1. Basic information
1.1. CRIS number: 2003/005-710.06.01
1.2. Title: Business Related Infrastructure Project Fund (BRIPF)
1.3. Sector: (Future external border initiative)
1.4. Place: Poland; Voivodships: Warminsko-Mazurskie, Podlaskie, Lubelskie, Podkarpackie (two lines of poviats); Euroregions: Baltyk, Niemen, Bug, Karpacki, Białowieża.

2. Project Objectives
2.1 Overall Objectives
The BRIPF aims at developing business related cross border co-operation of the Polish institutions situated on the eastern border with their foreign partners.

2.2 Immediate Objectives
In overall terms, the BRIPF will seek to:
• create infrastructural conditions supporting business development in the Polish - eastern border region
• contribute to the development of the eligible districts of the four Voivodships and five Euroregions on the Polish eastern border;
• enhance possibilities for cross-border tourism attraction and linkages between the tourism support infrastructures on either side of the border;
• promote of the economic development of the Polish –Eastern border area;

2.3 Accession Partnership and NPAA priority
The BRIPF plays a key part in the process of preparation of Poland for accession, in particular through the capacity building dimension of local/regional actors who will be directly responsible for preparing and managing the projects. These funds are part of a process of creating "integration-minded” border regions. The project represents thus an important element in the preparation of Poland for the adoption of Structural Funds. In addition, the project supports the social and economic integration between the border regions of candidate countries.

Accession Partnership: JHA – “adopt and implement national integrated inter-agency border management strategy, with particular attention to the budgetary requirements of the eastern border”
NPAA:
• implementation of the document: “Poland. Strategy for Integrated Border Management”.
• maintaining good-neighbourly relations with countries remaining outside the EU.

2.4 Cross-border Impact of the Project
The project shall support cross-border institutions co-operating in respect of economic development and promote small and medium business. Lack of the proper infrastructure is one of main barriers of the economic development in this area and hampers free flow of people and goods across the border. The implementation of the project will contribute to the improvement of the attractiveness of Polish – eastern border area for potential foreign investors. It will also contribute to the increase of the cross-border economic contacts, e.g. through the creation of databases concerning the investment opportunities in a given area. It will make it possible for Polish –eastern companies to exchange experiences, transfer know-how and technology. Through the implementation of the project in the scope of tourism, in will contribute to the improvement of availability of tourist attractions for tourists form the other side of the border.
The environmental problems are also the barriers of the development and hamper the economic development in the region. Implementation of the environmental projects will contribute to the improvement of the attractiveness of the region and stimulate national and foreign investors. **(constructing sewerage systems or sewage treatment plants on one side of the border will have a major cross border impact for inhabitants on the other side, helping to protect the unique nature here (such as Bialowieski National Park – the single oldest remaining mixed lowland primeval forest in Europe).**

In order to guarantee the cross border impact of the projects, the Regional Steering Committees (**RSC**) will be formed (**they will include –next to the Polish regional authorities- partners from Russia, Belorus or Ukraine**) to make recommendation on the projects. In addition, the Evaluation Committees established to evaluate projects would invite representatives of the relevant foreign partners within the Euroregions to participate in the meetings as observers. The RSC are currently being established to implement SIPF 2002 on the eastern border.

The cross-border nature will be the basic criterion for projects selected according to the “Grants System” procedure.

3. Project Description
3.1 Project Background

Poland shares the border on the eastern part with 4 countries: Russia (210 km), Lithuania (102 km), Belorus (407 km) and Ukraine (526 km). In total, the whole frontier extends to 1245 km. Because Lithuania as an official candidate is expected to join the EU in the nearest time, the future EU border in Poland will amount to 1143 km. The Polish regions situated in this part of the country are much less developed than the other ones and the lack of proper infrastructure facilities is probably nowhere more apparent than here. The EU assistance has not changed much in this respect because for many years the EU funds supporting cross border co-operation were directed mainly to the Polish-German border (462 km). Measures being taken now aimed at tightening the eastern border due to the EU accession process should however not take shape of a new “curtain”, hampering cross border contacts among inhabitants from both sides of the border. That is why it is so important to construct proper infrastructure facilities that would create conditions for intensifying cross border co-operation. Taking into account the extremely long border and huge needs in providing infrastructure there, one can be certain that the amount to be applied for supporting cross border small scale infrastructure projects will exceed many times the EU funds made available within the BRIPF.

The inclusion of the BRIPF in the Phare 2003 Integrated Polish Eastern Border Programme reflects the evolution in the overall Phare Programme in Poland from an exclusively project–by-project approach to the gradual inclusion of flexible funding mechanisms, beginning with Small Project Fund (**SPF**) in 1995 on the Polish-German border. The success of the mechanism in addressing identified local needs, popularity with local/regional actors and relatively quick implementation record prompted the inclusion of more funds in the next Phare CBC Programmes (**further editions of the Small Project Fund on the Polish-German border, Baltic Small Project Facility**). Within the Integrated Polish Eastern Border Programme 1997, the Small Project Fund with allocation of 0,6 MEUR was established including Euroregions on the Polish eastern border. Thus four eligible Euroregions: Baltic, Niemen, Bug and Karpacki have already gained experience, showing a professional approach and efficiency in managing the Fund. The fifth Euroregion planned to manage (**after appropriate training sessions**) the BRIPF 2003 called “Bialowieza” (“Bialowieska Primeval Forest”) was created in June 2002 on the Polish-Belorussian border. In addition, within the 2000 edition of this programme, the next round of SPF with allocation of 1 MEUR was established, managed by the above four Euroregions (implementation of this edition started in autumn 2001, on having the “SPF 2000 Guidelines” - based on the new “grant” model- developed by the Phare CBC IA and approved by the EC.
Delegation in Poland). Continuation of activities under the SPF, with Phare allocation of 2 MEUR, was also approved within the next 2001 edition of the programme. This project shall complement support for cross border people-to-people actions (subject of a separate application within the 2003 edition of this programme) by business related infrastructure ventures of cross border relevance. The BRIPF will be implemented in two lines of poviatis adjacent to the Polish eastern border. The fund model closely mirrors the INTERREG approach to programming with indicative allocations identified across broad priority areas for intervention and projects decided later by committees of local/regional actors. This approach is particularly useful in the context of pre-accession and the preparation of local/regional administrations for access to the Structural Funds through providing the latter with a framework that more closely mirrors those of their EU counterparts. Moreover, funds are seen as ideal mechanisms for the “maturing” of cross-border co-operation through allowing greater possibilities for the definition and preparation of joint projects. To summarise, the inclusion of the BRIPF into the programme is a logical step forward in the overall context of the Poland’s future accession to the EU, and in the specific context of the development of cross-border co-operation and evolution of the Phare Integrated Polish Eastern Border Programme in the pre-accession context. The Phare CBC IA will take actions in order to explore the possibilities of linking the BRIPF to the Tacis CBC programme on the other side of the border.

3.2 Linked activities
The business related projects to be implemented within the Fund would complement and expand the cross border actions carried out under the aegis of the respective Euroregions. First of all, they will create proper conditions to facilitate people-to-people actions supported within the Small Project Fund. The regional organisations (first of all – regional development agencies) have also gained some experience in implementing small-scale projects (including small-scale infrastructure) by active participation in the Phare CREDO programme. The Small Infrastructure Project Fund (SIPF) has been completed within the Phare CBC Programme Poland-Germany 1999. A similar instrument has been in operating within the Phare CBC Poland-Slovak Republic 2000. Within the 2002 of this programme, the first edition of the SIPF on the Polish eastern border was approved. The BRIPF will be co-ordinated with the Phare Social and Economic Cohesion programme, which is in operation a.o. in the Polish eastern regions as well as with SIPF 2003 Eastern border (it shall be ensured a.o. by the fact that the Phare CBC IA shall be the unit responsible for implementation all the above 2003 programmes).

3.3 Results
Immediate results of the BRIPF implementation will be several projects fulfilling the objectives of the programme (ca. 15-30 projects, including construction/modernisation of: transportation network, sewage systems/sewage treatment plants, bicycle/tourist routes etc.). Implementation of every project must bring sustainable cross border results. It is expected that the BRIPF will create proper conditions for facilitating cross border contacts among the inhabitants on both sides of the border and the facilities constructed/modernised will be sustainable even after the EU funds expire.

3.4 Activities
Within the Fund, the beneficiaries will perform all activities necessary for efficient implementation of each particular project (for example: construction of elements of infrastructure, providing equipment). The grant scheme will finance the following eligible activities: creation of the business related infrastructure for the development of the cross border co-operation, including development of the cross border tourism infrastructure. The investments projects that are directly linked to the business development in this area. It will co-finance local environmental infrastructure (such as constructing/ modernising local sewerage system, boilers houses etc.) and transportation
network (modernisation local roads) that support business development, are the preconditions for future investments in this area. To make a better use of the nature potential of the regions, it is envisaged to support tourism infrastructure (constructing/modernising bicycle roads, establishing Tourist Information Centres, marketing tourist routes etc.) in respect of environmental protection.

All actions must have a strong cross border character. In particular, they will have to respect the provisions specified below.

3.4.1 General Criteria for Eligibility
In general terms the eligible actions should meet the following conditions: have a strong and evident cross-border aspect (the most important criterion for project evaluation and selection); funding will be used only on the territory of Poland; be financially assessed realistically and transparently; be ready for implementation; contribute to institution and capacity building; be supportive to, but under no circumstances be in contradiction with the long-term development plans of the municipality or the region (projects that are part of an overall strategy/plan for the development of the region/town/municipality will be prioritised); contain innovative approaches (e.g. pilot projects); located in two lines of poviats adjacent to the border (as in the Phare CBC programmes in Poland) in the four Voivodships on the Polish eastern border: Warminsko-Mazurskie, Podlaskie, Lubelskie, Podkarpackie.

The Phare support for each individual project will range from 50 000 to 300 000 EUR. Eligible actions to be supported under the BRIPF are defined in more detail below.

3.4.2 BRIPF priorities
The Fund will support small-scale actions across the following priority areas.

Economic Development:
support for small projects focusing on economies, which enhance the economic base of the border region. Infrastructure that would make the regions more attractive for potential investors such as construction/modernisation of the transportation network is also included.

Tourism:
the BRIPF will provide funding for a range of actions for tourism development such as construction, modernisation and stamping of the bicycles routes and other tourist routes, establishment of Tourism Information Centres etc.

Environment:
projects focusing on specific environmental problems hampering business development in the region. They will have to demonstrate a direct and clear impact on the quality of natural environment. The BRIPF will provide funding for modernisation and building of wastewater treatment plants, sewerage systems, waste disposal sites etc.

3.4.3 Procedures
The BRIPF will operate under “Guidelines for the Business Related Infrastructure Projects Fund”. The guidelines will respect the provisions of the chapter 6 of the “Practical Guide for Phare, Ispa and Sapard contract procedures” and the Communication “Phare 2000 Review”. They will be based on the “BRIPF Guidelines Poland-Germany 2001”, developed on the “grant” model and already approved by the EC Delegation in Poland as well as similar guidelines that will be developed for the 2002 and 2003 editions. The main responsibility for project implementation will rest with the beneficiaries (e.g. communities, counties, NGO-s, etc.) under
the supervision of the CBC IA. Selection of the contractor to carry out the project within the scope of the grant will follow the Polish Procurement Law and the contract will be signed between the contractor and the project beneficiary. The selection procedure will be as follows: the Secretariat announces the call for proposals and collects the projects; the Evaluation Committee evaluates projects; the Regional Steering Committee makes recommendations; the CBC IA verifies the recommendations; the EC Delegation approves the reports on project selection and makes the final decision. After that the CBC IA signs agreements with the beneficiaries and the beneficiaries implement project according to the Polish Procurement Law.

3.5 Lessons learned

The 2003 edition will be the first edition of the BRIPF on the Polish eastern border. Because the BRIPF on the Polish eastern border is a new instrument, there have not been so far any reports evaluating it.

As explained above, this instrument has been under implementation within the Phare CBC programmes on the Polish-German borders. Because the Phare CBC IA has been responsible for co-ordination of all small-scale infrastructures projects within the earlier mentioned Phare programmes, it is guaranteed that all experiences and lessons learned while implementing this Fund in Poland will be used to prepare the detailed operational guidelines for the 2003 edition (to be approved by the EC Delegation) and implement the projects in an efficient way.

Despite the great need for medium-sized infrastructure projects in the border regions, it turned out that applicants had problems with submitting properly prepared projects of truly cross border character. This implies the necessity of organising intensified training sessions for potential applicants.

4. Institutional Framework

4.1 Division of responsibilities

The Implementing Authority for the Phare Cross Border Co-operation Programme (IA CBC Phare), located within the Ministry of Internal Affairs and Administration, will be the Implementing Agency of the Fund, bearing the overall responsibility for proper implementation of the BRIPF. The implementation arrangements will follow the ones in operation within the BRIPF the Polish-German CBC programme.

The IA CBC Phare is finally responsible for the management of funds allocated to the BRIPF and reserves therefore certain rights with respect to approving the BRIPF projects and supervise them: issuing of guidelines; definition of the responsibilities of institutions involved in the BRIPF; approval of the institutional set-up; specification of the rules for financial management and for regular submission of reports; monitoring of project implementation; the IA CBC Phare has the right of veto over certain projects that have been approved in contravention of the established rules; and finally the IA CBC Phare is responsible for the provision of on-going support to institutions in the regions in the form of training or consultation through experts chosen by the IA CBC Phare. Specifically the IA CBC Phare will manage the implementation of horizontal actions in support of institutional development.

The Evaluation Committees will be established according to the “Guidelines for the Business Related Infrastructure Project Fund in Poland” based on the provisions of chapter 6 of the “Practical Guide for Phare, ISPA and SAPARD”. The Committees will consist of representatives of the local/regional public administration in the BRIPF eligible areas. Representatives of the IA CBC Phare will also attend the meetings of the Evaluation Committee and the representatives of the EC Delegation and foreign partners shall participate in the meetings as observers.
The **Regional Steering Committees (RSC)** will be established with the respective neighbouring country (Russia, Belorus, Ukraine) that will be the decision making body of the Fund on the regional level. It will make the recommendations on the projects and provision of grants. The Committees will be composed of the representatives of the Polish eastern regions (Marshall, Voivod, Euroregion) and the proper regional authorities on the other side of the border. In this way the partners from the neighbouring country will not only have full information on the projects selected but their recommendation will guarantee that the projects have an authentic cross border impact. Representatives of the Polish CBC IA and of the EC Delegation will be always invited to the meetings as observers. The RSC are currently being established to implement SIPF 2002 on the eastern border.

The **Secretariat** represents the executive BRIPF body in the region. Its chief function is to provide technical and specialist support to the Evaluation Committee and to ensure the everyday implementation and operation of the BRIPF. The secretarial services will be performed by Polish secretariats of Euroregions: Baltyk, Niemen, Bug, Karpacki, Bialowieza, that will closely co-operate with the Marshall’s Offices of the Voivodships: Warminsko-Mazurskie, Podlaskie, Lubelskie, Podkarpackie. The responsibilities of the Secretariat include: provide information to beneficiaries on the 2003 Phare Programme and its Sub-Programmes; provision of support for the preparation of Evaluation Committee meetings; organisation of individual round of public calls for the submission of proposals; supporting applicants with project preparation; monitoring and inspection of implementation; evaluation of benefits; reporting to the IA CBC Phare. The Secretariat will in particular ensure sound and professional financial management of the funds in line with Phare requirements. As mentioned above, 4 Euroregions have already successfully managed at least one edition of the Small Project Fund (where all the principles are very similar to the BRIPF) in the previous years and their capacity (employees, equipment etc.) is sufficient to ensure the proper functioning of the BRIPF in the region. As stated above, in June 2002 a new Euroregion “Bialowieza” (“Bialowieska Primeval Forest”) was created on the Polish-Belorussian border. It is envisaged to include this Euroregion in managing the BRIPF 2003 (after appropriate training sessions and under special supervision of the IA CBC Phare.). Overall, the IA CBC Phare through the provision of on-going advice and support and specialist consultancy and training inputs will assist the Secretariat in performing their role. In particular in the case of more complex services or supply procurement, the Secretariat will co-operate closely with the IA CBC Phare. The Secretariat will need to report regularly to the IA CBC Phare, in particular on the financial management and implementation record of the BRIPF.

### 4.2 Involvement of Local/Regional Authorities and Tacis partners

Due to the decentralised nature of the BRIPF, local/regional authorities will be directly involved in project selection and responsible for the management of the Fund and for the preparation and implementation of the projects. Moreover, local and regional authorities through their participation in the Evaluation Committees will need to integrate the actions funded through the BRIPF with those supported through the TACIS programme. The IA CBC Phare in close co-operation with the EC services will carry on contacts with the relevant institutions responsible for the managing Tacis CBC Programme.

### 4.3 Institutional Assessment

Representatives of the eligible border regions have acquired experience of the operations of Evaluation Committees and the associated project selection and evaluation processes within the framework of the Fund. There is a strong commitment on the part of regional/local public administration and other actors in this type of funding mechanism and enthusiasm for their active involvement in an EU Programme. In terms of the technical evaluation of the projects there is a pool of know-how on the defined themes which the BRIPF will address. Experts from regional/local level should be involved in the project evaluation exercise (as members of the Evaluation Committee and -where necessary- as Assessors). This will help ensure that
information on good practice experiences from elsewhere in Poland and other possible funding sources can be available to each committee. The Implementing Authority will sign five contracts with the Euroregions: Baltic, Niemen, Bug, Carpathian and Bialowieza on transferring to them the direct responsibility for the management covering the amount of 4 million EURO earmarked for co-financing the small-scale infrastructure projects. The number and size of the projects to be implemented within the BRIPF will be determined after completion of the project selection procedure. It is assumed to implement about 15-30 small projects within the BRIPF. Implementation of the BRIPF will not influence the institutional framework.

5. **Budget (MEUR)**

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*) This is the minimum Polish contribution required (25% of project value). All beneficiaries must confirm in writing their self-contribution before the first payments from the Phare programme are transferred to them.

**) There is no formal requirement for financial support of foreign partners in the BRIPF. However, projects with financial contribution of foreign partners will be given priority in the Fund.

6. **Implementation Arrangements**

6.1 **Implementing Agency:**
Implementing Authority for the Phare Cross Border Co-operation Programme at the Ministry of Internal Affairs and Administration in Poland *(the IA CBC Phare)*. *(Contact person)* Director: Grazyna Weclewska; Address: Krucza 36; 00-522 Warsaw; phone: +48 (0)22 695 99 10/11; fax: +48 22 695 99 12-13; e-mail: Phare@wwpwp.it.pl
PAO: Jerzy Mazurek, Under-Secretary of State, Ministry of Internal Affairs and Administration; Address: S. Batorego 5; 02-591 Warsaw, phone: +48 (0)22 621 03 91; fax: +48 22 849 52 13, e-mail: wydzei@die.mswia.gov.pl

6.2 **Twinning** – not applicable

6.3 **Non-standard aspects**
The implementation of the BRIPF will comply with the model in operation within the Polish-German BRIPF functioning under the CBC programme 2001, already approved by the EC Delegation in Poland

6.4 **Contracts**
It is envisaged that the IA CBC Phare will sign five agreements on transferring responsibility for the Fund’s management with the Euroregions: Baltic, Niemen, Bug, Karpacki, Bialowieza. As it is assumed to implement about 15-30 projects within the BRIPF, the exact number of contracts for implementation of particular projects will be known after finishing the process of project selection and approval.

7. **Implementation Schedule**

| Contracts with Secretariats: | fourth quarter 2003 |
| First calls for proposals: | first quarter 2004 |
| Completion of projects: | second quarter 2006 |
8. **Equal Opportunity**
Equal opportunity principles and practices in ensuring equitable gender participation in the project will be guaranteed.

9. **Environmental Impact**
Concerns of the environment will be taken into consideration in all regional/local projects to be funded under the BRIPF. All projects will respect the need to protect the environment and natural heritage.

10. **Investment criteria**

10.1 Catalytic effect:
The Phare support catalyses the priority accession driven action of preparation of the local, regional authorities and NGOs for accession which would otherwise not have taken place in this way by galvanizing the local authorities into the project development actions which are at the heart of future EU funding mechanisms.

10.2 Cofinancing:
The project will be co-financed from Phare and national resources. The Fund will be co-financed from the Polish sources on the minimum level of 25% of the Fund’s total value.

10.3 Addionality:
Phare grants shall do not displace any other financiers.

10.4 Project readiness and Size:
Projects will only be financed by Phare if they are ready for contracting and when all necessary technical studies have been completed. The Phare support will range from 50 000 EUR to 300 000 EUR for each particular project.

10.5 Sustainability:
Project beneficiaries will ensure the financing of the operation of the project after the agreements are performed.

10.6 Compliance with state aids provisions
Support to the beneficiaries (public institutions) will not violate the association agreement regarding the State’s aid.

10.7 Contribution to National Development Plan – not applicable

11. **Conditionality and sequencing:**
The following conditions must be fulfilled in order to implement this project:

- Continued commitment towards the priorities of the Phare Programme
- Continued commitment of regional and local actors
- Availability of qualified experts and contractors;
- Co-ordination of the regional authorities and IA Phare CBC
- Approval of the EC Delegation of the specific Guidelines within the BRIPF
The IA Phare CBC responsible for implementation of the project is prepared to carry out this task. The employees have been gaining experience in this field since 1994, when the first edition of the Phare CBC programme was created (*all editions included infrastructure projects*).

**Milestones of the project:**

- Approval of the Guidelines within the BRIPF by the EC Delegation – 4\textsuperscript{th} quarter 2003
- Contracts with Secretariats – 3\textsuperscript{rd} quarter 2003
- Calls for proposals (*to be issued by Secretariats*) – 1\textsuperscript{st} quarter 2004
- Contracts with beneficiaries of projects selected – from 2\textsuperscript{nd} quarter 2004
- Start of implementation of projects by the beneficiaries – 3\textsuperscript{rd} quarter 2004
- Completion of projects – 2\textsuperscript{nd} quarter 2006
- Final report on BRIPF implementation (*to be prepared by IA Phare CBC*) – 2\textsuperscript{nd} quarter 2006
<table>
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<tr>
<th>Overall Objective</th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of verification</th>
<th>Assumptions and risks</th>
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</table>
| **Development of business related cross border co-operation in the Polish eastern border regions** | Sustainability of projects (all infrastructure projects are sustained) | *How*: adequate reports  
*When*: 3 years after project completion  
*By whom*: Secretariats and CBC IA | Continued commitment towards the priorities of the Phare Programme |
| **Immediate objectives** | • All infrastructure projects are fully operational | *How*: adequate reports  
*When*: 1 year after project completion  
*By whom*: Secretariats and CBC IA | |
| **Results** | • 15-30 small scale infrastructure facilities in operation | *How*: adequate reports  
*When*: immediately after project completion  
*By whom*: Beneficiaries, Secretariats and CBC IA (summary on the BRIPF) | Continued commitment of regional and local actors |
| **Activities** | All activities necessary for efficient implementation of each particular project (e.g. construction of elements of infrastructure, providing equipment) | **Means**  
It is anticipated that:  
15-30 contracts will be signed for the BRIPF implementation | **Costs**  
Phare Funds – 4 MEUR  
Local Funds – 1,268 MEUR | Availability of qualified experts and contractors; Co-ordination of the regional authorities and IA Phare CBC  
*Preconditions*:  
Approval of the EC Delegation of the Guidelines within the BRIPF |
### Annex 2 Cumulative implementation, contracting and disbursement schedule – Business Related Infrastructure Project Fund

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D: Design / C: Contracting / I: Implementation