
2. Про заходи щодо поліпшення інвестиційного клімату в Україні [Текст]: Указ Президента України [виданий 28.10.05] // Урядовий кур’єр. – 2005. – 1 листопада.
3. Про план першочергових заходів у сфері інвестиційної діяльності [Текст]: Указ Президента України [виданий 10.04.06].

- [Електронний ресурс] // Верховна Рада України: офіц. веб-сайт. – Режим доступу: <http://zakon1.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=300%2F2006>.
4. Деякі питання ввезення (пересилання) товарів у спеціальні (вільні) економічні зони та вивезення товарів за їх межі [Текст]: постанова Кабінету Міністрів України [видана 30.11.05: чинна з 14.12.05] // Офіційний вісник України. – 2005. – 14 грудня.
  5. Про внесення змін до Закону України «Про спеціальний режим інноваційної діяльності технологічних парків» та інших законів України [Текст] : Закон України [прийнятий 12.01.06: чинний з 01.02.06] // Голос України. – 2006. – 3 лютого.
  6. План дій «Україна – Європейський Союз» [прийнятий 21.02.05]. [Електронний ресурс]. // Верховна Рада України : офіц. веб-сайт. – Режим доступу: – Режим доступу: [http:// www.mil.gov.ua/files/plan\\_eu\\_int.doc](http://www.mil.gov.ua/files/plan_eu_int.doc).
  7. Угода про партнерство і співробітництво між Україною та Європейським Співтовариством та їх державами-членами // Офіційний вісник України від 29.06.2006 – 2006 р., № 24, С. 203.
  8. Про внесення змін до постанови Кабінету Міністрів України з питань функціонування спеціальних економічних зон і територій пріоритетного розвитку [Текст] : постанова Кабінету Міністрів України : [видана 17.05.02] // Офіційний вісник України. - 2002. – 7 червня.
  9. Про внесення змін до Закону України «Про податок на додану вартість [Текст] : Закон України : [прийнятий 24.12.02] // Урядовий кур'єр. - 2003. – 9 січня.
  10. Про внесення змін до деяких законів України про оподаткування, виробництво та обіг підкацизних товарів [Текст] : Закон України : [прийнятий 24.10.02] // Урядовий кур'єр. - 2002. – 27 листопада.
  11. Податковий кодекс України [Текст] : Закон України [прийнятий 02.12.2010] // Голос України. - 2010. – 4 грудня.
  12. Про внесення змін до Закону України «Про спеціальний режим інноваційної діяльності технологічних парків» (щодо «Міжнародного центру виробників» м. Одеса) [подано 24.02.06.]. [Електрон. ресурс] // Верховна Рада України : офіц. веб-сайт. Законотворча діяльність Верховної Ради України. Законопроекти.

- Режим доступу: [http://gska2.rada.gov.ua/pls/zweb\\_n/webproc4\\_1?id=&pf3511=27037](http://gska2.rada.gov.ua/pls/zweb_n/webproc4_1?id=&pf3511=27037).
13. Про спеціальну економічну зону «Єврорегіон Буковина» та спеціальний режим інвестиційної діяльності на цій території [Текст] : проект Закону України [подано 12.09.06]. [Електрон. ресурс] // Верховна Рада України : офіц. веб-сайт. Законотворча діяльність Верховної Ради України. Законопроекти. – Режим доступу: [http://gska2.rada.gov.ua/pls/zweb\\_n/webproc4\\_1?id=&pf3511=27990](http://gska2.rada.gov.ua/pls/zweb_n/webproc4_1?id=&pf3511=27990).
  14. Про спеціальну (вільну) економічну зону «Ахілія» [Текст] : проект Закону України [подано 18.11.08]. [Електрон. ресурс] // Верховна Рада України : офіц. веб-сайт. Законотворча діяльність Верховної Ради України. Законопроекти. – Режим доступу: [http://gska2.rada.gov.ua/pls/zweb\\_n/webproc4\\_1?id=&pf3511=33695](http://gska2.rada.gov.ua/pls/zweb_n/webproc4_1?id=&pf3511=33695).
  15. Про внесення змін до Закону України «Про спеціальний режим інвестиційної та інноваційної діяльності технологічних парків» (щодо «Хемо-Поль» (м. Теплодар, Одеська область) [Текст] : проект Закону України [подано 10.07.08]. [Електрон. ресурс] // Верховна Рада України : офіц. веб-сайт. Законотворча діяльність Верховної Ради України. Законопроекти. – Режим доступу: [http://gska2.rada.gov.ua/pls/zweb\\_n/webproc4\\_1?id=&pf3511=33003](http://gska2.rada.gov.ua/pls/zweb_n/webproc4_1?id=&pf3511=33003).
  16. Про наукові парки [Текст] : Закон України [принятий 25.16.09 : чинний з 01.01.10] // Урядовий кур'єр. – 2009. – 5 серпня.
  17. Просхвалення Концепції створення індустріальних (промислових) парків [Текст] : розпорядження Кабінету Міністрів України [видане 06.06.07] // Урядовий кур'єр. – 2007. – 09 серпня.
  18. Про схвалення Концепції Закону України «Про території перспективного розвитку» [Текст] : розпорядження Кабінету Міністрів України [видане 13.01.10]. // Урядовий кур'єр. – 2010. – 10 лютого.

**О. Егорова. Специальные правовые режимы экономической деятельности в пограничных с ЕС регионах Украины: возможности сотрудничества с ЕС.**

*В статье приведены причины, которые помешали раскрытию потенциальных возможностей специальных правовых режимов экономической деятельности в приграничных с ЕС регионах Украины, и рекомендации по их дальнейшему применению для динамизации сотрудничества между пограничными регионами Украины и сопредельными странами ЕС.*

**Ключевые слова:** *пограничный регион, специальный правовой режим экономической деятельности, специальная экономическая зона, территория приоритетного развития, технологический парк, индустриальный (промышленный) парк.*

## MEASUREMENT OF DEVELOPMENT LEVEL OF THE REGION'S SMALL BUSINESS

*The article presents methodical recommendations to measure development level of small business in towns and rayons of Transcarpathian oblast. They are based on construction and calculation of synthetical indicator – index of small business development. This indicator allows developing a differentiated approach to management of small business development within the region.*

**Key words:** small business, index, business environment

Transborder cooperation in Ukraine is carried out in conditions of significant disproportions of social-economic development of border regions, employment level of population in border regions of Ukraine and neighboring countries, leading to social instability. One possible way to solve the mentioned problems is to foster small and middle sized business, as defined as one of important tasks in the State program of transborder cooperation development for 2011 – 2015 [1].

Support and development of small entrepreneurship, transborder cooperation development and formation of modern infrastructure, decrease of socio-economic interregional disproportions are also main tasks of the Program of economic and social development of Transcarpathian region for 2011 [2].

Tasks to improve management of small business in the region and to form its rational structure condition necessity to assess its development in this area and the effect from the funds spent.

Considering imperfect informational base of assessment of the status and efficiency of managing small business development in the region we propose to apply the method of assessment, based on available economic and social indicators, as well as with application of results of sample sociologic polling.

In planning, development and implementation of small business support policy at the level of region it is necessary to apply a differentiated approach

to each group of territories. Inhomogeneous conditions of small business development in various towns and villages of Transcarpathian oblast require development of relevant assessment tools. Assessment of small entrepreneurship in the region requires application of such methodological foundations which would secure objectivity of territorial comparisons and conclusions.

Statistical indices are quite widespread among the assessment indicators used in scientific research. Index method is a complex characteristic of relative change of phenomena in time, space or in comparison with any etalon of such phenomena that as a result of available functional dependency between them are presented in a system of interrelated indicators according to the principle of presenting integral result via its components [3].

**Analysis of recent studies and publications.** Application of index method is getting popular with domestic scientists in research of social – economic phenomena and processes in the regions. For instance, the team of scientists of the Council of research of productive forces under the leadership of E. Libanova developed a methodology of assessing the index of human development (IHD) and its components in the regions of Ukraine [9]; L. Semiv proposed methodological tools to calculate regional index of innovative quality of human recourses (IQHR) [11], N.M. Dochynets developed a methodology to measure development of consumerism in the region [6]. U. Sadova presented a methodology to define index of regional social policy effectivization [10]. Some issues of assessing the efficiency of state policy of small business support were considered by the team of scientists under the leadership of A. Dadashev [5].

**Aim of research.** To propose methodological recommendations to assess small business development in the territories of the region, on the basis of construction and calculation of the synthetical indicator – regional index of small business development.

**Main findings.** Technology of calculation of the regional index of small business development (ISBD) by towns and rayons of the region foresees the following stages:

1. Develop system of indicators to calculate ISBD:
  - Identify ISBD components;
  - Select and calculate elements of indicators if the ISBD components;
  - Normalize indicators.

2. Identify and qualitatively assess priorities in the developed system of indicators:
  - Identify contribution of each component into ISBD to the final result;
  - Identify importance of indicators in the frameworks of the ISBD specific components.
3. Calculate components of ISBD
4. Calculate integrated indicator – regional index of small business development by towns and rayons of the region.

One important aspect of the methodology of ISBD calculation is construction of generalized indicators which characterize each of main aspects of small business development in the region. Separation of the ISBD components allows avoiding excessive information load at the main indicator and at the same time provides integrated approach to characteristics of territorial peculiarities of small business development and minimization of situational factors. In addition, such approach allows identification of the rating of each town and rayon in the region both by general level of small business development and by its separate components.

Main factors of small business development are the follows:

- 1) Economic factors of small business development at the territory;
- 2) Social factors of small business development at the territory;
- 3) Factors of transaction costs of small business at the territory;
- 4) Factors of attitudes of small business subjects in specific towns and rayons of the region.

Each of the factors of small business development in oblast towns and rayons is characterized by application of its indicator components (Table 1).

**Table 1**

**System of indicators for calculating regional ISBD by towns and rayons of Transcarpathian oblast**

Components	Indicators	Direction of influence	Information source	
Component of priority importance	1. Economic factors	1.1. Number of small companies per 10.000 persons of available population	Stimulator	Statistical data
		1.2. Increase (decrease) of number of small companies compared with previous year	Stimulator	Statistical data
		1.3. Number of small companies that sold products and provided services compared to their total number	Stimulator	Statistical data
		1.4. Share of output (of products, works, services) by small companies in the oblast towns and rayons in the general territory indicator	Stimulator	Statistical data
		1.5. Output (of products, works, services) by small companies per capita	Stimulator	Statistical data
		1.6. Gross capital investments to fixed capital at small companies	Stimulator	Statistical data
		1.7. Growth rates of increase of gross capital investments to fixed capital at small companies	Stimulator	Statistical data
		1.8. Expenses for innovation and informatization	Stimulator	Statistical data
		1.9. Share of profitable small companies	Stimulator	Statistical data
		1.10. Financial result of the territory (net balance)	Stimulator	Statistical data
		1.11. Budget receipts of single tax	Stimulator	Statistical data
	2. Social factors	2.1. Employment level at small companies, per cents to number of population in productive age	Stimulator	Statistical data
		2.2. Number of employed in small companies	Stimulator	Statistical data
		2.3. Increase of number of employed in small companies	Stimulator	Statistical data
		2.4. Average monthly salary	Stimulator	Statistical data
		2.5. Increase of average monthly salary	Stimulator	Statistical data
		2.6. Number of registered subjects of entrepreneurial activity – physical persons per 10.000 persons of available population	Stimulator	Data of State Entrepreneurship Committee
		2.7. Increase (Decrease) of number of registered subjects of entrepreneurial activity – physical persons	Stimulator	Data of State Entrepreneurship Committee

Component of supportive action	Transaction costs factors	3.1. Costs for information search (costs for search of information about market situation, as well as losses from incomplete information)	Destimulator	Sample sociological polling
		3.2. Costs for negotiations and contract conclusion (including costs for legal and non-legal contract drawing)	Destimulator	Sample sociological polling
		3.3. Costs for business registration	Destimulator	Sample sociological polling
		3.4. Costs for getting license, permits, conclusions	Destimulator	Sample sociological polling
		3.5. Costs associated with access to premises and land plots of communal ownership	Destimulator	Sample sociological polling
Component of supportive action	Factors of attitudes of small business subjects	4.1. Share of respondents who believe that local authorities are interested in business development	Stimulator	Sample sociological polling
		4.2. Share of respondents who believe that local authorities provide assistance to business start ups	Stimulator	Sample sociological polling
		4.3. Share of respondents who believe that local authorities create equal conditions for everyone	Stimulator	Sample sociological polling
		4.4. Share of respondents who believe that local infrastructure promotes business development	Stimulator	Sample sociological polling
		4.5. Share of respondents who assess efficiency of state support to small business as low	Destimulator	Sample sociological polling
		4.6. Share of respondents who believe that programs of small business support ensure increase of conditions for activity of small business subjects	Stimulator	Sample sociological polling

It should be mentioned that the system of indicators for ISBD calculation includes not only positive characteristics of small business development (stimulators) but negative ones (destimulators) as well. This is because the latter provide quite valuable information in terms of undesirable but existing factors of small business development in the region, and so it is important to consider them.

The developed system of indicators allows making changes in the future to incorporate amendments or additions associated with changes of internal or external environment of small business development in the region and according changes of methodology of research of external environment of its functioning.

Taking into account that almost all indicators of small business development are named values, the mythology includes one obligatory

procedure of normalizing the selected indicators, in order to ensure that the formed information basis is comparison-consistent.

Normalization is carried out with various formulas for indicators – stimulators and indicators – destimulators. This is so because of necessity to unify the elements the ranking for which is carried out from maximal to minimal values, and the elements the ranking for which is implemented in the opposite direction (indicators – stimulators are in direct relationship with the index of small business development, indicators – destimulators are in inverse relationship to this index). The higher the value of the indicator – stimulator, the higher is the level of development of the object under research.

Normalization of indicators – stimulators is carried out according to the formula (1).

$$\tilde{O}_{kij} = \frac{X_{kij} - X_{kij \min}}{X_{kij \max} - X_{kij \min}} \quad (1)$$

Where  $\tilde{O}_{kij}$  – normalized  $i$  indicator of  $k$  component of the ISBD at  $j$  territory;

$X_{kij}$  – valued of  $i$  indicator of  $k$  component of the at  $j$  territory;

$X_{kij \min}$  – minimal value of  $i$  indicator of  $k$  component of the at  $j$  territory;

$X_{kij \max}$  – maximum value of  $i$  indicator of  $k$  component of the at  $j$  territory;

Normalization of indicators – destimulators is carried out according to formula (3.2.).

$$\tilde{x}_{kij} = \frac{X_{kij \max} - X_{kij}}{X_{kij \max} - X_{kij \min}} \quad (2)$$

Calculation of the ISBD components – indicators that characterize aspects of small business development are carried out according to formulas (3), (4), (5) and (6).

$$I_{1j} = \sum_{i=1}^1 \tilde{x}_{kij} W_{kij} \quad (3)$$

$$I_{2j} = \sum_{i=1}^7 \tilde{x}_{kij} W_{kij} \quad (4)$$

$$I_{3j} = \sum_{i=1}^5 \tilde{x}_{kij} W_{kij} \quad (5)$$

$$I_{4j} = \sum_{i=1}^6 \tilde{x}_{kij} W_{kij} \quad (6)$$

where  $j = 1, 18$ ,

$I_{kj}$  – value of  $k$  component of the ISBD at  $j$  territory;

$W_{kij}$  – weight with which  $i$  indicator of  $k$  component are taken into account when calculating  $I_{kj}$ .

The resultative indicator is a regional index of small business development by towns and rayons of the region  $I_j$  is calculated on the basis of indicators of its specific aspects  $I_{kj}$  according to formula (7).

$$I_j = \sum_{k=1}^4 I_k W_k \quad (7)$$

where  $W_k$  – weight coefficient of  $k$  component of the ISBD.

Theoretically there are lots of ways to calculate indicator weights that are considered in the integral indicator. One of the most wide spread methods is the method of expert opinions.

Identification and quantity assessment of priorities in the developed system of indicators by expert method showed that the most important component for small business development is the component of economic factors of small business development at the respective area: this indicator influences the ISBD with the weight equal to 0,4. The weaker influence on ranking the region at the index scale of small business development is made by the social factors of small business development, the weight of which is 0,35, weight coefficients of the transaction costs factor and factor of attitudes of small business subjects are 0,15 and 0,1 accordingly.

The priority of the economic aspect of small business in the system of ISBD indicators is justified by the fact that it is this very factor that is the main indicator of entrepreneurship development in the region. Economic indicators characterize final results of influence of many factors on small business development, including transaction costs, attitudes of small business subjects, and support from state authorities. The social effect produced by small business in the economy of the region or country depends on economic indicators. Economic aspect of development on a greater scale defines the situation as to three other components of small business regional development.

Weight coefficients are defined with the help of expert opinion method. Efficiency of applying expert opinions in forecasting is secured by their following characteristics [4]: objectivity, reliability, empirical substantiation, structured assessments, and openness. Expert assessment foresees quantity manifestation of advantages of the subject during identification of the level of display of this or other attribute of the researched object. We have selected a form of assessment called sequential comparison [4]. In sequential comparison the most important object received the score equal to maximal score of the scale, the rest of the objects receive scores that decrease monotonously. In case  $n$  experts assess  $m$  objects on the scale where  $r$  is a maximal score ( $r < m$ ) that is received by the most important object, then following objects receive scores  $r-1, r-2, \dots, r-m+1$ . Average weighted score of  $j$  object is calculated as product of average score of the subject multiplied by the coefficient of the scale use that is equal to division of the sum of expert scores to maximal possible sum of scores (formula 8):

$$\overline{P}_j = \frac{\sum_{i=1}^n P_{ij}}{n} * \frac{\sum_{i=1}^n \sum_{j=1}^m P_{ij}}{S_{\max}}, \quad (8)$$

where  $P_{ij}$  - score of the  $i$  expert of  $j$  object;

$$S_{\max} = \frac{n * m(2r - m + 1)}{2}. \quad [4].$$

Weight coefficients of indicators in the frameworks of components of the regional ISBD are not equivalent (table2):

**Table 2**  
**Value if weight coefficients of the regional ISBD indicators**

No	Indicator	W e i g h t coefficient	
		Wkj	Wkij
1.	Component of economic factors	0,4	
1.1.	Number of small companies per 10.000 of persons of available population		0,08
1.2.	1.2. Increase (decrease) of number of small companies compared with previous year		0,09

1.3.	1.3. Number of small companies that sold products and provided services compared to their total number		0,13
1.4.	1.4.Share of output (of products, works, services) by small companies in the oblast towns and rayons in the general territory indicator		0,12
1.5.	1.5. Output (of products, works, services) by small companies per capita		0,11
1.6.	1.6. Gross capital investments to fixed capital at small companies		0,07
1.7.	1.7.Growth rates of increase of gross capital investments to fixed capital at small companies		0,09
1.8.	1.8. Expenses for innovation and informatization		0,06
1.9.	1.9. Share of profitable small companies		0,1
1.10.	1.10. Financial result of the territory (net balance)		0,9
1.11.	1.11.Budget receipts of single tax		0,06
2	Component of social factors	0,35	
2.1.	2.1. Employment level at small companies, per cents to number of population in productive age		0,1
2.2.	2.2. Number of employed in small companies		0,1
2.3.	2.3.Increase of number of employed in small companies		0,15
2.4.	2.4. Average monthly salary		0,1
2.5.	2.5. Increase of average monthly salary		0,2
2.6.	2.6. Number of registered subjects of entrepreneurial activity – physical persons per 10.000 persons of available population		0,15
2.7.	2.7. Increase (Decrease) of number of registered subjects of entrepreneurial activity – physical persons		0,2
3	Component of transaction costs	0,15	
3.1.	3.1. Costs for information search (costs for search of information about market situation, as well as losses from incomplete information)		0,1
3.2.	3.2. Costs for negotiations and contract conclusion (including costs for legal and non-legal contract drawing)		0,11
3.3.	3.3. Costs for business registration		0,21
3.4.	3.4. Costs for getting license, permits, conclusions		0,33
3.5.	3.5. Costs associated with access to premises and land plots of communal ownership		0,25
4	Component of attitudes of small business subjects	0,1	
4.1.	4.1. Share of respondents who believe that local authorities are interested in business development		0,12
4.2.	4.2. Share of respondents who believe that local authorities provide assistance to business start ups		0,12
4.3.	4.3. Share of respondents who believe that local authorities create equal conditions for everyone		0,2

4.4	4.4. Share of respondents who believe that local infrastructure promotes business development		0,25
4.5	4.5. Share of respondents who assess efficiency of state support to small business as low		0,16
4.6	4.6. Share of respondents who believe that programs of small business support ensure increase of conditions for activity of small business subjects		0,15

## Conclusions

Therefore, the application in practice of the methodological tools of assessing the level of small business development, based on calculation of the regional ISBD, allows carrying out territorial comparisons with the aim of identifying the regional zones that need improvement of specific aspects of small business development. The mentioned index can be applied also to assess efficiency of regional small business development programs implementation the developed system of indicators is open and allows to make in the future necessary amendments according to changes in external environment of small business and methodology of its research.

## References

1. програма розвитку транскордонного співробітництва на 2011—2015 роки. Постанова Кабінету Міністрів України від 1 грудня 2010р. №1088.– Електронний ресурс. Режим доступу: <http://www.odpa.if.ua>
2. Програма економічного та соціального розвитку Закарпатської області на 2011 рік.– Електронний ресурс. Режим доступу:<http://www.carpathia.gov.ua/ua/367.htm>
3. Андриєнко В.Ю. Статистичні індекси в економічних дослідженнях. – К.: 2004 р. – 119 с. – С. 13
4. Бешелев С.Д., Гурвич Ф.Г. Математико-статистические методы экспертных оценок. – М.: Статистика, 1980. - 88 с.
5. Дадашев А., Гловацкая Н., Лазуренко С., Нешитой А., Эффективность поддержки малого предпринимательства// Вопросы экономики. - 2002. - № 7. -С.127-139
6. Дочинець Н.М. Методика вимірювання розвитку консюмеризму в регіоні // Актуальні проблеми економіки. –2007. – №11(77). – С. 95-103.

7. Кампо Г.М. Дослідження зовнішнього середовища функціонування суб'єктів малого бізнесу в Закарпатській області // Актуальні проблеми економіки. – 2007. - №11(77). – С.115-124
8. Кондрат І. Ю. Факторно-результатний метод прогнозування розвитку економічної діяльності малого підприємства // Вісник Національного університету “Львівська політехніка” “Менеджмент та підприємництво в Україні: етапи становлення і проблеми розвитку”. – 2001.- №436. – С. 209-216.
9. Методика вимірювання людського розвитку регіонів України // [http://www.un.kiev.ua/ua/hdr/2001/NHDR%202001%20\(ua\)%20Annex%204.pdf](http://www.un.kiev.ua/ua/hdr/2001/NHDR%202001%20(ua)%20Annex%204.pdf).
10. Садова У.Я. Соціальна політика в Україні: регіональні дослідження і перспективи розвитку: Монографія. – Львів: ІРД НАН України, 2005. – 408 с.
11. Семів Л.К. Регіональна політика: людський вимір: Монографія. – Львів: ІРД НАН України, 2004. – 392 с.

**Г.Кампо, Н. Дочинец. Измерение уровня развития малого бизнеса региона**

*В статье представлены методические рекомендации для измерения уровня развития малого бизнеса в городах и районах Закарпатской области, в основе которых лежит построение и расчет синтетического показателя - индекса развития малого бизнеса. Данный показатель позволяет разработать дифференцированный подход к управлению развитием малого бизнеса в пределах региона.*

**Ключевые слова:** *малый бизнес, индекс, бизнес-среда.*

## **UKRAINIAN – HUNGARIAN DIMENSION OF TRANSBORDER COOPERATION**

*The article deals with studying issues and outlining prospects of transborder cooperation development between Ukraine and Hungary. Much attention is paid to development of a legal aspect of transborder cooperation of regions of two neighboring states in Europe.*

**Key words:** *Ukraine, Hungary, EU, integration, transborder cooperation, region.*

Experience of bilateral international and interregional interrelations of Ukraine and Hungary in the late 20<sup>th</sup> – early 21<sup>st</sup> century in the Central-European region is a model for civilized international and transborder cooperation – according to the leading scientific researcher of the Institute of World Economy and International Relation of the Academy of Sciences of Ukraine Eva Kish [1]. Bilateral relations of Ukraine and Hungary as two independent states during 1990s and in early 21<sup>st</sup> century serve as an example of pragmatic international cooperation in Central Europe. Hungary was among the first countries that acknowledged independence of Ukraine and therefore made a first step to establishing and formation of equal good neighborly bilateral relations. As a foundation for political – legal partnership between the two states, a Protocol about establishment of diplomatic relations between Ukraine and Hungarian Republic was signed on December 3, 1991 in Kyiv. It is symptomatic that only three days after the signing of the Protocol, on December 6, 1991 an Agreement about foundations of good neighborhood and cooperation between Ukraine and Hungarian Republic was signed that was later on, on July 1, 1992 ratified by Verkhovna Rada of Ukraine.

In development of transborder cooperation between Ukraine and Hungary a special place belongs to the bordering regions: Transcarpathian oblast, Ukraine and oblast of Szabolcs-Szatmar-Bereg, Hungary. Transcarpathian region is one of Western border regions of Ukraine, located on the crossroad of Ukrainian state border with four European states: Poland, Slovakia, Hungary

and Romania. The neighboring Szabolcs-Szatmar-Bereg oblast (North-Southern region of Hungary) borders with administrative-territorial units of three states – Slovakia, Ukraine and Romania. This allows mentioned areas to form and efficiently carry out at the interregional level the multilateral transborder and Euroregional cooperation [2].

*The legal system* of regulating Ukrainian – Hungarian transborder cooperation is composed of two subsystems: international – legal and national. International relations of transborder cooperation between Ukraine and Hungary are based first of all on all-European norms and principles outlined in the Council of Europe documents. The European Outline Convention along with its two protocols constitutes the legal basis for transborder cooperation of regions in European states, including Ukraine and Hungary [3].

At the national level **article 8 of the Agreement** about the foundations of good neighborhood and cooperation between Ukraine and Hungarian Republic binds the parties to promote development of contact between regional and local self-governing authorities as well as encourage transborder cooperation in all industries, to facilitate expansion of contacts between their citizens both at individual basis and in terms of state, non-governmental and other organizations (article 9).

However, one of most important documents regulating interrelations of transborder cooperation subjects between local and regional self-governing authorities of Ukraine and Hungary is the *Agreement on transborder cooperation* signed on November 11, 1997 in Budapest where among other things it was mentioned (article 7) that such kind of cooperation between territories of Ukraine and Hungary can be carried out in the following spheres:

- Development of settlements and regions;
- Transport and communication;
- Energy;
- Environment protection;
- Protection of water resources and their rational use;
- Air pollution and decrease of noise level;
- Education, vocational training, scientific research, health protection;
- Tourism;
- Problems of population in border areas;
- Issues associated with creation and operation of border check points;
- Transborder economic cooperation;
- Humanitarian cooperation [4].

In the Hungarian Republic it is the state concept of territories development that defines principal directions for development of regions as two interrelated systems:

1. Principal direction of international integration promotion. Hungarian territorial policy promotes adaptation of the European Union regional policy, balanced border area development, supports development of all-European strategy of territory development, full inclusion of regions, first of all depressive into territorial and economic structures. The Concept dwells on importance of cooperation with neighboring countries, especially for economy development, joint protection of natural wealth and resources and support of development and implementation of joint concepts of territorial development.
2. National aims, directions and tasks for regional policy development. According to the Law of Hungarian Republic XXI from 1996 about development of regions general development goals of territories include support of social-oriented market economy development, dissemination of innovation processes and creation of regional structures complying with social, economic and environment protection aims [5].

At transborder level in terms of direct cooperation of regions from Ukraine and Hungary – Transcarpathian oblast and Szabolcs-Szatmar-Bereg region, *the State concept of territories development* identifies the following priority aims:

- In economic development sphere priority is given to preservation and selective development of created industrial potential, integrated development of agriculture, and best use of regional peculiarities for tourism development. In terms of the town of Nyiregyhaza, the Concept mentions the necessity to strengthen its functions as a scientific-research center. In addition, the industrial zone of Zahony is laid out along with creation of logistical center in Ukrainian – Hungarian borderland;
- In terms of human resource development, the focus is put on need to increase the level of general education, its diversified development, transformation of the town of Nyiregyhaza to university and innovation-technological center;
- In terms of technical infrastructure development, the most important tasks include development of the M3 highway until Polgar and further

to the Ukrainian – Hungarian border; development of the highway M3 – Debrecen; development of sewage and water purification systems; expansion and further development of water purification system in Nyiregyhaza, increase of drinking water quality, and in water management – flood protection in the Ukrainian – Hungarian borderland.

In terms of *bilateral cooperation*, the exemplary case of real and strategically justified transborder cooperation in the border region Ukraine – Transcarpathia with the border region of Hungary - Szabolcs-Szatmar-Bereg is the Concept of joint development of border territories of Ukraine and Hungary, the only one along the whole perimeter of Ukrainian border.

Hungary and Ukraine developed this documents taking into account traditions of bilateral transborder cooperation, existing infrastructure at the border and border regions, based on joint aim of integration to the European Union, realizing the necessity to develop the European transport corridor No 5 as an important connecting link between West and East, taking into account difference in integration rates of two countries into the European Union, realizing the importance of creating proper conditions at Ukrainian – Hungarian border and minimization of possible negative phenomena in trade-economic and human resource sphere, associated with Hungary joining the EU.

Main directions of Ukrainian – Hungarian border cooperation, according to the Concept, are the following:

- 1) Development of Ukrainian – Hungarian border;
- 2) Establishment of international transport corridors zone, in particular participation in development of European transport corridors, including transport corridor “Triest – Ljubljana – Budapest – Lviv – Kyiv” as an important element at the Europe – Caucasus – Asia way;
- 3) Environment protection, prevention of transborder pollution, protection of ecosystems and water resources from pollution, gradual implementation of the European Union norms (Water Framework Directive) for rational water use in the Tisa river basin;
- 4) Cooperation in development of tourist-recreational industry, development of various forms of tourism, including: medicinal, hiking-educational (mountain tourism, rural tourism), sport tourism (ski) and the infrastructure necessary for it;
- 5) Creation of conditions, promotion of development of small business in border regions, introduction of information network, data basis for

partners search, promotion of industry integration and cooperation in food and processing industries;

- 6) Promotion of development of national minorities, establishing contacts and study of experience of solving national problems and organization of self-governance of national minorities, secure their cultural – educational needs [6].

Therefore, already from 2004 on when Hungary became a full EU member, a reassessment took place of forms of border regions development in Ukraine, as well as in Hungary, according to principles of the European Union regional policy. For today it is necessary to take the transborder cooperation to the new frameworks of its financing by the European Commission with the aim to decrease differences in development of two border regions of Ukraine and Hungary, to activate economic development due to economic activities, use of human resources, infrastructure and environment development.

## References

1. Кіш Є.Б. Центральна Європа в сучасній системі єврорегіональної інтеграції. Монографія / Єва Кіш. – Ужгород : Ліра, 2008. – С.9-10.
2. Розширення Європейського Союзу: вплив на відносини України з центральноєвропейськими сусідами. Інститут регіональних та євроінтеграційних досліджень “ЄвроРегіо Україна”. – Київ : КІС, 2004. - С. 126-132.
3. Європейська Рамкова Конвенція про транскордонне співробітництво між територіальними общинами або властями (ETS No106) – Мадрид, 21 травня 1980 р. European Outline Convention on trans-frontier co-operation between territorial communities or authorities from Madrid, 21.05.1980.
4. Border and Cross-border Co-operation in the Central European Transformation Countries. Debrecen. – pp.129-136.
5. На шляху до Європи. Український досвід Єврорегіонів. Інститут Схід-Захід. – Київ : Логос, 2000. – С. 13-34.
6. Регіональна політика в країнах Європи. Інститут Схід-Захід. – Київ : Логос, 2000. – С. 28-61.

**Кулчар Т.Ф., Иллар К.Я. Украинско-венгерский сегмент трансграничного сотрудничества.**

*Статья посвящена изучению проблем и определения перспектив развития трансграничного сотрудничества между Украиной и Венгрией. Значительное внимание уделено развитию правового аспекта трансграничного сотрудничества между регионами этих стран.*

**Ключевые слова:** Украина, Венгрия, ЕС, интеграция, трансграничное сотрудничество, регион.

## IMPLEMENTATION STATUS OF JOINT UKRAINIAN – SLOVAK TRANSBORDER COOPERATION PROJECTS

The article deals with importance of transborder cooperation implementation for Ukraine. Analysis of the implementation status of transborder cooperation projects with participation of Ukraine and Slovakia and their results are provided.

**Key words:** *transborder cooperation, ENPI, joint Ukrainian – Slovak projects, transborder cooperation program, Carpathian region.*

**Topicality of the research issue.** Development of transborder cooperation and border infrastructure for Transcarpathian oblast is one of the most priority directions, since the oblast borders with four European Union countries. Today the oblast has close economic and humanitarian relations with all border regions of neighboring countries, including Slovakia. In particular, agreements about cooperation with Presov and Kosice self-government counties of Slovakia were signed.

Transborder cooperation programs allow solving lots of problems of regions – develop small and medium sized business, tourism, trade, transport, accelerate new technology introduction.

It is the international projects that are the “Growth poles” significantly influencing economy and the level of culture of the state in general. Due to European Union assistance Ukrainian border regions are in position to gradually become centers of European development implementing the European aspirations of Ukraine [1].

**Main findings.** Four years ago assistance from the European Union to the European Neighborhood program countries (ENP), including Ukraine, was provided in the frameworks of different programs, including TACIS, MEDA, PHARE etc. From January 1, 2007 on all assistance to border regions is provided in the frameworks of the new financial facility for countries within the ENP – European Neighborhood and Partnership Instrument (INPI), that includes not only national, but also international, regional, thematic and, of course, transborder programs [2].

According to the Transborder cooperation strategy of the EU for 2007 – 2013 these programs are directed to implement four interrelated tasks [3]:

- promote economic and social development in border areas;
- cooperate in combating joint challenges in the spheres like environment, health protection, prevention and fight with organized crime;
- ensure efficient and safe borders;
- promote people to people contacts.

At the current stage the European Union allocates for Transcarpathia 6.3 mio Euro for implementation of 13 project within the Program of Transborder cooperation of the European Neighborhood and Partnership Instrument (ENPI) “Hungary – Slovakia – Romania – Ukraine” for 2007 – 2013 [4]. The program aims to support with the help of the European Union measures aimed at intensification and deepening of socio-economic cooperation between the regions of Ukraine and regions of member states that have the common border.

Several examples of first successful projects implemented in the Ukrainian – Slovak borderland can be given, including:

- project of Ukrainian – Slovak border cooperation in the sphere of tourism (non-governmental organization “Pannonia”);
- complex study of capacities of biomass use in the Hungarian – Slovak – Ukrainian border region (Agency of regional development and transborder cooperation “Zakarpattya”);
- business promotion project along Slovak – Ukrainian border (Association of small and middle sized business and innovations “Uzhgorod – XXIst century”) etc.

Let us have a closer look at some of these projects.

For instance, the aim of the **project of Slovak – Ukrainian transborder cooperation in the sphere of tourism** [5] was to increase transborder tourist flows between Transcarpathia and the region of Nyzhny Zemplin in Slovakia. The project budget was 247.155 EURO. Implementation period – from 02.08.2006 to 01.10.2007.

Main activities:

- creation of joint network of tourist – information centers and offices, establishing of information exchange between Ukraine and Slovakia

in the sphere of tourism;

- publication of a tourist guide and info boards;
- holding conferences and workshops;
- holding an international festival of folk culture.

The project was implemented by the Regional tourist agency of the region Nyzhny Zemplin (Slovakia). Project partners: Organization of social – cultural development “Pannonia” (Ukraine).

On July 24, 2008 in Uzhgorod rayon of Transcarpathian oblast and in Kosice self-government region (Slovakia) a transborder cooperation project started named “Pure water”, financed by the European Commission in the frameworks of the Program “Hungary – Slovakia – Romania – Ukraine”.

The project aims at improvement of environment in the sphere of water resource management at border areas of three countries. The project cost is over 600.000 Euro. The first stage was supposed to solve the issue of water disposal and establishment of sewage treatment facilities of Ukrainain vilages Kinchesh, Chaslivtsy and Korytnyany with use of experience of Kosice region (Slovakia).

At first delegation of Uzhgorod rayon visited Kosice at studied experience of the neighbors. Rayon management, chief sanitary doctor, village council heads learned about the technologies of sewage waters purification that are commonly used in the villagers of Slovakia. Then continuous contacts began between project partners – workshops, conferences, working group meetings that discussed every detail of the sequence of steps to reach the set aim – trainings were conducted on creation and management of water disposal projects, water treatment plants construction, and community development in border regions. The target audiences of those activities taking place on both sides of the border were representatives of non-governmental organizations and public, private companies, utility services and local self-governance bodies.

“Slovakia has quite a vast experience of water purification, - tells director of the Agency of regional development and border cooperation “Zakarpatta” Valeriy Hryshenko. – At the moment villages of Transcarpathia have big problems with sewage waters purifications. We are happy that the European Community in the frameworks of the Neighborhood Program allocated funds for the border region, and hope that experience of our neighbors will add to the knowledge of our communities, provide confidence and willingness to

take those practices back home. After that we, for the first time in Uzhgorod rayon, will jointly construct water purification facilities and will implement here successful European experience” [6].

Experience of first projects participants was quickly taken over by other local communities.

Project ***IKARUS – Intensification of communication and cooperation of regional development institutions of Ukraine and Slovakia*** [7] implemented during April 2009 – November 2010. The project was implemented in the following regions: Slovakia – Kosice region, including Sobrance and Trebisov, microregions: Koromla, Borolo, Trojhranie; Ukraine – Transcarpathian oblast.

Main aim of the project is to increase the educational level of local stakeholders in selected microregions of Kosice kraj directly bordering with Ukraine, in order to increase interest in public issues and their capacity building to solve their economic, social, cultural and environmental problems and transfer of these skills to Ukrainian partners via cooperation mechanism.

The project resulted in training events, strategy analysis, developed or improved strategies, workshops, internship of Ukrainian students.

**Project “SUREC” (August 2009 – April 2011, 469 96. Euro)** [8; 9].

In the frameworks of the project, five expert teams in five research directions were active:

- Schengen and the EU external border;
- ENPI and its impact on interrelations;
- Dialogue on energy issues;
- Regional development and transborder cooperation;
- European safety, NATO and Ukraine.

In 2009 the Research center of the Slovak external policy association (RC SFPA) and Regional subsidiary of the National institute of strategic research (NISS) in Uzhgorod hold 8 conferences in the regions (Uzhgorod, Presov) and in both capitals (Kyiv and Bratislava). Partners have studied issues of transborder cooperation, European and Trans-Atlantic safety, regional cooperation in the frameworks of the group V4+Ukraine and relations between the EU and Ukraine. They aimed at increase of prospects of maximal rapprochement of Ukraine to the European Union. In addition, the Slovak association of external policy and the Regional subsidiary of the National institute of strategic research in Uzhgorod jointly organized detailed

study of how border check-points work and by disseminating this information proposed conditions of simplified border crossing, sponsorship of efforts aiming at awareness raising about the mentioned sphere of activities within the region and wide European community.

International summer university “East policy: neighborhood, identity and safety” carried out in Presov on July 12-17, 2010 was a very successful event. 40 students, mostly from Ukraine, participated in it.

Measures implemented during the project considerably contributed to strengthening the potential of Ukraine in its negotiations about further implementation of the Agreement on association between Ukraine and the EU, as well East partnership instruments.

One sectoral effect of the project was the initiative to set up four working groups of experts that already now provide assistance to Ukrainian authorities in preparing the national position in negotiations with the EU about the Agreement on association, free trade zone and visa regimen liberalization in the frameworks of our next project – National Convent of Ukraine as to the EU.

Significant part of the project covered research in the sphere of transborder cooperation development and liquidation of barriers associated with the Schengen border. In addition to expert conclusions, substantial increase of cooperation in the borderland is a positive effect.

A lot was made in the sphere of studying possibilities of cooperation on safety topics, even despite the fact that on the political level after change of power in Ukraine in 2010 this topic merged into the background. Within the project significant professional results were made in terms of, for instance, possibilities of Slovakian assistance in armed forces in Ukraine reform and improvement of civil – military relations in Ukraine and even opportunities and needs of mutual cooperation in development of anti-ballistic missile system in Europe.

Another successful part of the project was transfer of Slovak know-how in the sphere of economic and social reforms, and the greatest interest of Ukrainian professional public was devoted to tax reform, fiscal decentralization, pension reform and measures to combat economic crisis. In the frameworks of the project researchers dealt with issues associated with mutual trade and investment support, or, for instance knowledge transfer on support of depressive zones and development of industrial and technological parks.

Establishment of research cooperation with Norwegian organization was another important quality result of the project. The Norwegian partner NUPI Oslo contributed to expert part of the project alternative views on the mentioned topics. Input of Norwegian experts to the professional discussion was essential regarding possible cooperation models and mutual integration of the EU and Ukraine, including on solving problem issues as to free trade zones.

During project duration 8 international conferences were held in Ukraine and Slovakia; 5 joint collective monograph studies were published, 13 policy papers for authorities of both countries were submitted; 6 newsletters were published; 53 Ukrainian and Slovak experts undertook internships on the mentioned topic in both Ukraine and Slovakia; International Summer University was organized on the topic on European integration for students of both countries. In general project implementation involved over 1000 participants on both sides of the border.

In general in the frameworks of the Norwegian mechanism 25 Ukrainian – Slovak projects were implemented, including 2 projects with partner support from the MAIRR Association which were considered successful and efficient in the transborder cooperation development sphere, including [10]:

1. Project “Green polonynas – green pipeline for tourism and cooperation development”. Main partner – Agency for regional development “Polonyna”, Ukrainian project partners: International association MAIRR, Youth organization “Ecosphere”, Velyky Berezny rayon council; Slovak partners: village of Stakchyn and Regional center for environment protection, Stakchyn.
2. Project “Vyhorlat narrow gauge railways”. Main partner: Agency of regional development “Shyrava”. Project partners: International association MAIRR, Presov group of cyclists, Slovak Tourist Club the town of Michalovce, Regional department of association of municipalities in the town of Sobrance, Agency of regional development Borolo, Agency of regional development “Polonyna”, Agency of regional development in the town of Kosice.

In the frameworks of project “Green polonynas – green pipeline for tourism and cooperation development” a concept was developed for tourism development, map was produced “Green pipeline of tourism” mapping horse, hiking, moto- and bicycle trails, 8 satellite projects were developed including 2 of them which already got the funding within ENPI Program “Hungary

– Slovakia – Romania – Ukraine” for 2007-2013: “European knowledge exchange school” and “Transborder parliament”.

New communication tool of transborder cooperation development “Transborder parliament” development of which was supported by the European Commission within the ENPI program “Hungary – Slovakia – Romania – Ukraine” 2007 - 2013 aimed at strengthening of existing and development of new bilateral partnerships. An ICT – tool developed by the Agency of regional development “Polonyna” was proposed for exchange of information and best practices and aimed at joining information resources and increase of potential for transborder cooperation development by way of using internal and external financial resources of border states, international foundations, including Norwegian mechanism.

As of January 2011 in Transcarpathian region implementation of the Ukrainian – Slovak transborder project “Education about European values” [11] started within the Program of transborder cooperation ENPI Hungary – Slovakia – Romania – Ukraine for 2007 – 2013.

The project aims at establishment of mutual understanding of young people and teachers by way of exchange program, building of mutual relations for program aspects for organized and informal teaching methods, oriented towards education of responsible Euro-citizenship in the joint Europe.

Project partners include school boarding house in the town of Kosice (Kosice kraj, Slovakia) and Center for European integration and transborder cooperation (Transcarpathian oblast, Ukraine).

Implementation of this project will allow participants to not only acquire important knowledge and skills of European education in the interest of European values, but also meet pupils, students and teachers of Slovakia. At the same time the project will contribute to increased awareness of young people, creation of partnerships and many informal relations among youth and teachers, direct participants of events. The partnership relations that would be created would be further supported long after the project is over.

The project will engage bright students and teachers of educational institution who study and live in Transcarpathian oblast and Kosice kraj, as well as students with outstanding success in training, scientific and public activities.

Another important transborder cooperation project of Ukraine and Slovakia is “Creation of new transborder opportunities: consulting and trainings for entrepreneurs” [12]. The project duration is – 2011 – 2013.

The main aim of the project is to promote growth of economic independence and business success of entrepreneurs of the border regions of Slovakia and Ukraine. Its main tasks are increase of number of successful transborder business relations and achievement of increased sales turnover.

The project is based on three key directions of activities:

- 1) Promotion of opportunities for joint investment of business partners of the border region of Ukraine and Slovakia;
- 2) Consultative support to transborder business projects between partners of Ukraine and Slovakia;
- 3) Carrying out training programs with the duration of 18 months aimed at improvement of skills of entrepreneurs, managers of companies and managers to develop and implement joint commercial projects.

From this year on one more projects started implementation in the sphere of tourism development “*Carpathian region as an attractive tourist destination*”. Its participants along with Ukraine (non-governmental organization Carpathian Foundation – Ukraine) and Slovakia (organization “Kosice – 2013”) are from Romania (Carpathian Foundation – Romania, subsidiary Baja Mare) and Hungary (local authority from the town of Sarospotok).

The project is implemented and funded by the European Union within the Cross-border cooperation program ENPI “Hungary – Slovakia – Romania – Ukraine” for 2007 – 2013.

Main project aim is to provide a positive impact on the tourism market in order to increase the number of visitors to border areas. This aim is going to be reached in the project by [13; 14]:

- Development of the strategy of transborder management of tourist points and action plan that in the future will be implemented by partners at the local level;
- Creation of unofficial international tourism cluster;
- Implementation of partner projects contributing to further development of the regional tourist product;
- Holding international conferences on innovation in tourism;
- Development of the platform for cooperation of key tourism stakeholders in each oblast by way of joining the state and private sectors.

Target groups that will participate in the project implementation are state local and oblast authorities, association, small and medium sized companies, private entrepreneurs and non-governmental organizations

working in tourism, educational institutions specializing in tourism. Indirect working group accordingly is a wide circle of tourism services consumers and institutions participating in development of tourism policy at the level of regions.

Project implementers plan to undertake a joint marketing research including branding and image for tourism development, and based on this to develop a training program.

Project budget is **220 000 Euro**, duration – **24 months** (from **27.01.2011 to 26.01.2013**).

In particular, on April 20, 2011 in Kosice (Slovakia) the project starting conference took place.

Of course, implementation of such project can significantly contribute to increasing the tourism attractiveness of the Carpathian region and take the level of its development to the higher level.

**Conclusions.** Therefore, implementation of joint projects in transborder cooperation sphere, in particular of Ukrainian – Slovak projects, will contribute to common actions of participants of transborder cooperation, implementation of bilateral projects in education and science, health care and environment, tourism and agriculture, in border infrastructure development, small and medium sized business development etc.

## References

1. Транскордонне співробітництво допоможе Україні стати частиною «Європи регіонів» // Україна – Євросоюз у деталях. – 2010. – №3. – 16 с. – С. 2-3.
2. Транскордонне співробітництво: панорама взаємодії // Україна – Євросоюз у деталях. – 2010. – №3. – 16 с. – С. 4-5.
3. ENPI Cross-border Cooperation Strategy Paper 2007-2013: [Електронний ресурс]. – Режим доступу: [http://ec.europa.eu/world/enp/pdf/country/enpi\\_cross-border\\_cooperation\\_strategy\\_paper\\_en.pdf](http://ec.europa.eu/world/enp/pdf/country/enpi_cross-border_cooperation_strategy_paper_en.pdf)
4. На Закарпатті Євросоюз фінансує 13 проектів з транскордонного співробітництва: [Електронний ресурс] // Портал «Європейський простір». – Режим доступу: <http://eu.prostir.ua/view/246690.html>

5. Каталог проектів-переможців Програми сусідства Угорщина-Словаччина-Україна 2004-2006: [Електронний ресурс] // Офіційний веб-сайт Програми прикордонного співробітництва ЄІСП «Угорщина-Словаччина-Румунія-Україна». – Режим доступу: [www.huskroua-cbc.net/uploads/editors/HUSKUA%20Catalogue.pdf](http://www.huskroua-cbc.net/uploads/editors/HUSKUA%20Catalogue.pdf)
6. «Чиста вода»: хроніка співпраці // Україна – Євросоюз у деталях. – 2010. – №3. – 16 с. – С.9.
7. Проект ІКАРУС – Інтенсифікація комунікації та співробітництва інституцій регіонального розвитку України та Словаччини: [Електронний ресурс] // Офіційний веб-сайт Агентства регіонального розвитку та транскордонного співробітництва «Закарпаття». – Режим доступу: [www.art.com.ua/files/sitefiles/projects/prj14.pdf](http://www.art.com.ua/files/sitefiles/projects/prj14.pdf)
8. Владімір Бенч. Два роки Словацько-українського дослідницького та навчального центру // SUREC newsletter. – Братислава, 2011. – №2. – С. 1-4.
9. Геір Флікке. Перетин кордонів: SUREC і далі // SUREC newsletter. – Братислава, 2011. – №2. – С. 7-8.
10. Н.Носа, С.Густяк. Презентація результатів проектів, реалізованих в рамках Норвезького механізму: [Електронний ресурс] // Офіційний веб-сайт Міжнародної асоціації інституцій регіонального розвитку «МАІРР». – Режим доступу: [http://iardi.org/index.php?news\\_id=128](http://iardi.org/index.php?news_id=128)
11. Українсько-словацький транскордонний проект «Освіта про європейські цінності»: [Електронний ресурс] // Офіційний веб-сайт Центру європейської інтеграції та транскордонного співробітництва. – Режим доступу: <http://www.eurointegration.org/ua/programs/upbringing-towards-european-values/aboutproject.html>
12. Проект HUSKROUA/0901/037. Створення нових транскордонних можливостей: консультування і тренінги для підприємців: [Електронний ресурс] // Офіційний веб-сайт Асоціації розвитку малого і середнього бізнесу та інновацій «Ужгород – XXI вік». – Режим доступу: <http://uzhgorod-sme.org/wp-content/uploads/2011/03/Opis-proektu.pdf>
13. Projekt «Karpatský región ako atraktívna turistická destinácia»

[Електронний ресурс] // Košice 2013: Európske hlavné mesto kultúry. – Режим доступу: <http://www.kosice2013.sk/sk/karpatsky-region-ako-atraktivna-turisticka-destinacia>

14. Закарпаття – учасник міжнародного проекту «Карпатський регіон як приваблива туристична дестинація» [Електронний ресурс] // Карпатські новини. – Режим доступу: <http://karpnews.in.ua/news/20755>

**Л. Кампов. Степень реализации общих украинско-словацких проектов трансграничного сотрудничества.**

*В статье идет речь о важности выполнения проектов трансграничного сотрудничества для Украины. Дается анализ степени реализации проектов трансграничного сотрудничества при участии Украины и Словакии, их результатов.*

**Ключевые слова:** трансграничное сотрудничество, Европейский инструмент соседства и партнерства (ЕИСП), общие украинско-словацкие проекты, программа пограничного сотрудничества, Карпатский регион.

## **DEVELOPMENT OF TRANSBORDER COOPERATION OF UKRAINE IN THE CONDITIONS OF GLOBALIZATION**

*The article deals with the problems of regional development and transborder cooperation in Ukraine in the conditions of European Neighborhood policy. Advantages of transborder cooperation in the process of country integration to the world economy are demonstrated. Main obstacles on the way to the region participation in transborder cooperation are identified and activities to overcome them are proposed.*

**Key words:** *transborder cooperation, regional development, regional policy, integration*

Enlargement of the Ukrainian – European Union border led to the necessity to solve a wide range of problems associated with the new status of the country in interrelations with its Western neighbors. In particular, there is a task to review the priorities of Ukraine regions development taking into account their wider engagement into transborder cooperation processes.

For a long period transborder cooperation had the functions associated with the development of border area infrastructure, increase of foreign activities outputs and maintaining friendly relations with neighboring countries, especially in the areas of densely populated national minorities. European vector of Ukraine integration conditioned the transborder regions to implement new tasks in their activities under new conditions.

Regional transborder cooperation development in Ukraine becomes one of the important directions of European integration which is implemented at the regional level and starts to occupy the leading place in the process of regional policy formation. This issue also includes the possibility to study the development of social – economic, scientific – technical, environmental, cultural and other relations between subjects and participants of transborder cooperation.

**The topicality of the subject** is that transborder cooperation in contemporary political – economic conditions acquires ever important significance for all-round development of border regions of Ukraine, search and use of new efficient forms of cooperation.

Quite a number of scientific papers deal with the problems of development and realization of the regional policy of transborder cooperation under conditions of integration of Ukraine into global geopolitical and economic space, including the works of I. Artyomov, P. Belenkyy, Z. Herasymchuk, M. Dolishnyy, E. Kish, V. Kozyk, N. Mykula, A. Mokyy, V. Novytskyy, O. Peredriy, E. Savelyev, V. Tokar, S. Ustych and others.

**The Aim of the study** is to search for mechanisms of improved transborder cooperation in the conditions of reboot of the relations between Ukraine and the EU.

**The object of the study** is the regional transborder cooperation.

**The subject of the study** is development of transborder cooperation in Ukraine.

**The summary of the research results.** Modern international relations are characterized by intensive integration processes, including the important role that the transborder, regional and interregional cooperation plays. Ukraine due to its favorable geopolitical positions has great potential opportunities for its development, since 19 out of the 25 regions are border ones, and the external border is the longest one among all European countries.

As of today transborder cooperation in Ukraine is at the same time the tool for border regions development and the factor for implementing its Euro-integration aspirations, as reflected in the State Strategy of regional development of Ukraine for the period up to 2015 and the State program of transborder cooperation development for 2007 - 2010 [11].

By looking at transborder cooperation of border regions of Ukraine and neighboring countries it can be divided into two “directions”: transborder cooperation taking place at the border of Ukraine with the EU and transborder cooperation along the borders of ex Soviet Republics. For two of above mentioned directions to be efficient, it is necessary to overcome lagging behind of the Ukrainian areas from the EU member states areas in terms of attracting foreign investments into the general level of economic development, since efficiency of Euro region activities is possible only in case of equal partners and coordinated targeted search of joint problems and implementation of complex, targeted and weighted investment policy.

Modern dynamic development of European integration, currently under conditions of the enlarged to the East European Union requires setting new priorities of transborder cooperation development of Ukraine and neighboring countries. Moreover, geopolitical changes in the region of Central and East Europe in particular, resulting from EU enlargement to the East also require formation of transborder relations at European standards. One should pay special attention to the fact that since 2004 transborder cooperation between Ukraine (non EU member) and Poland, Slovakia and Hungary (EU members) should be carried out according to European norms and principles in the context of formation and realization of scientifically justified joint concepts of development of transborder areas, including neighboring countries [10].

First of all, when mentioning the factors of negative influence on transborder cooperation of Ukraine regions one should pay attention at substantial discrepancies between the Ukrainian legislative basis and European standards. Among other factors limiting transborder cooperation in Ukraine one could mention the following: underestimation by the authorities of transborder cooperation as a tool for territorial development and improvement of livelihood of border area population; lack of skills of both the government and the local authorities of Ukraine to jointly plan border area development; insufficient level of financial support to joint transborder projects.

In the conditions of integration processes the role of transborder cooperation is defined by the opportunity to speed up leveling of life quality for border areas population, at least up to average European level and to reach free movement of goods, people and capital via borders until the space it fully integrated [8]. The issue of attraction and efficient use of financial resources is of special importance, first of all optimization of internal investment and activation of the external one.

In the respect of transborder cooperation programs, cooperation is carried out at several levels: international, state, regional and local. Ukraine does not have yet enough potential for efficient cooperation at the international level, since the priority issues at the moment are coordination of national interests and priorities for transborder cooperation within the country.

European Community is interested to create along the whole perimeter of its borders a line of sustainable economic development, political and social stability and neighborhood. It proposes to build future relations with adjacent East European states based on new strategy of interrelations. The

essence of contemporary geopolitical changes of place and role of Central European countries in the updated system of international relations Europe lies in their eventual coming out of the relatively closed field (“shadow zone”) of potential geopolitical instability, and in-between region between East and West and their entering to stability and collective safety zone, of single European and Euro Atlantic space of economic development and wellbeing.

Integration of Central and East European states into the European Union led to the change of the geopolitical situation on the European continent. It becomes therefore important to elaborate a new philosophy of the EU transborder cooperation development and, correspondingly, of the new strategy for transborder cooperation between the states of the Central Europe and Ukraine, based on European principles. The task of forming the new transborder relations is especially significant for border communities and regions of Ukraine which from May 2004 acquired the status of the enlarged European Union direct neighbor [10].

Transborder cooperation development is a powerful investment into economy of Ukraine, and those minor funds which could be used from the state budget for project co-financing, we believe would be able to pay back on a much larger scale. However, in the current realities for Ukraine, especially for its areas, interregional integration processes are still new, and therefore it takes time to realize its significance on the state and regional levels and to secure organization – legal, financial and staff possibilities to activate the region in transborder cooperation.

### **Conclusions**

Geopolitical status of transborder cooperation of Ukraine with the Central European states has risen to the whole new level. Ukraine is in position to more efficiently solve the problems of transborder relations strengthening not only with each of Central European states or their regional associations (Visegrad, Central European Initiative etc) but directly with Brussels and Strasburg at central European-wide institutions. In turn, with each state – Western neighbor and at the level of cooperation with border administrative – territorial units Ukraine can coordinate and carry out joint steps in the EU structures, for instance, getting the financial assistance to implement joint transborder projects.

In addition, Europe-wide institutions are recently increasingly practically interested in cooperation development with Ukraine especially

at the new Eastern borders of the EU. The following testifies to that. Firstly, EU management authorities (European Commission in particular) declare and initiate strengthening and enlargement of various forms of transborder cooperation with Ukraine. At transborder regional level relation Ukraine – EU, interaction with the EU and EU member states can be even more dynamic and efficient, than on the inter-state level. Secondly, -Europe wide authorities direct neighboring with Ukraine Central European states at development of transborder, interregional cooperation by actually assigning to Poland, Slovakia and Hungary a practical implementation of this direction of the EU Eastern policy. Central European states themselves actively promote new plans and concepts of transborder cooperation with Ukraine, including the joint Austrian – Hungarian and Nyiregyhaza initiatives of 2003, the Concept of joint development of the border regions of Ukraine and Hungary.

Having analyzed the direction of transborder cooperation in Ukraine at this stage, we could clearly outline its main priorities: strengthening of regions competitiveness; simplification of border crossing processes; concluding new transborder agreements on equal terms; development of centers for small and medium sized business support in border areas, and harmonization of Ukrainian legislation with the European one, which will further define the structure of forming the European added value in Ukraine. In coping with the factors which negatively impact transborder cooperation between regions in our state one should consider the foreign experience as the skills of border areas development joint planning and as to forming relevant infrastructure necessary for organizational – legislative, financial and personnel provision of border requirements.

## References

1. Закон України «Про транскордонне співробітництво». Відомості Верховної Ради України (ВВР), 2004. - № 45. Із змінами, внесеними згідно із Законом № 1833-VI (1833-17) від 21.01.2010 .
2. Постанова Верховної Ради України «Про приєднання України до Європейської рамкової конвенції про транскордонне співробітництво між територіальними общинами або властями». Відомості Верховної Ради України, 1993, № 36, ст.370. Із змінами,

- внесеними згідно із Законом № 1879-IV (1879-15) від 24.06.2004, ВВР, 2004, № 50, ст.534.
3. Артьомов І.В. Транскордонне співробітництво в євроінтеграційній стратегії України: [монографія] І.В. Артьомов. – Ужгород: Ліра, 2009. – 520 с.
  4. Беленький П.Ю., Мікула Н.А., Герич В.П. Транскордонне співробітництво: проблеми і перспективи. / ІРД НАНУ; Відповідальний редактор: Беленький П.Ю. - Львів, 1996. - 75 с.
  5. Передрій І. До питання децентралізації у Державному Управлінні. / Передрій І. Транскордонне співробітництво: сучасні проблеми, перспективи розвитку // Науковий вісник УжДШЕП (серія - економічні науки). - 2004. - Вип. № 4. - С.13-21.
  6. Токар П. Нові реалії сучасних кордонів: соціолого-політологічний аналіз. – Ужгород: КП «Ужгородськамиськадрукарня», 2008. – 320 с.
  7. Транскордонне співробітництво на нових східних кордонах ЄС: матеріали міжнародної конференції / Гол. ред. С.І. Мітрьєва. – Ужгород: «Ліра», 2009. – 248 с.
  8. Постанова Кабінету Міністрів України «Про затвердження державної програми розвитку транскордонного співробітництва на 2007-2010 роки» // <https://search.liga.net>.
  9. Кіш Є. Проблеми транскордонного співробітництва України і Євросоюзу. Режим доступу: <http://www.politik.org.ua/vidmagcontent.php3?m=1&n=63&c=1412>
  10. Кіш Є. Ткач Д. Режим доступу: <http://uaforeignaffairs.com/article.html?id=254>
  11. Котляр А. Тенденції транскордонного співробітництва України в контексті політики європейського сусідства. Режим доступу: <http://conf-cv.at.ua/forum/36-163-1>

#### **D. Bilak. Development of transborder cooperation of Ukraine in the conditions of globalization**

*У статті розглядаються проблеми регіонального розвитку та транскордонного співробітництва в Україні в умовах політики європейського сусідства. Показано переваги транскордонного*

*співробітництва у процесі інтеграції країни у світове господарство. Визначено основні перешкоди на шляху до участі регіонів у транскордонному співробітництві та запропоновано заходи щодо їх подолання.*

**Ключові слова:** *транскордонне співробітництво, регіональний розвиток, регіональна політика, інтеграція.*

## **MEANS OF TRANSBORDER COOPERATION ACTIVATION IN UKRAINE**

The article analyses status of transborder cooperation of Ukraine and justifies means to activate it in modern conditions. In particular, this refers to introduction of new forms and methods of transborder cooperation, forming of efficient mechanism of transborder cooperation implementation.

**Key words:** *transborder cooperation, economic crises. Western and Eastern regions of Ukraine*

Formation of transborder cooperation system according to European example in Ukraine is a topical issue of theory and practice of European integration of Ukraine, since it is the development of the European level transborder cooperation that can become a concrete presentation of European aspirations of Ukraine. Accession of Ukraine into the European economic system requires study of experience and direct research of European integration processes, in which regional integration as transborder cooperation plays important part. This process takes place at the background of considerable rates of economic, political and legal transformation, and in case of Ukraine also under conditions of continuous administrative reform, transformation of national and regional management system. An economic crisis also has its impact on this process, and it is possible to come out of it only in case of harmonic combination of interests of region and the state as a whole. Transborder cooperation can serve a model of new management, as a model for combining the mentioned needs. The objective complexity of transformation of Ukraine to principally different model of state management with simultaneously existing large scope crisis in the country require solving the set of problems associated with first of all activation of investment activities and transborder cooperation. It is under conditions of current world financial crises of not only Central European countries but Western Europe as well that transborder cooperation can become a driving force in combating its effects [1, 556].

The issue of transborder cooperation in theoretical aspects has been studied by foreign and domestic scientists. In particular, transborder cooperation issues are outlined in papers of P. Belenky, V. Budkin, M. Dolysnyy, O. Kushnirenko, N. Lutsishin, J. Makohon, N. Mikula, T. Terschenko and others. Among foreign scientists researching transborder and interregional cooperation one should mention I. Busihina, D. Villers, I. Ivanov, N. Levra, S. Romanov, M. Rostishevski, R. Fedan, A. Jarosh and others. They have studied main regional development trends, generalized experience of transborder associates in the Western European states, researched domestic practice of border regions participation in transborder cooperation. However analysis of economic literature on border and interregional relations provides evidence that there is insufficient theoretical justification of categorical apparatus of transborder cooperation and its peculiarities, lack of methodological support of transborder cooperation results assessment, unclear conceptual foundations for development of cooperation between border administrative-territorial units of Ukraine and measures to activate transborder cooperation under conditions of economic crises.

*The article aims* at studying the status and definition of development trends and measures to activate transborder cooperation of Ukraine under current economic crises conditions.

Ukraine has direct borders with seven states: on the Northern West and West - with Poland (frontier length is 543 km); on the West – with Slovakia (98,5 km) and Hungary (135,1 km); on Northern West – with Romania (625,4 km) and Moldova (1191 km); on the East and Eastern South – with Russia (2063 km); on the North – with the Republic of Belarus (975 km). Overall length of land frontiers of Ukraine is 5631 km. Marine frontiers of Ukraine have a length of 1959 km (in Black Sea – 1559km, AzovSea – 400 km). Overall frontier length is 7590 km.

Three main types of transborder regions are defined, they include border regions of Ukraine [2]:

- 1) with participation of regions of new EU member states;
- 2) with participations of CIS states;
- 3) marine transborder region.

Ukrainian – Russian border region is the largest, its area is 385,1 thousand km<sup>2</sup>. This transborder region includes 10 oblasts – Donetsk, Lugansk, Kharkiv, Sumy and Chernihiv oblasts of Ukraine and Bryansk, Kursk, Belgorod, Voronezh and Rostov oblasts of the Russian Federation. About

23 mio persons in total live there. By number of population the Ukrainian – Russian transborder region is the largest, although by density of population (59 persons per 1 km<sup>2</sup>) it is inferior to all other regions except the Ukrainian – Belorussian one.

The Ukrainian – Belorussian transborder region includes 7 oblasts. From the Ukrainian side they are Volyn, Rivne, Zhytomyr, Kyiv and Chernihiv oblasts, from the Belorussian side – Berestej and Gomel oblasts. The total area is 195 thou km<sup>2</sup>, population is about 9,5 mio persons.

Ukrainian – Romanian transborder region includes Transcarpathian, Ivano-Frankivsk, Chernivtsy and Odessa oblasts of Ukraine and 4 povits of Romania, in particular – Satu-Mare, Maramuresh, Suchava, Botoshany and Tulcha. The area of the region is 100 872 km<sup>2</sup>, population is 8,3 mio persons.

Ukrainian – Moldovan region is formed from 5 rayons of the Republic of Moldova – Edynets, Soroky, Tighina, Lyapushna, Kagul, 2 Moldovan autonomous entities – Prydnisrovska Republic and Gagausia, as well as from Chernivtsy, Vynnytsa and Odessa oblasts from the side of Ukraine.

Ukrainian – Hungarian region has the largest density of population, which is 97 persons per km<sup>2</sup>. The area of the regions is 26 thou km<sup>2</sup>. It includes only three oblasts – two oblasts (medye) of Hungary – Szabolcs-Szatmar-Bereg and Borsod-Abaúj-Zemplén and Transcarpathian oblast of Ukraine.

Transcarpathian oblast also forms with Kosice and Presovskraj of Slovakia the Ukrainian – Slovak transborder region, and with Lublin and Podkarpatske Voevodstvo of Poland, as well as with Volyn and Lviv oblasts of Ukraine – the Ukrainian – Polish transborder region.

Regions of Ukraine also participate in forming other transborder regions which lately develop strongly on the basis of respective international agreements, conventions and contracts. This refers to first of all Carpathian Convention, Initiative on sustainable spatial development of the Tisa river basin, Danube border initiative etc.

On the part of the European Union and Council of Europe regular measures are taking place to create “Europe without dividing borders”, secured “territorial aligning” between regions aimed at decrease of disproportions in their development.

New state regional policy should envisage opportunities for enlarged presentation of regions of Ukraine in European economic and political space. Development of cooperation with CIS member states and other neighboring states, including BSEC members, is of great importance.

Therefore a complex combination of various forms of transborder cooperation has emerged and began to develop.

Currently several levels of transborder cooperation have been formed [3]:

First level – conceptual – includes theoretical findings which are successfully implemented in practice by border regions Ukraine – Poland, Ukraine – Hungary, Ukraine – Slovakia, to a less degree – Ukraine – Romania, Ukraine – Bulgaria. It is expedient to expand the accumulated positive experience of transborder cooperation with these countries to relations with such Black Sea countries as Georgia and Turkey, as well as with Azerbaijan and Moldova. In this regard it is important to raise in Ukraine an issue about enlargement of the current transborder concept (which mainly deals with border Central-European states and Russia) to the whole territory of the country, transformation of its transcommunication system to combine East and West, North and South markets in Eurasian geoeconomic space. The level of conceptual, methodological work is a main thing for each country. Without development of holistic national transborder cooperation concept it is very difficult to solve practical interrelation issues directly on the level of oblasts, rayons, town, specific management subjects of different neighboring countries. It is very positive that such conceptual cooperation model within trans-European systems of Ukraine is developed and operational. It foresees forming in the border zones of joint modules in economic and financial spheres which is an important tool to efficiently develop transborder cooperation.

The second level of transborder cooperation is being developed within border regions that form relations between two and more administrative – territorial units. In this case one could provide an example of interaction between Ukrainian oblasts and Polish Voivodships that concluded cooperation agreements. This is quite an efficient form that foresees not only economic and financial, but also cultural and scientific - technical cooperation, joint project implementation aimed at forming mutual understanding between various segments of population living in border regions. As an examples, partner interrelations are from one hand – Lviv and Volyn oblasts of Ukraine, on the other hand – respective Polish territories with centers in Lublin, Krakow and Helm. Chernivtsy oblast cooperates with respective Romanian regions, as well as it has some relations with Moldova (their further development is unfortunately hampered by the unsolved issues of Naddnistryanshina). One hindrance in relations with Bulgarian border regions is a weak level of communication channels operation, lack of developed transport market in the

Black Sea area. For fruitful transborder cooperation at the level of regions it is necessary to develop a concept of respective cooperation on the level of state. In this respect there is a positive example of border relations development between Ukraine and Russia which on the legislative level anchored a cooperation model between border oblasts and their administration. As a result currently Sumy, Chernihiv, Lugansk, Donetsk, Kharkiv oblasts of Ukraine established direct partner relations with their Russian counterparts – Rostov, Belgorod, Kursk, Bryansk, Voronezh oblasts, Kubanskykraj. Within Ukrainian – Russian transborder cooperation it was possible to make a decision allowing simplification of border crossing and creation of single system of border checkpoints. It is a very important thing in our relations.

Level three presents bipolar transborder corridors in subregions that connect various groups of administrative rayons. Rayon administration sign cooperation agreements and jointly work in financial – economic, cultural scientific – technical spheres.

Level four is creation of partner network between border towns that establish direct bilateral relations. For instance, partner system between Ukrainian and Polish towns is being formed quite actively, demonstrating high efficiency. Practice of cooperation between Ukrainian, Bulgarian and Romanian towns is quite interesting as well. Unfortunately, transborder cooperation with Belarus is not fully developing, the central authorities of this country are not supportive to activation of cooperation between border towns which are very interested in cooperation. In addition town heads in Belarus are elected not by territorial communities (as in Ukraine) but are assigned from the center.

Level five is about development of infrastructure – communication complexes serving border checkpoints and allowing accelerating of border crossing by people and freight. Here Ukraine also accumulated great experience. For instance, agreement is signed with Poland about joint revision of freight and people transit (however it is not functioning unfortunately).

Therefore, transborder cooperation is a special attribute of state regional policy of the new age that aims at strengthening good neighborly relations and creating conditions for tighter cooperation of actions in the sphere integration of neighboring country economies. It is reached among other things by formation of transborder clusters that are innovative tools and driving force for dynamic and sustainable transborder region development.

At the same time in Ukraine the cluster form of economy organization is not yet widely developed and applied. Perfect investment – innovation mechanisms of formation and operation of clusters are lacking; financial mechanisms of state regulation of their activities are not fully efficient. This refers to such things like target funding, direct financial support, subvention and subsidy provision etc. Main components of state economic policy – monetary – credit, tax, depreciation, investment (especially when it comes to foreign investment attraction to border regions) are not fully fulfilling their functions of regional development stimulators. What is mentioned above makes the issue of clusterization of economy of Ukraine as a whole even more topical, including innovative ways of transborder regions development as least developed regions having particular opportunities for inter-state cooperation [2].

Activities of transborder cluster development should be carried out with use of potential of Euroregions, seven of them are currently operational in Ukraine, including: “Buh” (Ukraine, Poland, Belarus), “Carpathian Euroregion” (Ukraine, Poland, Slovakia, Hungary, Romania), “Lower Danube” (Ukraine, Moldova, Romania), “Upper Prut” (Ukraine, Moldova, Romania), “Dnipro” (Ukraine, Russia, Belarus), and “Slobozhanshchyna” (Ukraine, Russia), “Jaroslavna” (Ukraine, Russia). In 2008 by the Council of Europe initiative a Black Sea Euroregion was set up. Once the Euroregion “Donbas” is set up (Ukraine, Russia) the process of transborder cooperation institutionalization in from of Euroregions along the whole perimeter of the state frontier of Ukraine should be finalized.

Therefore, transborder cooperation as an element of state policy currently occupies quite important place in the system of priorities of both social – economic development and European integration of Ukraine. However for Ukraine a situation is typical when decisions made by state authorities in terms of transborder cooperation development do not fully consider the real status and are not based on comprehensive research in this sphere.

Based on expert assessment, one can formulate hindrances in transborder cooperation development of border regions at the current stage of European integration of our state [4]:

- lack of established in due order communication relations between various segments of transborder cooperation and efficient interrelation between local state authorities and representatives of business and civil sector;

- existing considerable restrictions as to use of administrative and financial leverages by local self-government authorities of Ukraine;
- lack of due personnel support;
- imperfect informational component of transborder cooperation system of Ukrainian regions;
- critical status of using European experience of regionalism issues in Ukraine [5, 202];
- existing considerable objective hindrances on the way of transborder cooperation development;
- low level of involvement of civil society organization of activities and implementation of Euroregion aims;
- imperfect system of monitoring and assessment of already implemented transborder projects [6, 94].

In order to identify which measures are necessary to activate transborder cooperation it is feasible to first generalize the achievements of Ukraine in transborder cooperation development:

- legislative basis of transborder cooperation is mostly formed, although a need constantly arises to adopt new normative acts, amend existing laws dealing with transborder cooperation and ratify normative acts of the Council of Europe;
- state regional policy of Ukraine in transborder cooperation sphere is being formed and implemented, in particular by adoption of the State program defining development priorities and covering transborder projects offered for implementation by transborder regions;
- Programs of European Neighborhood and Partnership Instrument for 2007 – 2013 are being implemented;
- System of training specialists for activities in the sphere of transborder cooperation has begun;
- Cooperation is established with neighboring areas, seven Euroregions are set up, although they do not yet cover the whole perimeter of the state frontier of Ukraine, and therefore, there is no

single unified organization – financial platform for implementing regional transborder cooperation policy.

Therefore, conceptual foundations of transborder cooperation of Ukraine are formed exclusively on principles and legal mechanisms of normative-legal acts of Europe and Ukraine on transborder cooperation issues, however slow development of border cooperation of Ukraine makes it impossible to implement the Strategy of integration with the EU in regards to transborder cooperation with neighboring countries. Therefore, integration tasks of border cooperation define an urgent need for coordination of actions and combination of financial, investment opportunities for its intensification.

In spite of the fact that the main priority of external policy of Ukraine has been defined as integration to the European Union, cooperation with the Eastern neighbor – Russian Federation – remains to be as important. Rational combination of both directions in external policy meets the needs of today. Both Ukraine and Russia have their own approaches to solving the mentioned issue. The Russian approach foresees large-scale integration on principles of bilateral equal and good neighborly cooperation. The strategy of reintegration is regarded by Ukraine first of all in terms of European institutions [7, p.95]. Activation of transborder cooperation development at Ukrainian – Russian border is conditioned by both objective factors of civilization development, in particular by globalization and regionalization processes, and changes in regional policy strategy of Ukraine [8, p. 5].

It is feasible to consider ways of creating a competitive economic system in transborder region from the positions of possibilities of joint use of existing and creating of new capacities of various industries of economy. Today Euroregions on the East of our country set up jointly with Russian federation are an important aspect of transborder cooperation. Ukraine and Russian Federation have a similar level of market transformations development, tight cooperation and cooperation within single economic complex in the past, as well as specific directions which are relatively easy to restore, relatively identical normative-legal basis, similar development level of border infrastructure etc. [9, p. 195].

In Ukraine processes of applying foundations of network economy and cluster development in particular are being activated. Transborder clusters cover adjacent border territories of neighboring states including institutions located on both sides of the border.

It is worth mentioning that the typical feature of export potential of Ukraine is its unevenness, and therefore big gaps in participation of specific regions in external trade of Ukraine exist. Although in general transborder cooperation stimulates development of external trade relations, the conducted analysis testifies lack in the Western border oblasts of Ukraine (Volyn, Lviv, Transcarpathian and Chernivtsy) of the steady operating export potential and on the contrary, existence of the same in Donetsk, Lugansk and Kharkiv oblasts. However commodities of external trade remain to consist of predominantly raw materials. Exchange with neighboring states includes not only raw materials, but also commodities with more added values.

For further activation of role of border regions, first of all Eastern, in external economic relations of Ukraine it is necessary to implement a range of organizational – management and economic measures. The first include the following [10]:

- Simplification of exchange of goods and services produced with local resources within the border oblasts and meant for consumption of the territory of those oblasts;
- Implementation of special procedure of customs clearance of cooperative operations between subjects of external economic activities of border oblasts;
- Development of privileges system for border trade and joint business activity;
- Introduction of statistical reporting on border region cooperation, including on mutual liabilities of business subjects of those oblasts;
- Approval of groups of goods, works, serves for border area;
- Approval of special procedure of customs clearance of the mentioned goods.

The second group of activities refers to nationwide economic policy and economic policy of local self-government authorities. First of all, it is necessary to strengthen mutual cooperation with border states (Russia, Belarus, Moldova) by way of bi- and multilateral cooperation on production of value added goods.

In the process of investment attraction border location is also, unfortunately, not a decisive factor for Eastern oblasts. According to the research, main scopes of investment are received by those regions from other

countries of the world, investment receipts from border states account to not more than 30% of total scope of foreign investment to the oblasts.

It is also worth mentioning that unlike West-Ukrainian border regions main aim of which is integration into the European space, development of transborder cooperation at the Eastern border, along with tasks of economic and cultural cooperation, foresees combating psychological discomfort that emerged as a result of ex-USSR disintegration [9, p. 194].

As to further transborder cooperation activation in Western border regions, it is necessary to first of all pay attention to implementation of innovation-investment potential of Ukraine border regions. For this it is necessary to implement activities aimed at improvement of institutional environment and development of personnel provision. In this context it is feasible to [4]:

- take into account peculiarities of developing the scientific - technical potential of country – partner of transborder cooperation and foresee mechanism of development and implementation of joint projects with the EU countries;
- set up information centers of innovation – investment potential of transborder cooperation development at higher educational institutions of border regions;
- set up Ukrainian state fund to finance scientific research in transborder cooperation sphere;
- increase scopes of state funding of transborder cooperation measures;
- activate work of regional development agencies;
- accelerate construction of by-pass highways, secure development of transport, roadside and production infrastructure. For instance, total funding of transport infrastructure in Ukraine for preparation to the Euro-2012 amount to 81 billion UAH, including 10 billion UAH - from the state budget, 232 mio UAH – from local budgets, the rest of funds, around 70 billion UAH – on account of investors;
- activate participation of local authorities in creation and implementation of cultural, sports and other project within transborder cooperation.

Transborder cooperation refers to all spheres of population daily living, and the transborder cooperation policy should be shaped in a way so that all social groups of populations are involved. The availability of the border should define transborder cooperation and accordingly problems of state protection level and free border crossing efforts should be solved. It is worthwhile to increase transitivity of the territory, carrying capacity of border infrastructure in its wide sense, of communications, opportunities to serve a lot bigger flows of people, goods, freight. This would promote formation of the service sector in border regions which should become a priority for the social – economic development [9, p.195].

**Conclusions.** Taking into account generalized analysis of problems and proposals as to transborder cooperation activation in new geopolitical conditions, a conclusion can be made that Ukraine is not fully exploiting the manifold opportunities of transborder cooperation for both local and regional development, and for regular implementation of Eurointegration aspirations and combating global economic and financial crisis effects.

In new external geopolitical realities decreasing dynamics of Eurointegration aspirations of Ukraine, internal system reforms become increasingly topical; they can secure not only declarative but also real harmonization of yet unbalanced interrelations of economic, political and social institutions of the nation, which is considerably hampering and restricting achievement of competitiveness of the country under conditions of increased globalization and impact of global economic and financial crises. Under such conditions transborder cooperation is destined to play the part of forming in the Western border regions of testing grounds for system reformation and implementation of European norms of social and economic relations, civil society.

Among the tested types of transborder cooperation it is feasible to activate and initiate first of all those that join efforts of border regions in their economic development, achieve competitiveness and resistance to negative globalization processes impacts. From all integration types of transborder cooperation most prospective and efficient in implementing the mentioned priority seem to be transborder clusters, able to withstand negative globalization factors, and financial crisis in particular. It is necessary to promote all other types of border interrelation, but yet retain more efficient combination of trade and investment cooperation.

Classification of transborder relations into cooperation of central and local level should become conceptual foundations for all relations. The

central level would mean intensive use of border areas potential as to servicing external trade relations of the state in general, the second level – intensification of relation at the local level aimed at solving topical social – economic problems. Accordingly, on the account of centralized investment it is necessary to shift to selective policy of expanding capacities and creation of new objects of transit border infrastructure according to world examples, reorient big industrial objects towards cooperation with partners from both EU and Russia and Belarus. To solve these tasks, it is feasible to develop a special program aimed at increase of interest of border states institutions and EU states, West European financial and industry circles in creating objects of all-continental significance, including by way of expansion of network of joint enterprises, free economic zones, commercial highways etc.

Intensification of transborder cooperation at the local level is of special importance. It refers to development of small border checkpoints network, development of cooperation relations between enterprises on both sides of the border (first of all objects of small and medium sized business), stimulation of smaller investment projects etc.

In Ukraine there are the following main factors preventing transborder cooperation development: undervaluation by central authorities of cooperation as a regional development tool and instrument of increase of quality of life of population living in border areas of Ukraine. The other factors are: limited strategic vision of tasks and prospects of transborder cooperation development by both government and local authorities, lack of skills for joint planning of border areas development, low level of financial support to joint transborder projects by government and local authorities, insufficient level of regional development institutional basis, which in border regions should become a driving force for transborder cooperation, lack of realization by local authorities that transborder cooperation development tasks require coordination functions rather than strict administering.

## References

1. Гайдукова О.О. Транскордонне співробітництво як засіб розбудови інвестиційної привабливості регіону / О.О. Гайдукова // Наук. вісник БДФА. Економічні науки: зб. наук. праць / МФУ, БДФА; гол. ред. В.В. Прядко. – Чернівці, 2008. – Вип.4. – С. 555-561.

2. Концепція Національної стратегії формування та розвитку транскордонних кластерів. 2009.
3. Соскін О. Шляхи реалізації гео економічної моделі України в євразійському просторі // Міжнародний науково-практичний журнал «Економіка та держава», №7, липень, 2010.
4. Чернявська М.К. Чинники та шляхи розвитку транскордонного співробітництва прикордонних регіонів України в рамках Європейської політики Сусідства та партнерства. <http://niss.lviv.ua>.
5. Погрибенник О.В. Транскордонне співробітництво як один із чинників ефективної регіональної політики в Україні / О.В. Погрибенник // Проблеми і перспективи розвитку національної економіки в умовах євроінтеграції та світової фінансової кризи / МФУ, БДФА; гол. Ред. В.В. Прядко. – Чернівці, 2009. – С. 201-204.
6. Транскордонне економічне співробітництво // Україна у 2008 р. : процеси, результати, перспективи. Біла книга держ. Політики / За заг. ред. Ю.Г. Губана. – К.: НІСД, 2008. – С. 94-96.
7. Пирожков С. Українсько-російські відносини у євроатлантичному інтер'єрі / С. Пирожков // Політична думка. – 1999. – № 3. – С. 87–95.
8. Мікула Н.А. Транскордонне співробітництво в умовах інтеграційних процесів України : автореф. дис. На здобуття наук, ступеня докт. екон. наук : спец. 08.10.01 «Розміщення продуктивних сил і регіональна економіка» / Ін-т регіональних дослідж. НАНУ / Н. А. Мікула. – Л., 2005. – 40 с.
9. Ковальський Г.Є. Українсько-російське транскордонне співробітництво: проблеми та перспективи. Стратегічні пріоритети, №13(12), 2009 р. Регіональна політика та місцеве самоврядування. С.191-196.
10. Куліков А.І. Державне управління геоінвестиційними процесами в умовах транскордонного співробітництва. 2010.

**Р.Мадяр. Способы активизации трансграничного сотрудничества Украины.**

*В статье анализируется состояние трансграничного сотрудничества Украины и обосновываются средства его*

*активизации в современных условиях. В частности это касается внедрения новых форм и методов трансграничного сотрудничества, формирования эффективного механизма реализации трансграничного сотрудничества.*

**Ключевые слова:** *трансграничное сотрудничество, экономический кризис, западные и восточные регионы Украины.*

**THE ESTABLISHMENT AND DEVELOPMENT OF TOURISM  
IN THE CZECH REPUBLIC AND ITS EXPEDIENCY  
OF ITS USE IN UKRAINE**

According to the “Strategy of sustainable tourism and health resorts development in Ukraine”, which was worked out by the State Committee of tourism and health resorts in Ukraine, the following prerogative issue was pointed out, namely, the creation of integrated information system in tourism. This is aimed at providing an access to information for tourism and for the subjects of tourist activities. The next priorities are the following of Tourist Information Centers (TIC) network, the creation and support of official, state and regional tourist internet portals, functioning and deepening the international cooperation with the aim of sustainable tourism development [1]. It is logical that the creation of integrated information system in the sphere of tourism is extremely important for the modern tourism of each country.

Furthermore, according to the Conception on the tourism and health resorts issues, worked out by the Scientific Center of tourism development (SCTD) created by the Resolution of the Cabinet Of Ministers of Ukraine in 2002, one of the main tasks of tourism in Ukraine is the creation of tourist information network [2]. The main aim of TIC’s is the socio-economic development in the cities and regions as a priority activity of economics.

The above mentioned idea is especially actual in the process of EURO-2012 preparation, when Ukraine jointly with Poland will host the European football championship. Due to these circumstances, the current issue is very important and actual both for Ukraine and for all specialists and tourism professionals, in particular.

In this respect the experience of Czech Republic seems to be very interesting and useful. The Czech Republic organized similar events (e.g. in 2004 – the World Ice Hockey Championship) and it is also well-known by a well-developed network of local TIC’s. the TIC’s are of special interest, and so are the tourist firms and agencies because they are the “screen” of the

country, with which the tourists guests and visitors actually get acquainted virtually first.

The deepening of international cooperation in the tourism sphere is very important, especially taking into account the European experience and practical activities and the activities of Vyshegrad group in particular.

When the activities of the Council of Economic Mutual Help had stopped, and so did the cooperation between the countries of socialist countries, the Czech Republic had to handle the issues of entering the EU and of fast and effective approach to the principles, norms and standards which Europe has been using. It became especially important in the sphere of tourism. That is way, immediately after the November events in 1989, the Czech Republic has actively studied the European experience of recreation and tourism with the aim of establishing and implementing the similar institutions in the country. The peculiarity of tourism development in the Czech Republic (as in other countries of former socialist countries) was the country's transition to market principles of economy and it resulted in the use of a number of European countries' experiences, in particular the neighboring countries, the Federative Republic of Germany and Austrian Republic.

Thus, in 1993 a state public organization Czech Tourism was formed and its aim was to promote the recreational and tourism possibilities of the Czech Republic both abroad and in the country.

Till 2003, the organization which founder and curator is the Ministry of Local Development of the Czech Republic was called the Czech Center of the Touristic Movement. Nowadays, the Agency of "Czechtourism" has over 600 information centers all over the country and it has representatives in 26 countries in the world, it actively promotes its activities through its own specialized publications, advertisements and Internet materials in 20 languages. Official touristic information centers (OTIC – there are about 330 of them) are authorized and certified by "Czechtourism" and they are the tourism subjects. Their objective is to promote a concrete service (hotel, recreation or service), a region (reservation, district etc.) or to promote whole Czech Republic. A very important task is also a one-type mark and logo of OTIC's. The status of "Czechtourism" partner for such a service is free of charge. However, for such a service the partners of Agent tours are obliged to carry out, the OTIC's visitors' monitoring. Such kind of cooperation is a common example of free- of charge franchise.

The organizational structure of “Czechtourism” underlines its role and tasks in the touristic sphere of the country. A special attention is paid, in particular, to the economic and marketing trends, and also to the trend’s researches and innovations in tourism. Especially important are the issues of information supply in tourism and the work with mass media [3].

The “Czechtourism” budget has been increasing every year. Thus, if in 2003 the budget of the Agency was 198,907 mln. Czech kronas, in 2004 it made 321,488 mln., in 2005 – 253,215mln., in 2007 – 351,495 mln., in 2009 – 375,853 correspondingly [4].

The second, a very important so called “player” on the tourism market and especially on the internal one is the Association of the Czech Republic regions. This is an open, non-governmental, non-party organization which united the interests of all 14 administrative regions (13 regions + the city of Prague). It was founded in 2001 and registered as a status of the association of judicial persons protecting the interests of all regions’ inhabitants. One of the main organs of the Association are the Committee on Tourism and the Committee on cultural protection of the monuments [5].

The Ministry of Local (Regional) development of the Czech Republic is a methodical and coordination body for all participants involved in the tourism of the country. Their relations are regulated by the document Conception of state policy in tourism of the Czech Republic for the period of 2007-2013 and it is the document which takes into account all the possibilities of the tourism development in the country. Alongside with this, the Ministry’s important aim is to use the legal possibilities for the creation of all the possibilities for tourism development in the country and to achieve better conditions for the clients’ protection with the help of transparency. It is also very important to determine clear rules for the touristic company’s activities and for tour operators, too. The Ministry is an active participant of all international forums in tourism and it regularly presents its activities at special conferences and exhibitions. Additionally, the Ministry with aim of tourism development in the Czech Republic, implements a number of projects financed by the structural funds of European Union [6].

A very important tool of introducing the new tendencies at the market and with the aim of tourism promotion is the participation in international forums and tourist exhibitions. The following exhibitions are well recognized in the Czech Republic, like GO – An International exhibition of industrial tourism and Regiontour – An International Exhibition of touristic possibilities of the

regions, which are held annually in the city of Brno. These exhibitions are the largest in the Central Europe; they are representative places of tourism focused on regions. Only in 2001 842 subjects of tourism from 24 countries all over the world took part in the work of these exhibitions. 33 242 people attended the exhibitions and 403 mass media representatives had reported about these events.

With the aim of self-organization on the newly created market of touristic services, a number of public organizations are functioning in the Czech Republic. The most famous are the Association of tourist agencies, the Association of the Czech tourist agencies and agenttours, the Association of tourist Information Centers of the Czech Republic (ATIC) and the Association of the hotels and restaurants of the Czech Republic.

The first Association (ACK-CR) was created in the August of 1990 as the first union of tourist agencies in the Czech Republic. Nowadays it comprises 196 tourist agencies and agenttours, and 80 members of the market related to tourism (transport enterprises, exhibitions, specialized Mass Media, vocational establishments, insurance companies, statistic, analytical firms etc.)(8).

The second organization (ACCKA) was founded in 1991 and it has 250 members-professionals in the tourism branch. Since 2005 ACCKA has been the member of the prestigious European Association ECTAA, which unites the interests of national associations, unions and agencies of tourist companies of EU countries [9].

The third (A.T.I.C.) Association is a professional, independent organization which is functioning in the sphere of tourist information centers. The Association coordinates the activities of its members, represents its interests in the government, provides sharing experience between them, etc. its executive body is the Secretariat Specialists who are certified according to the norms ISO 9001-2008. All the TIC's which are the members of A.T.I.C. should keep to certain standards according to which a special category is conferred to each TIC [10].

The fourth one (AHR CR) is a professional, non-profitable organization which aim is to promote business and support its own members, hotels, restaurants and also rendering services on entrepreneurship for the owners and its employees. AHR CR is the member of the European Confederation of the hotels and restaurants – HOTREC [11].

A number of international organizations interstate institutions play an important role in the tourism development of the Czech Republic. One of the

priorities of the Vyshegrad group (Vyshegrad group was founded in 1991) is the tourism development promotion in the region the member of which are Poland, the Czech Republic, Slovakia and Hungary [12]. The International Vyshegrad Fund with the help of grants accomplishes the support of youth exchanges, international partnership and tourism. Priorities for the Fund are the issues of transborder cooperation including the cooperation with Ukraine [13]. This kind of the cooperation was the topic of the discussion at the International Conference “Ukraine and the Vyshegrad Four on the way to mutual beneficial relations” which was held in Uzhgorod in May 2010 with the support of the Regional Branch of the National Institute of Strategic Research in Uzhgorod [14].

An interesting tool of the cooperation in tourism is the Central European Initiative (CEI). Its members are the Czech Republic, Ukraine (an equal member since 1996). This regional union of the countries of Central and Eastern Europe which was founded in 1989 is aimed at establishing multilateral cooperation in political, socio-economical, scientific and cultural spheres, at strengthening stability and safety in the region. 18 countries are the members of CEI; it also has a working group on tourism [15].

The Czech Republic has become the member of the International Organization for Economic Co-operation and Development – OECD since December 1995. This organization which has been functioning since 1960 unites 33 most economically developed world countries, the majority countries of EU, the USA, Australia, Korea, Japan and others. The treaty with OECD was signed on the basis of European organization of economic cooperation with the aim of coordination of economic policy of the OECD countries-members and approval of rendering aid programs for the developed countries.

Within the framework of the Organization a Committee on Tourism functioning as a forum of monitoring, and exchange in the politics, structural changes which influence was formed the international tourism development. It support and promotes the sustainable economic increase of tourism development. Due to the Committee all the main missions of OECD on tourism are pointed mandate [16].

Since 1976 the Czech Republic (Ukraine – since 1997) has been the member of World Tourism Organization UN WTO and it is actively using its membership of this organization, especially in tourism [17].

Entering the EU (2004), the Czech Republic was the first to actively cooperate with the organs of EU touristic sphere, such as Tourism Advisory

Committee (TAC) which is an information-coordination and representative organ of tourism in Eurocommission and General Secretariat of the Council (SANCO), which is the working group on the consumers' rights protection. Its task is the trade liberalization (including touristic services) within the framework of the World Trade Organization (WTO).

What could be from the above mentioned issues the most useful for Ukraine? Taking into the consideration the fact, that the "third model". Is it the most suitable for the development of tourism in Ukraine? This model is widespread in the developed European countries, where the issue of tourism development is solved on the "basis" of certain many branches Ministry on the level of appropriate department [8, p. 95]. It becomes obvious that the first and the main task will become the creation of the most important segment of tourist industry, i.e. tourist information centers (TIC's). In this respect the experience of the Czech Republic might be the most useful, especially in the category of TIC.

Thus to the category "A" we can refer the TIC's which function 7 days per week, annually and which have the information about the whole Czech Republic. TIC's of this category should be constantly in the Internet contact, render free of charge information about the Czech Republic at least in 3 world languages; offer services of guides in the region, promote the reservation and accommodation of the tourists and provide guides all over the country. TIC's of this category are of 4 stars.

To category "B" we can refer the TIC's of regional importance, which function 6 days a week, annually and they give the information about the region and its location. TIC's of this category should provide free of charge information about its region at least in two world languages, offer guides' services and proved tourists' reservation and accommodation. This category is marked by 3 stars.

To category "C" – belong the TIC's of local level which function 5 days per week annually and give the information about its activities. TIC's of this category should render the information free of charge at least in one world language. It is marked by 2 stars.

To category "D" belongs to the seasonal TIC, which doesn't function annually 5 days per week (during the season) and gives information of its activity in one world language. This kind of TIC is marked by one star.

Thus, the classification of TIC's in the Czech Republic is enough flexible and very well adjusted to the local market of touristic services. It can also be

useful for Ukraine that the state governing in the tourism sphere is focused on non-free license, non-control punishment practice but on information, methodology and practical support of tax payers.

The above mentioned is actual because nowadays in Ukraine a full teal actual, general and systematic information concerning the present recreational resources and touristic possibilities is absolutely not available. The need is obvious, that is to stop and regulate the spontaneous development of tourism in the state, and in particular the creation, classification and TIC's activities as an important essential part of the country's tourism development.

The studied materials could be useful both for the tourism specialists and for the wide circle of professionals who work in the tourism and also for the representatives of law initiatives or other government and management authorities in Ukraine.

### References :

1. «Про схвалення Стратегії розвитку туризму і курортів», розпорядження Кабінету Міністрів України №1088-р від 6 серпня 2008 року. <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1088-2008-%F0>
2. «Концепція стратегії сталого розвитку туризму і курортів в Україні» <http://www.kmv.gov.ua/divinfo.asp?Id=200476>
3. Informace o Czech Tourism <http://www.czechtourism.cz/informace-o-czechtourism/>
4. Vývoj rozpočtu Czech Tourism 2003-2009 [www.czechtourism.cz/files/CzT/31\\_03\\_09\\_mark\\_plan\\_czt\\_2009.ppt](http://www.czechtourism.cz/files/CzT/31_03_09_mark_plan_czt_2009.ppt)
5. Asociace krajů České republiky <http://www.asociacekraju.cz/>
6. Ministerstvo pro místnírozvoj České republiky <http://www.mmr.cz/Cestovni-ruch>
7. GO - Mezinárodní veletrh průmyslu cestovního ruchu a REGIONTOUR - Mezinárodní veletrh turistických možností v regionech <http://www.bvv.cz/go-regiontour/2011/>
8. Asociace cestovních kanceláří ČR <http://www.ackcr.cz/predstaveni-asociace>
9. Asociace českýchcestovních kanceláří a agentur <http://www.accka.cz/>

10. Asociace turistických informačních center ČR <http://www.aticcr.cz/>
11. Asociace hotelů a restaurací České republiky (AHR ČR) <http://www.ahr-cr.cz/>
12. Visegrad Group <http://visegradgroup.eu/main.php>
13. International Visegrad Fund [www.visegradfund.org](http://www.visegradfund.org)
14. Міжнародна конференція «Україна та Вишеградська четвірка: на шляху до взаємовигідних відносин» <http://www.niss.gov.ua/articles/223/>
15. Central European Initiative <http://www.ceinet.org/>
16. Organization for Economic Co-operation and Development <http://www.oecd.org/>
17. World Tourism Organization UNWTO <http://unwto.org/en>
18. Жукова М.А. Управление индустрией туризма в современных условиях: Дис. ... д-ра экон. наук: 08.00.05. – М, 2003. – 354 с.
19. Analýza kvality služeb a realizace průzkumů ve vztahu k turistickým informačním centrům (TIC) <http://www.mmr.cz/CMSPages/GetFile.aspx?guid=1181179d-016d-4c3c-b1f8-e83d99b6de96>

## RECOMMENDATIONS

International Scientific and Practical Conference  
**«Efficiency of transborder cooperation via international  
monitoring and coordination of activities of national subjects»**  
for management and international working groups  
on implementation of the project «Borders for people»

1. In the research work:

- the basis for implementation of the project «The borders for people» put «System on indexation and monitoring of cross-border cooperation at the new eastern border of the European Union» (SIM), developed and presented at the Conference by the Institute for transborder cooperation (ITC);
- propose to the participants of the conference within two months to submit their suggestions and comments to SIM;
- to coordinator and project partners to summarize, analyze and systematize comments and suggestions made at the conference and after it and prepare the final version of SIM, adapted to specific conditions of cross-border cooperation of neighboring regions of Hungary, Slovakia, Romania and Ukraine.

2. In organizational activities (management):

- within development of the international working groups that will carry out practical work on the project implementation, if possible, to be guided by the principle of equal representation in working groups of experts from the border regions of the participating countries;
- in determination the candidates to the experts to consult with state and local authorities of border regions of participating countries;
- adopt a separate decision on quantitative and personal composition of the international working groups, considering its division in different directions (indices);
- to ensure transparency to light out all work done on the project` and ITC web-page.

3. In the creation of the International Institute for transborder cooperation (IITC)
  - in preparing the final version of the Statute of IITC to consider comments and proposals made by participants of the conference;
  - coordinator and partners should determine the composition of the IITC founders;
  - project management should provide the necessary material and technical conditions and recruit qualified personnel for the success of IITC.

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