

Living Near the Border:

The Cases of Shehyni and Uhryniv Communities





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Introduction

Almost 22 million Ukrainians and foreigners crossed the border with Poland in 2018. Is that a lot? Well, it's **one third** of all the people who travelled to EU countries by land (36.8 m) and one **fifth** of all crossings in total (100.6 m persons)¹. The pressure on this section of the border is still the biggest.

The border throughput capacity seems to be lower than the flows of travellers. As a result, you have to wait a few hours to cross it. At some BCPs, there are no toilets, filling stations, cafes to grab some food. Can it get worse? Well, in fact, it can. When you wait hours in line, and then someone skips the queue by paying a bribe. It's hot in summer and cold in winter. Things are stretched too thin. People start to argue and tensions start to rise.

This kind of border is actually dividing societies, instead of joining them in line with the concept of an **open society and free movement of people**. This land border scares the public. Many change their car or bike for a plane or train. This kind of border discredits the authorities and the state in the eyes of both its citizens and foreign guests, thereby playing into the hands of populists.

The issues listed are the most visible for travellers, and they are often in light of various studies of the Ukrainian-Polish border. This is not all, though. At least a quarter of people crossing the Ukrainian-Polish border live right next to it². They may cross a few times a day or a week. The reasons are usually economic: to buy or sell something, or

to earn some money in Poland or even farther away. The border is an indispensable part of their daily lives. They see many problems deeper, know the solutions, though often they are also a part of these problems.

The central authorities are very focused on border security as well as Ukraine-EU cooperation. At the same time, what is lacking is the right balance with easy and comfortable crossing by law-abiding travellers and traders. This is the focus of the EU's integrated border management concept currently being introduced in Ukraine. This would have a profound impact on local communities who would be a major beneficiary of such an approach. This has the potential to enhance cross-border cooperation and people-to-people contact; boost local development and tourism. The borderlands have untouched natural and architectural wonders. In this way, such a safe border with a human face would truly contribute to the idea of an open society where people move freely without artificially-created obstacles.

Bearing in mind the complexity of border-related problems and the big influence of the border on local communities, we (**Europe Without Barriers** (EWB) think tank) decided to go there ourselves and see the situation on the ground. This study aims to see a bigger and more comprehensive picture, the potential and problems of the Ukrainian-Polish border as the most crowded one. Local communities are the key to this as the major users and beneficiaries. We explore how people see the Ukrainian-Polish border and

how the border affects their everyday lives.

Here we focus on two of them. The Shehyni community is right next to the oldest and most crowd-

ed BCP for cars, lorries, buses, and individuals. While the Uhryniv community is small, and just a few hundred meters away from a brand new BCP with joint control. Enjoy!



Photo by Europe Without Barriers.

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"Results of Operational Actions of the State Border Guards Service of Ukraine and Its Performance: 2018 Infographics," State Border Guards Service of Ukraine, <https://dpsu.gov.ua/ua/photo-infografika-rezultati-operativno-sluzhbovoi-diyalnosti-za-2018-rik-/>

2

Polish Border Guard, statistics, January-December 2018,, <https://www.strazgraniczna.pl/pl/granica/statystyki-sg/2206,Statystyki-SG.html>

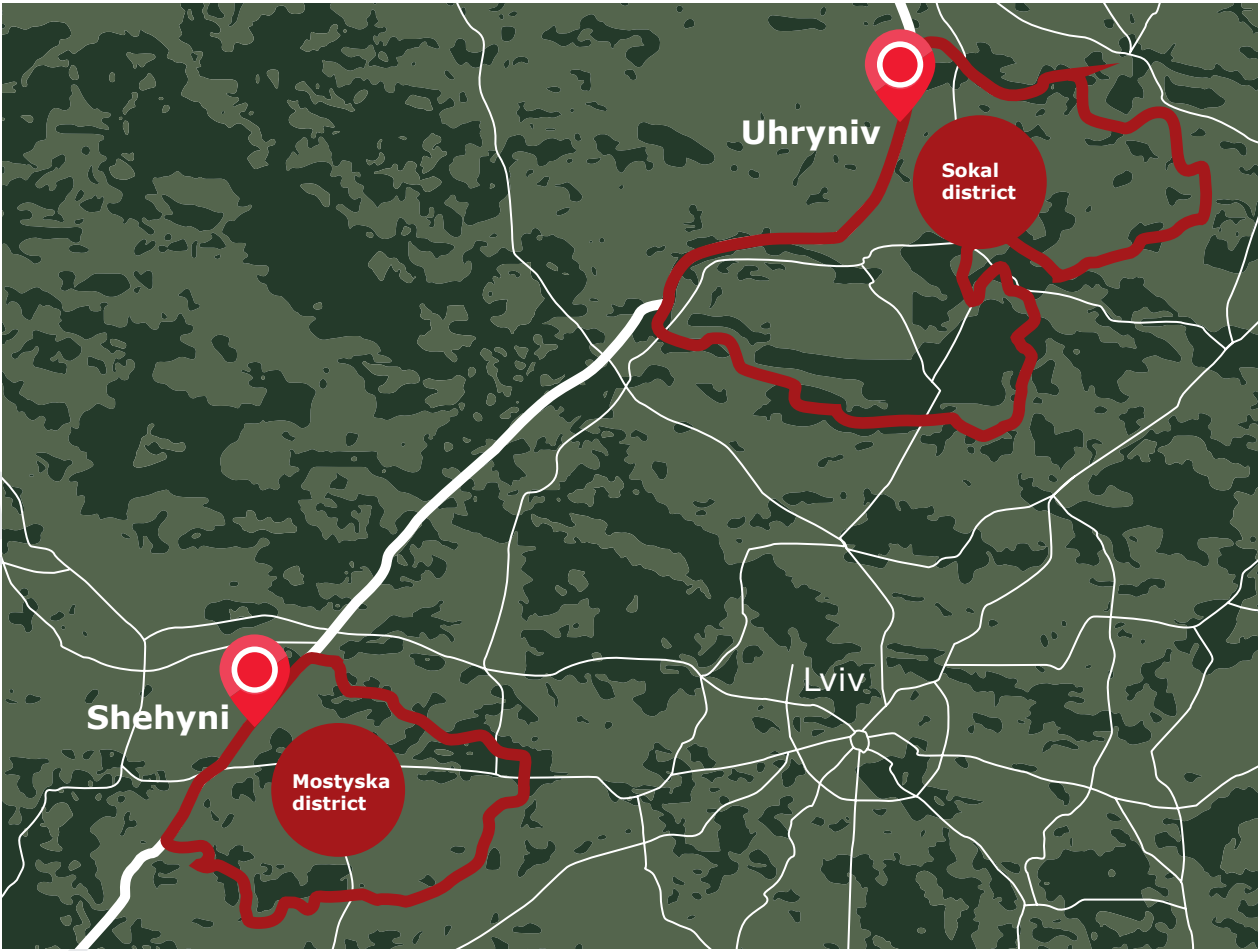
What We Did in Lviv Region And Structure of This Research

In spring we conducted two field trips to Lviv region within the framework of the **Building Safe and Human Borders Through Public Assessment of the Polish-Ukrainian Border** project implemented in cooperation with the Stefan Batory Foundation (Poland) and funded by the International Renaissance Foundation.

This study is inspired and supported by the Open Society Foundation’s Initiative for Safe and Humane Borders aimed at moving selected borders and borderlands from a state of violence, uncertainty, privation and marginalization towards greater safety, predictability, prosperity, and inclusion.

We conducted in-depth semi-struc-

tured interviews with three groups of people: (1) representatives of local self-governments and the central authorities, (2) civil society representatives, e.g., local leaders, media professionals, business representatives; (3) people whose lifestyle envisages crossing the border. The research is focused on two BCPs: Shehyni-Medyka as the biggest Western BCP in Ukraine that you can cross by train, car, bus, and by foot, as well as Uhryniv-Dołhobyczów as a new BCP with joint control. We interviewed people living in these communities as well as representatives from the neighbouring communities of Sokal and Mostyska. Uhryniv belongs to Sokal district while Shehyni belongs to Mostyska



Map 1. Sokal and Mostyska districts, Lviv region

district. At the same time, we talked to residents of Lviv that represent the relevant authorities and civil society. This approach allows us to take into account the perception held by all affected stakeholders.

In the first part of this research we look at the effects of the border on people's lifestyles and view of the world. In the second part, we see the perception and realities of crossing the border via two BCPs. Constantly moving back and forth between Ukraine and Poland, local residents feel the impact of infrastructure on their lives. The last part is devoted to Ukrainian border management policy and relations with Poland, since decisions taken in central offices could not but have an effect on

local communities.

Although we take into consideration the whole borderline with Poland when relevant, the main focus is the Uhryniv and Shehyni borderland communities. As a result, our observations in the main relate to them. We do not aim to extrapolate them on all borderlands. The study is qualitative. At the same time, we plan to continue this research. And the second part, to be published later, will enable confirmation or rejection of our hypotheses. Moreover, we will test them on the whole line of the Ukrainian-Polish border, not only on the two communities that are in focus here.

Part 1. What's Life Like Near the Border?

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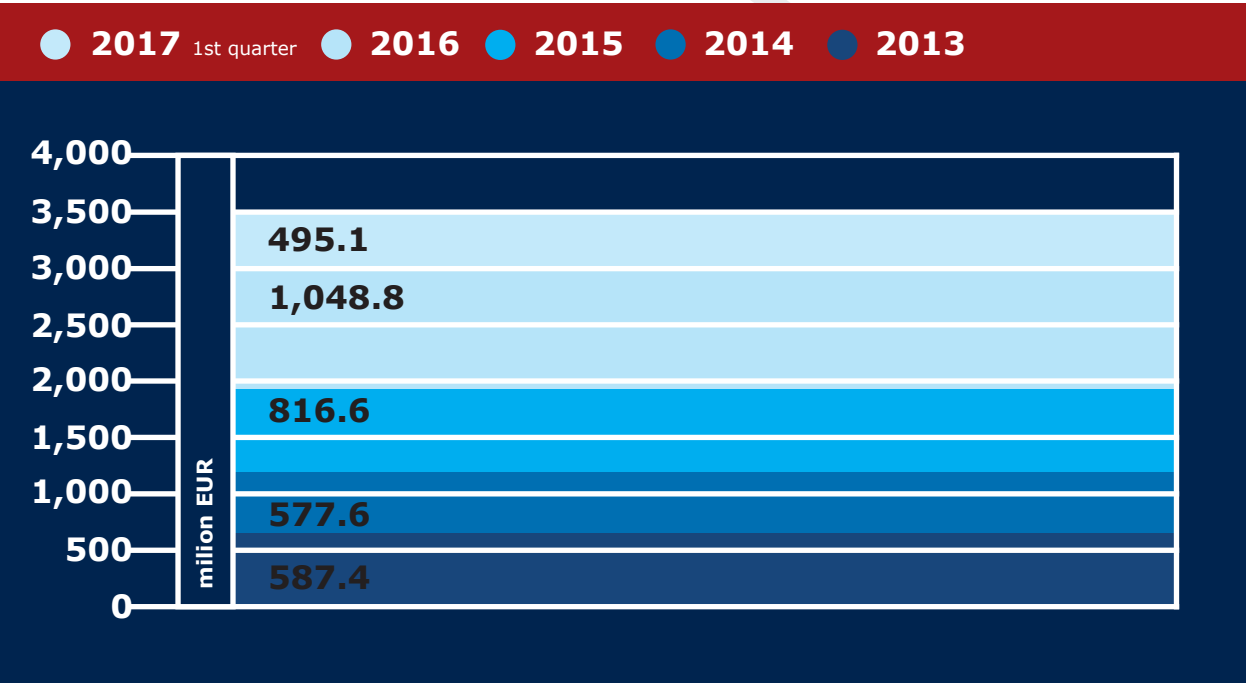
Locals view the border pragmatically. They see economic potential in the border. They can get regular work in Poland, do their shopping there, sell cigarettes and alcohol. Even various cultural initiatives and attempts to boost tourism have economic motivation behind them. The border provides people with opportunities and, at the same time, creates problems.

E€conomic Cur\$e or Potential?

There is no straightforward answer on how the border vicinity influences local communities. One phenomenon that results is **local shuttle traders**. The majority of people whom we interviewed mention them. These “shuttles” or “ants” bring, in the main, cigarettes and alcohol to Poland and then foodstuffs and household appliances back to Ukraine. They do not pay import duties if the value of the items is up to EUR 500. The Ukrainian government introduced new restrictions

from 2018 to deal with this kind of “business”. It introduced a lower daily limit of EUR 50 for the transfer of goods. Shuttle traders can bring more items worth up to EUR 500 only if they have stayed abroad for 24 hours and crossed the border once in the space of 72 hours³. In addition, there is another category of small-scale traders, so-called “camels”. They bring more expensive goods like furniture from IKEA in parts to avoid taxes and then assemble them in Ukraine.

Figure 1.
Tax free import from Poland to Ukraine



Source:
Ukrainian Pravda, <https://www.epravda.com.ua/rus/news/2017/09/11/628926/>

Our interviewees from Lviv, about 70 km away from the border, largely consider these practices as negative. One artist from Lviv even called shuttle traders “parasites”. The border is the main income source for them. They don’t

pay import duties and, thus, they don’t contribute to the state budget while benefiting from public services. Moreover, these shuttles don’t have a proper job and, therefore, they are perceived as lazy. “They sleep 4 hours in the car going to Poland and

³ Act on Amending Fiscal Code of Ukraine and Other Legislative Acts of Ukraine to Ensure Balanced Budget, Document 2245-VIII, December 7, 2017, revised on January 1, 2019, <https://zakon.rada.gov.ua/laws/show/2245-viii?lang=en>

then 4 hours - back to Ukraine,” said one official in Lviv.

Interviewees living in the vicinity of the border tend to consider these practices as normal or even positive. “Locals selling 10 packets of cigarettes and 1 bottle of vodka don’t contribute to the economic development of the region. But this is a way to survive. The returns are meager. They spend this money on food or children’s education. They don’t break any kind of law,” explains a school principal.

The majority of interviewees also say that **goods and medicine are cheaper** in Poland. Living close to the border it is easy for locals to cross it, buy food, and come back home. Transport expenses are even lower than when going to Lviv, while the quality of some food items is considered to be better. Some prod-

ucts are better in Ukraine, as Poles come here to buy sweets, sugar, ketchup, mustard, spices. Also, alcohol is cheaper in Ukraine. Locals admit that the closure of the pedestrian line in Uhryniv has hardened this “food tourism.” The one in Shehyni is still open though.

The vicinity around the border also eases **labour migration** towards neighbouring Poland or even farther west. Our respondents perceive it both as an opportunity and as a problem. It’s not perceived in black and white terms.

In general terms, labour migration from Ukraine is largely seasonal or circular. According to the surveys conducted by the State Statistics Service of Ukraine⁴, Western Ukrainian regions (including Lviv region) are the main source of Ukraine’s migrating workforce.

Table 1.
Where labour migrants come from, %

YEAR	NORTH	CENTER	SOUTH	EAST	WEST
2008	5.7	9.2	8.9	18.8	57.4
2012	6.7	3.3	8.6	9.8	71.6
2017	6	9.2	8.6	6.8	69.4

Source:
State Statistics Service of Ukraine,
http://www.ukrstat.gov.ua/druk/publicat/kat_u/publ11_u.htm

⁴ State Statistics Service of Ukraine, “External Labour Migration of the Ukrainian Population,” 2015-2017 statistics, http://www.ukrstat.gov.ua/druk/publicat/kat_u/publ11_u.htm

Locals say that the reasons for emigration include the lack of work, low salaries, and little opportunities in the region. A local museum director could have, for instance, become a labour migrant. "I have three kids, receive the minimum wage. I would have left too, if it hadn't been for a phone call from Lviv about the possibility to open a business." He recognizes, nonetheless, that it is not an easy task to conduct business here. "My colleague had a business here but he had to move to the Czech Republic. The customs service always created obstacles to import certain materials here, like brushes."

On the one hand, labour migration drains the workforce, hampering economic development and investments. "It's hard to find a good restorer in warm seasons from April onwards. They work abroad for about 6 months," admits a local Lviv official. A representative of Sokal Council explains, "Big investors avoid our borderland districts and others as they fear a labour shortage." This problem concerns not only business but public services too. Shehyni's school principal lamented that he has to keep retired people or bad performers since there is no-one to hire. On the other hand, "the border vicinity provides an opportunity to earn a decent salary that investors in Sokal district are not ready to pay," says another official from Sokal. Meanwhile, the thirst for employees forces local entrepreneurs to raise salaries.

With the border a few hundred meters away, people have a chance to work close to home, instead of emigrating for a long time. "Poland even launches new bus routes for Ukrainians working in Poland to let them

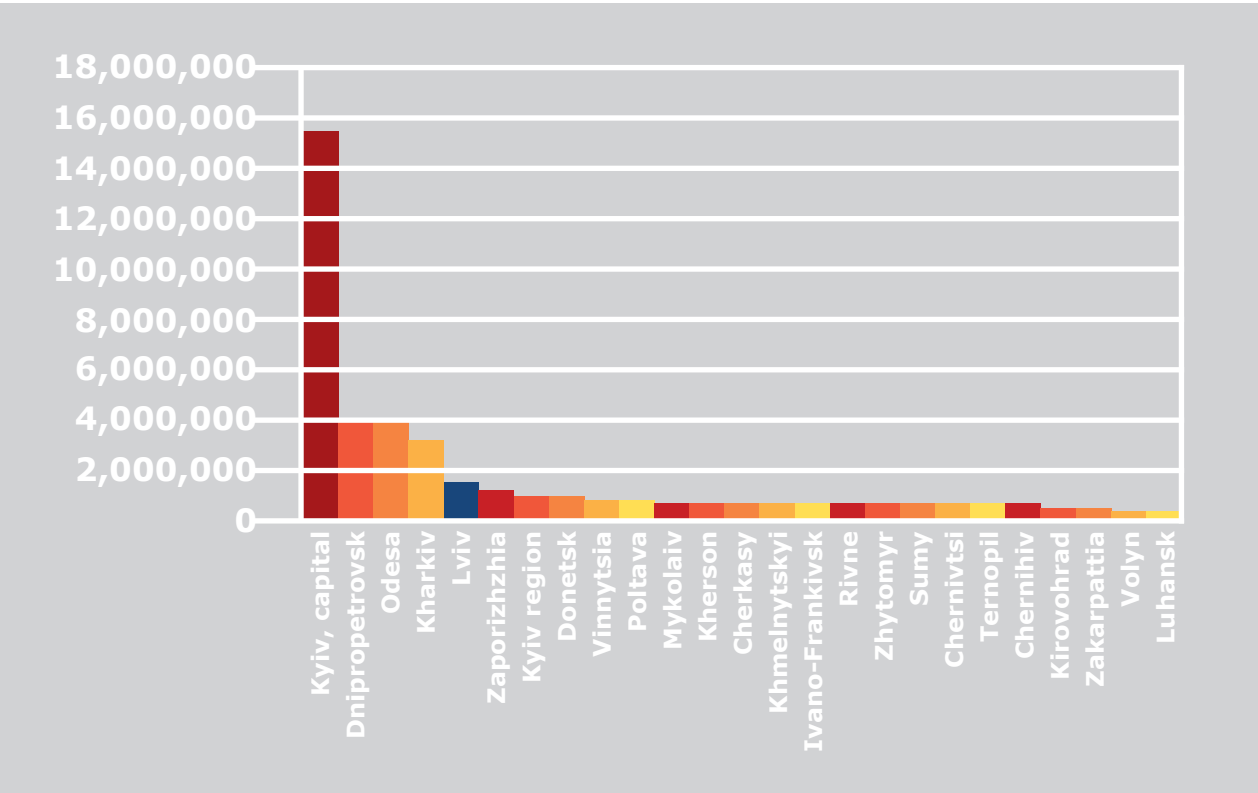
come back home for weekends," the Lviv official notes. This has a positive social impact. "This helps to keep families together," admits a Shehyni official. When parents are long-term migrants, instead, they may cheat and, with time, divorce. Children are neglected. Some interviewees even admit cases of smoking and drug abuse. They say that migrants' kids receive money easily, give bribes in university to get their diploma. As a result, they are not used to working. "A son or a daughter aren't competitive, they don't know how to work," a Lviv artist concludes.

Labour migrants send remittances back to Ukraine. According to the National Bank of Ukraine, Lviv region is in the fifth place after other big regions of Ukraine in terms of the volume of personal remittances in foreign currency.



Photo by Europe Without Barriers.
Pedestrian lane at BCP Shehyni.

Figure 2.
Personal remittances in foreign currency, 2018, K, UAH



Source:
National Bank of Ukraine, <http://bit.do/eXSbg>

An official from Mostyska says that these remittances compensate for Ukraine’s negative trade balance. But other interviewees admit that returned migrants tend to spend money on consumption instead of investments. “They invest in houses where nobody will live,” says a social scientist from Lviv. “Instead of opening a business, they build houses and buy phones,” adds the museum director from Mostyska.

Soft Power

There are single cases when returned migrants open a business. In these cases, interviewees emphasize the **skills they acquired abroad**. “A returned local who picked strawberries in Poland has earned money, learned cultivation technology, and now he grows his own strawberries in Turynka,” the Sokal official provides an example. Also, there is a greenhouse complex close to Sokal that grows vegetables using Dutch technology.

Meanwhile, many people acknowl-

edge the low purchasing power of locals, which has a negative effect on the prospects of small business development in the region.

The migration experience also affects **behavioural patterns**. “Locals learn from Polish experience. You can compare Shehyni and Mokriany. Both belong to Mostyska district, but they are very different,” emphasizes Shehyni’s leader. “Sport and a healthy lifestyle, instead of smoking, is a new trend among young people.

Locals no longer leave garbage after picnics. They plant lawns. Pupils volunteer at Christmas and Easter to wrap up presents for kids,” a Sokal civil activist provides an example. An official adds, “More people from Eastern Ukraine are going to Poland,

and that’s good. They can see how people live there, what values they have.” This enhances Ukraine’s integration with the EU at the level of values and people’s behaviour which goes far beyond institutions and rules.

Border Infrastructure Affects Communities

The border can be a significant **source of revenue**. For instance, the border guard and customs services pay income tax to Shehyni’s local budget. In 2016, Shehyni merged with 14 other villages within the decentralization reform. As a result, the new community has received new sources of revenues, including income tax. Moreover, since you can cross the border crossing point in Shehyni by car, there are a few filling stations that pay fuel excise duties, a part of which goes to local budgets, though only till 2020⁵. In Jan-Apr 2019, these duties accounted for UAH 2.05 million (or EUR 68K), which at is 27 percent of all tax revenues⁶.

Map 2.

Filling stations, Shehyni



Source:

Google Maps, Filling stations

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“Novelties of Budget and Tax Legislation for Local Budgets in 2019,” <https://decentralization.gov.ua/news/9768>

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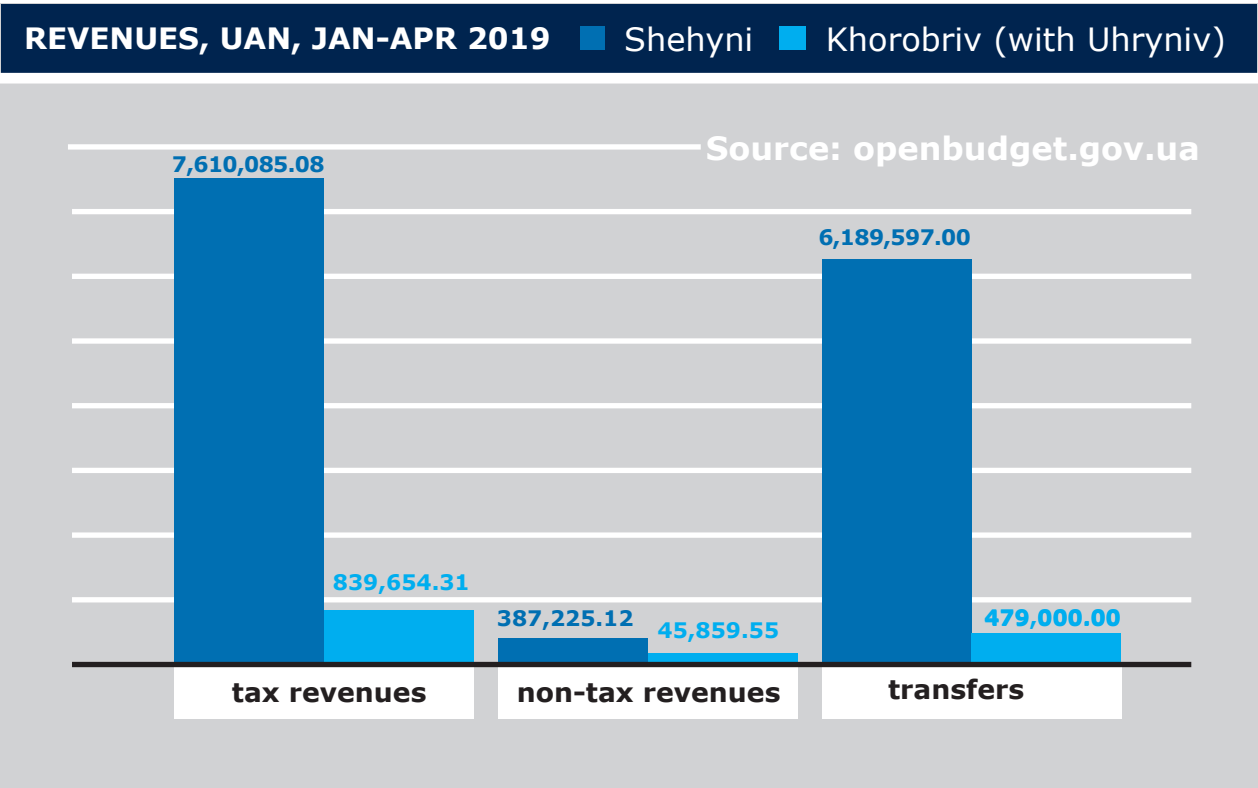
Budget of Shehyni’s amalgamated community, OpenBudget, <https://openbudget.gov.ua/local-budget/13522000000/local-incomes>

The border crossing point (BCP) in Uhryniv is on Polish territory. The local community here does not receive income tax from border and customs services. It goes into the district budget. But even if the border and customs controls were on Ukrainian territory, it would not receive these revenues. The community has not taken part in decentralization reform. One of the reasons is that local residents are afraid they will end up lacking resources to deliver on the bigger number of responsibilities that go hand in hand with decentral-

ization. **Thus, building new BCPs on Ukrainian territory might not only provide an additional, significant source of revenues for borderland communities, but also support decentralization reform by providing additional financial incentives for local communities.**

The related infrastructure is not developed either, which exacerbated the situation with local revenues. There are no filling stations nearby, as in the case with Shehyni. Here is a comparison between Shehyni's and Khorobriv-Uhryniv's finances.

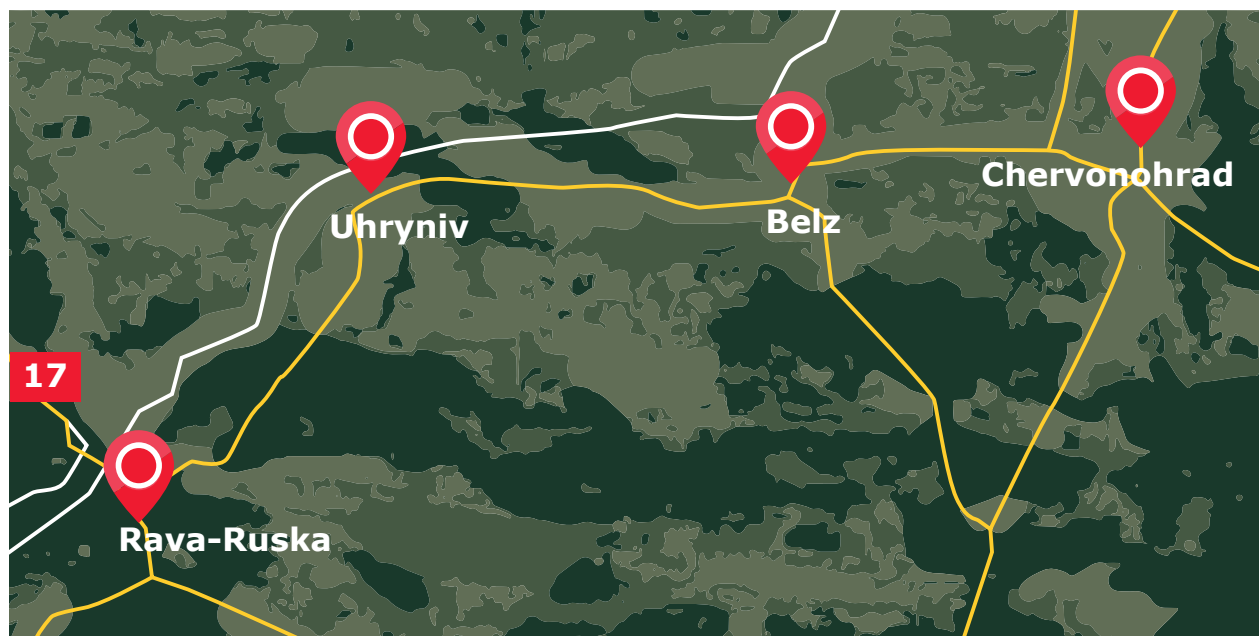
Figure 3.
Revenues, Comparing Shehyni and Khorobriv-Uhryniv



In 2015 Poland agreed to provide Ukraine with a preferential long-term loan amounting up to EUR 100m to modernize BCPs and the roads leading to them. But its implementation is set to begin only in 2019 after some delays. Delivering on these projects would not only improve border crossing conditions but also revive local communities. "Many communities along the Chervonohrad to Rava-Ruska BCP road are isolated from the rest of the world," says one local businessman. "This road is capable of becoming impetus for the development of adjacent villages like Belz or Uhniv," the Sokal official adds.

Map 3.

Along the Chervonohrad-Rava-Ruska road



But the vicinity of BCPs also has negative effects. For instance, a resident of Mostyska says that local landlords demand overly high rent, since there are customs officials who are able to pay such prices. Moreover, travellers crossing the border tend to pollute the local **environment** with litter. The situation was particularly bad in Shehyni until the car queue was taken beyond the village and the law reducing excise tax on cars imported from the EU was approved. Before that, drivers had to cross the border every fifth-tenth day in order to avoid payment of the import tax.

Residents of Uhryniv grumbled about pollution too, as there is no toilet, rubbish bins, street lighting at the BCP. The situation seems to be worse than in Shehyni, though there is less traffic here ([see Figure 9. BCPs' capacity in Lviv region](#))



Photo by Europe Without Barriers.
Uhryniv-Dołhobyczów BCP.

Tourism And Culture

Local residents see the big **tourist potential** of the region, especially in Sokal and Uhryniv. The River Bug flows through the region luring Polish tourists. The river is unregulated and meanders through diversified and picturesque landscapes of Ukraine, Poland, and Belarus. Sokal officials promote the idea of creating kayak trails here for tourists and even building a water crossing lane. Together with the Belarusian Brest region and Polish Drohiczyn commune, Sokal district takes part in the Cross-border Cooperation Programme Poland - Belarus - Ukraine 2014–2020 with the project "Bug Unites Us - Creation of Two Cross-Border Touristic Kayak Trails"⁷.

Poles also make pilgrimages from the Ukrainian town of Belz to the Polish town of Częstochowa, where an icon of the Virgin Mary is revered. It used to be located in Belz. As a result, there is potential to develop religious tourism.

Local officials tell us about the project of cycling highways from BCP in Uhryniv to the P15 regional road.



Photo by Europe Without Barriers.
Pedestrian BCP closure has interrupted plans of reconstruction of abandoned Catholic church at Uhryniv.

This could boost tourism further, since Poles like to travel by bike.

Ancient architecture can attract tourists too. District representatives have even developed a tourist route to take in a Catholic church in Variazh, Belz's ancient churches and monastery complexes of buildings, and hill-fort as well as the Urbanski-Potocki palace in Tartakiv⁸. However, **with the closure of the pedestrian and cycling crossing via Uhryniv BCP, these projects might fade away, as might plans to boost tourism in the region.**

The Ukrainian-Polish border crosses a chain of forts, part of which is in the village of Popovychi, belonging to the Shehyni community. The village head has even voiced an idea to create a pedestrian border crossing point from Popovychi (Ukraine) to Siedliska (Poland) and a tourist route joining up forts on both sides of the border.

Because of the forts, this was the perfect place to hold the Fort.Missia music art fest in 2009-2012. It was through this fest that local activists promoted "art on post-war ruins" and P2P contacts. They had also a pragmatic motive behind this merely cultural event. "Our aim was to reveal this area to potential investors," explains one of the organizers, who is now museum director in Mostyska.

Because of this shared history, there are many other sites that have historic significance for both nations. Poland invests money in the preservation and restoration of common cultural heritage in Lviv region. But Ukraine does not do the same in Poland, as one artist from Lviv admits.

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"Bug Unites Us - Creation of Two Cross-Border Touristic Kayak Trails", Cross-border Cooperation Programme Poland - Belarus - Ukraine 2014–2020, <https://www.pbu2020.eu/pl/projects2020/7>

⁸

Interviews with local officials of Sokal district and Uhryniv-Khorobriv

Cross-Border Cooperation

The level of **cross-border cooperation** varies among border communities. **Sokal and Uhryniv seem to be more active than Mostyska and Shehyni.** "We have a partnership agreement with Dołhobyczów gmina and close contacts with Hrubieszów county, though cooperation with the latter is less active now because of the leadership change in the county," says the Uhryniv representative. Sokal representatives list partners in Zamość county, Tomaszów county, Podlasie province, Dołhobyczów.

Local civil society has transnational contacts too. For instance, a civil activist from the local branch of the Caritas charity talk about cooperation with a religious organization from Tomaszów Lubelski and monasteries of Częstochowa and Gidle that are situated farther from the border. They often organize tourist trips for kids, so have good relations with Polish tourist agencies.

In addition, Sokal bike club took part in and won medals in a cy-

cling race between Sokal (Ukraine) and Hrubieszów (Poland)⁹. Stefan Batruch, a priest of the Ukrainian Greek Catholic Church in Lublin and head of the Foundation for Spiritual Culture of the Borderland, launched Neighbourhood Days, which are held regularly in the region¹⁰.

At the same time, representatives of Shehyni grumble that the "head of the community visited Medyka twice. But its authorities are not interested in close cooperation with us. They already have contacts with Mostyska (**district centre – ed.**).” Meanwhile, local activists in Mostyska carried out joint research with Rzeszów University and the Ukrainian Rescue Archaeology Service.

The general impression after days of talks with local residents is that **they see tourism and cross-border cultural cooperation as a way to boost local economy by attracting foreign investors to the region and foreigners to spend money in local shops and restaurants.**

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Photo by Nashe Slovo.
Neighbourhood Days in Sokal District.

⁹ Sokal FM, "Sport Club 'VeloSokal' Successfully Performed At Cycling Race in Poland," 19.07.17, <http://sokalfm.com/?p=12897>

¹⁰ Sokal District Council, "Neighbourhood Days Were Held In Sokal Area," 2.07.19, <http://rajrada.sokal.lviv.ua/?p=86977>

P2P Contacts and (No) Ethnic Tensions

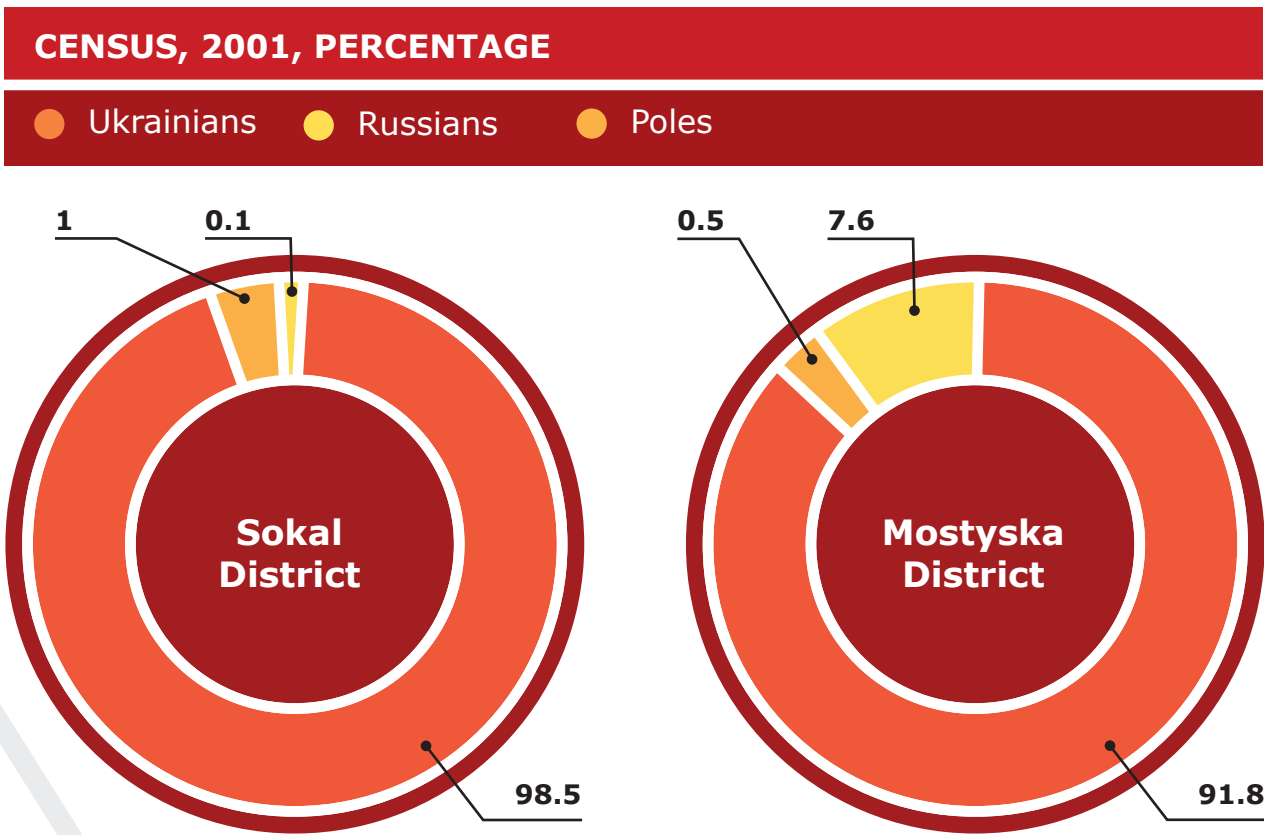
The border vicinity and the changes made to it have left their mark in **people-to-people (P2P)** cross-border contacts and relations. Some people have friends and relatives in Poland, while others visit the graves of their relatives.

The issue of interethnic relations plays a bigger role for Mostyska district than for Sokal. Ethnic Poles make up 7.6 percent of the population here compared to 0.1 percent in Sokal district, according to the latest census carried out in 2001¹¹. No wonder Mostyska has a school with Polish as the language of instruction¹².

The majority of people interviewed recognised the positive nature of people-to-people contacts. There are no conflicts in daily life. Ukrainians and Poles celebrate both Orthodox and Catholic holidays. The majority of locals speak Polish, though their fluency varies. Mostyska even celebrated Poland's independence¹³.

Only few respondents talked about contempt for their neighbouring nation triggered by recent historic memories when the borderline was redrawn several times. They are largely elderly people. At the same time, some tensions might be fueled at the level of big-time politics. Burial sites are often exploited for this purpose.

Figure 4.
Ethnic composition of Sokal and Mostyska districts



¹¹ State Statistics Service of Ukraine, "Number and Composition of Ukrainian Population in Lviv Region According to 2001 Census," <http://2001.ukrcensus.gov.ua/results/general/nationality/lviv/>

¹² Open School, "Mostyska Secondary School No. 3, Mostyska City Council, Lviv Region," <https://open-school.uspish-nemisto.com.ua/school/460603/>

¹³ Mostyska's District State Administration, "Poland's Fest: 100 Years of Independence Celebrated in Mostyska," 12.11.18, <https://mostyska.loda.gov.ua/marsh-z-nagodi-100-richchya-nezalezhnosti-polshhi-u-mostiskah/>

Stop | Visa

At first, the majority of local residents say that the visa-free regime has not changed much in their lives and mobility patterns. The only obvious effect for them was reduced bureaucracy and no visa fee. The reason might be in the fact that the main target of visa liberalization is short-term study and tourist and business visits. It does not cover work or residence, as preferred by locals. "Poles visit our region mainly for tourist purposes. Our people do not have enough money to visit Poland just for sightseeing. They go mainly for work," says a local priest regretfully.

Meanwhile, a border guard notes the increase in the number of tourists, "Buses are crammed with tourists now. "This has not improved the situation with long queues and waiting time at border crossing points. Border guard representatives assert that they provide BCPs with more staff during big flows.

Travellers notice the longer amount of time spent on control of visa-free people compared to visa holders. A visa contains exact information on its period of validity, and border guards can easier check the legality of stay. In the case of visa-free people, officials have to check via a database the remaining number of days allowed a person to stay in Schengen countries. This required more time.

Sokal civil society activist who often arranges tourist visits for kids admits that the organization of these visits is easier now. More people go to Poland. Earlier, when they had to make a lot of efforts and invest a lot of time in visa application, they usually visited more distant countries and for a longer period.

Although visa liberalization is not about work, many people still exploit its benefits directly for this purpose. And Poland seems

to streamline the employment process for Ukrainians. "Now Ukrainians enter Poland under the visa-free regime, stay there, and on the last day they apply for prolongation of their right to stay. While the authorities are reviewing these documents, these people can legally stay in Poland," a Lviv-based researcher and expert says, sharing some tips with us. This not only impacts Western regions, though. "More people from Eastern Ukraine are going to Poland for work. They enter via the visa-free regime, register at a job centre, and work for the envisioned period of time," remarks a Sokal-based activist.



Photo by Europe Without Barriers.

Travellers notice the longer amount of time spent on control of visa-free people.

Part 2. While Crossing Borderline: Facts and Perception

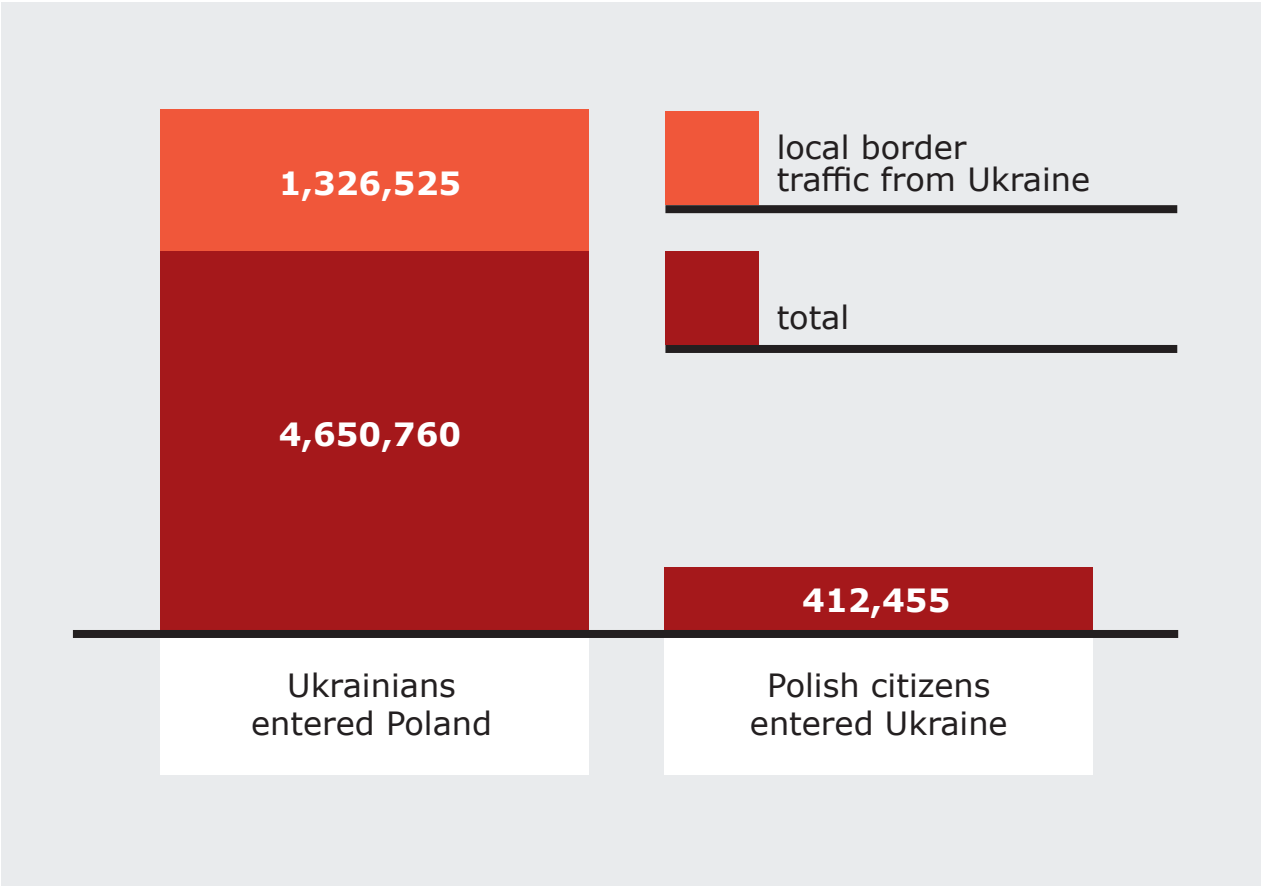
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With a foreign country just a few hundred meters away, locals have to pass via BCPs to enter Poland. Many of them do so every day. What they see and experience in a foreign country has a profound impact on their lives. Here we discover the local perception of the borderland infrastructure and ideas about it.

Travellers

The land border between Ukraine and Poland is particularly significant for nearby Ukrainians. About a third of Ukrainian citizens who entered Poland directly from Ukraine in the first half of 2019 were residents of borderland communities¹⁴. At the same time, Polish visitors are much less interested in Ukraine. Only about 412K Poles entered Ukraine during the same period of time, which is 11 times less than the number of Ukrainians who directly entered Poland, around 4.65m.

Figure 5.
Who crosses the Ukrainian-Polish border

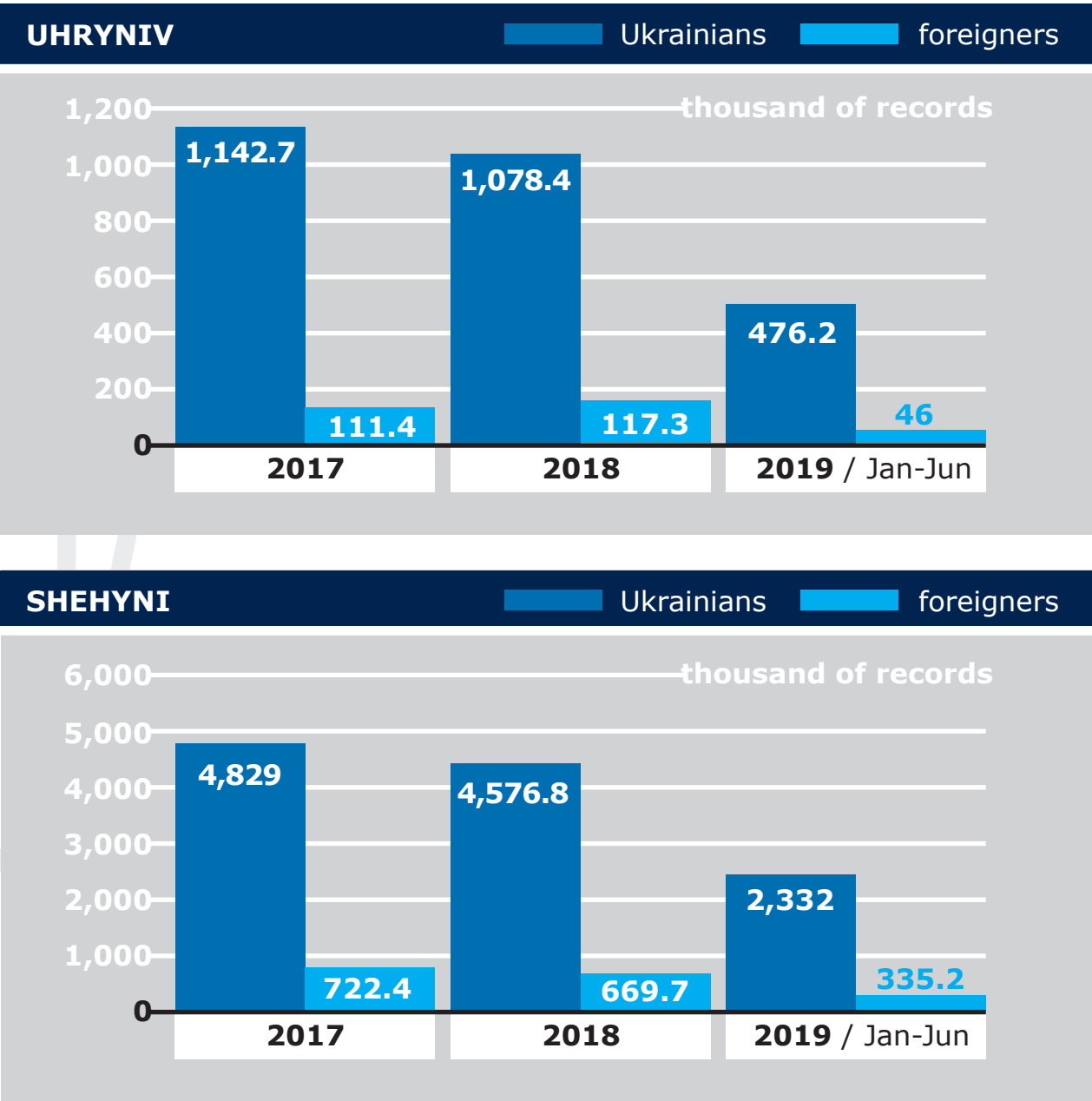


Data source:
Border Guards Service of Poland, Statistics, 1st semester of 2019,
<http://strazgraniczna.pl/download/1/21730/BiuletynIpolrocze2019r.pdf>

We do not have data about how many times Poles crossed two BCPs that are in focus of this research. However, we can compare the number of crosses by Ukrainians and foreigners. In Uhryniv Ukrainians 9-10 times more often cross the border than foreigners while in Shehyni this ratio is about 7 times (see Figure 6. The number of border crossings via Uhryniv and Shehyni)¹⁵. These figures confirm our conclusion that Ukrainian-Polish border including the two BCPs has a bigger significance than for foreigners.

¹⁴ Author's calculations. Data source: Border Guards Service of Poland, Statistics, 1st half of 2019, file:///C:/Users/AZ/Downloads/Biuletyn_I_polrocze_2019_r.pdf
¹⁵ Administration of State Border Guard Service of Ukraine's response to public request by Europe Without Barriers, 07.19, no. 41/M-1494

Figure 6.
The number of border crossings via Uhryniv and Shehyni



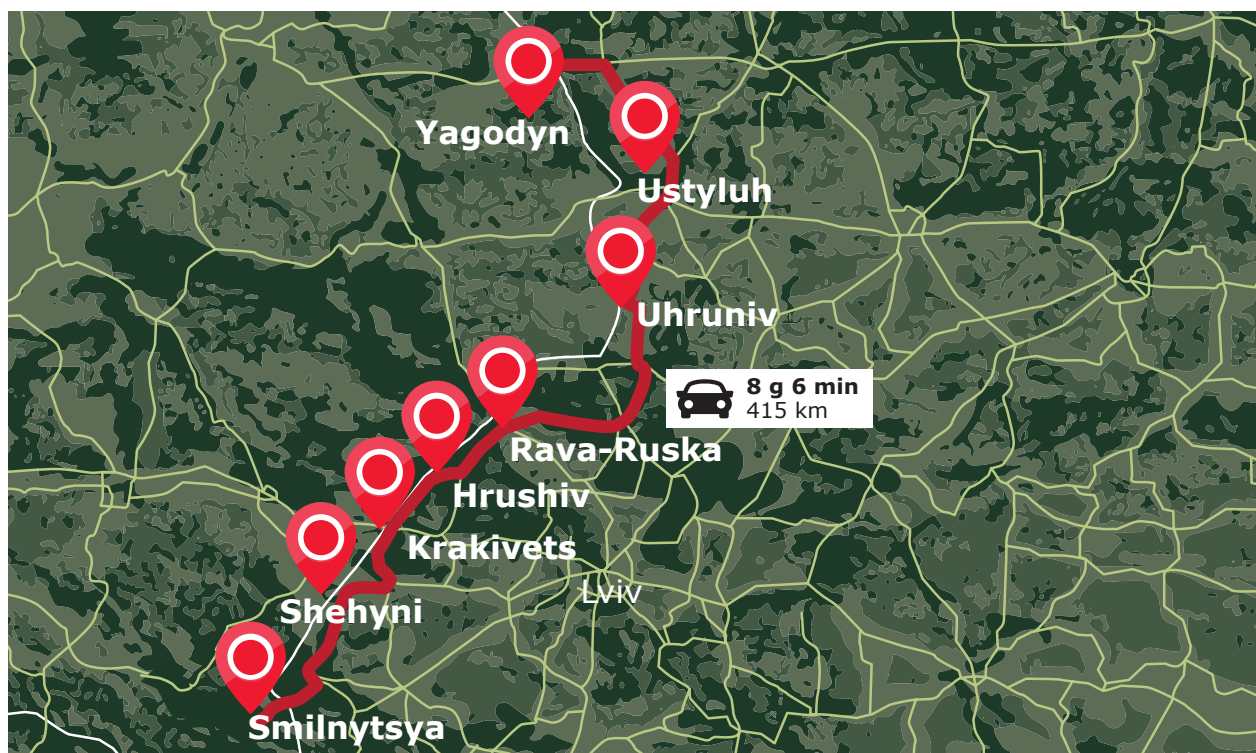
Source:
Administration of State Border Guard Service of Ukraine

Local residents notice certain changes in the profile of travelers recently. “More people from Eastern Ukraine are going to Poland for work,” a Sokal-based civil society activist provides an example.

“When we had pedestrian crossing, many people from neighbouring Volyn used it. There were even people from Novovolynsk who rented housing here. They went to Poland every day to work at a sawmill,” Uhryniv residents tell us. Therefore, **opening a pedestrian crossing in Uhryniv and maybe even in the closest BCP in Volyn, Ustyluh, and other BCPs should be further scrutinized.**

Map 4.

International automobile BCPs between Ukraine and Poland



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Not Just About Queues

Many people who were interviewed talk about **long queues** at the BCPs as one of the principal problems. One Lviv official emphasizes, “Long queues are the main obstacle to economic development of Lviv.” They discourage Polish business people and officials to visit such places as Lviv, Sokal. The situation is mitigated by low-cost flights to Lviv and the Kyiv-Lviv-Przemyśl train.

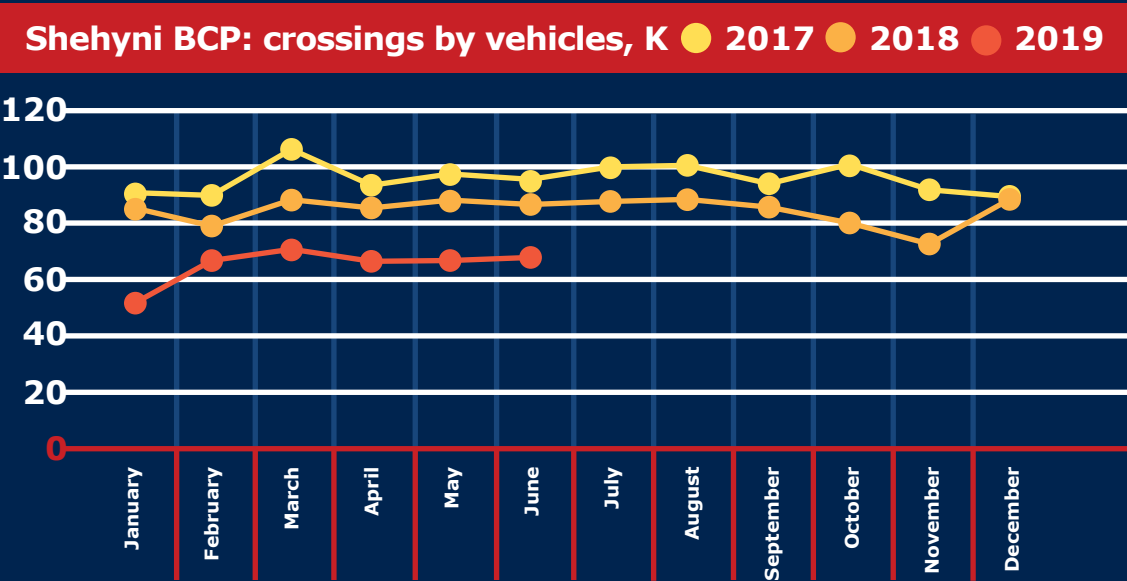
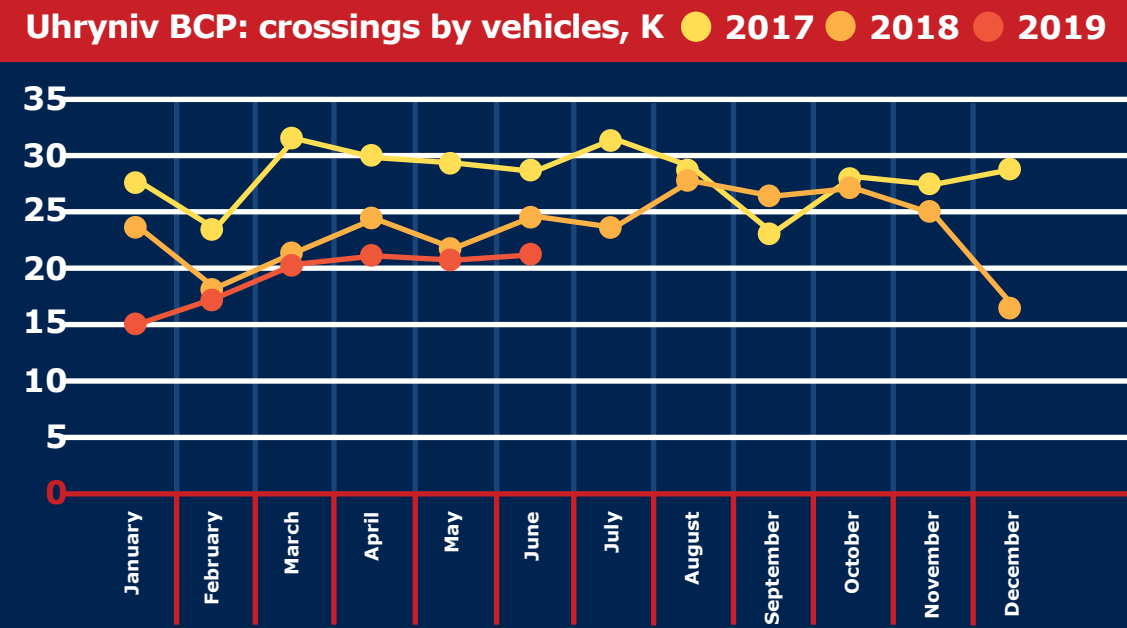
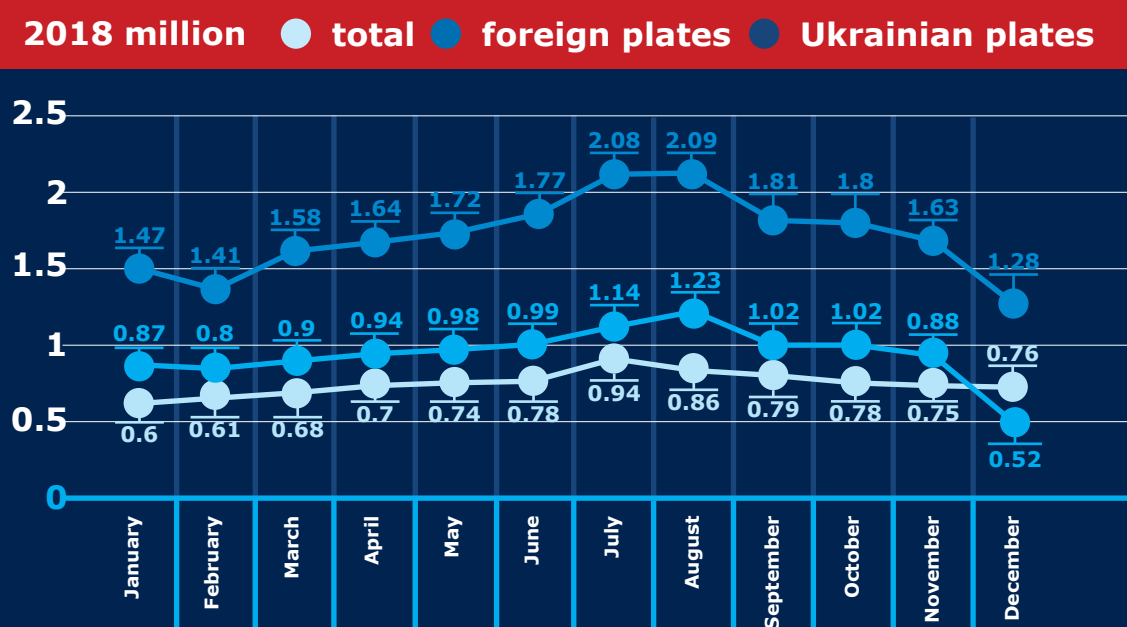
People living directly next to the BCPs in the main lament the queues created by Ukrainian drivers of cars with EU license plates. They crossed the border ev-

ery fifth or tenth day so as not to pay the excise tax. Ukrainian national media outlets covered this issue intensely. In November 2018, the Ukrainian parliament reduced the excise tax, thereby easing the situation with queues. The number of cars crossing with European licenses decreased from 880K in November to 520K in December 2018¹⁶. These numbers relate to the entire Ukrainian border, not just two BCPs analysed here. The total number of crossings by vehicles, with some exceptions, have also decreased. Locals have noticed this effect.

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Yurii Lysiuk, “Introducing Innovative Technologies To Create Integrated Transport Market,” Border Checks Department of the Administration of the State Border Guard Service of Ukraine, 20.03.19, <http://bit.do/eP3qu>

Figure 7. Vehicles crossing border



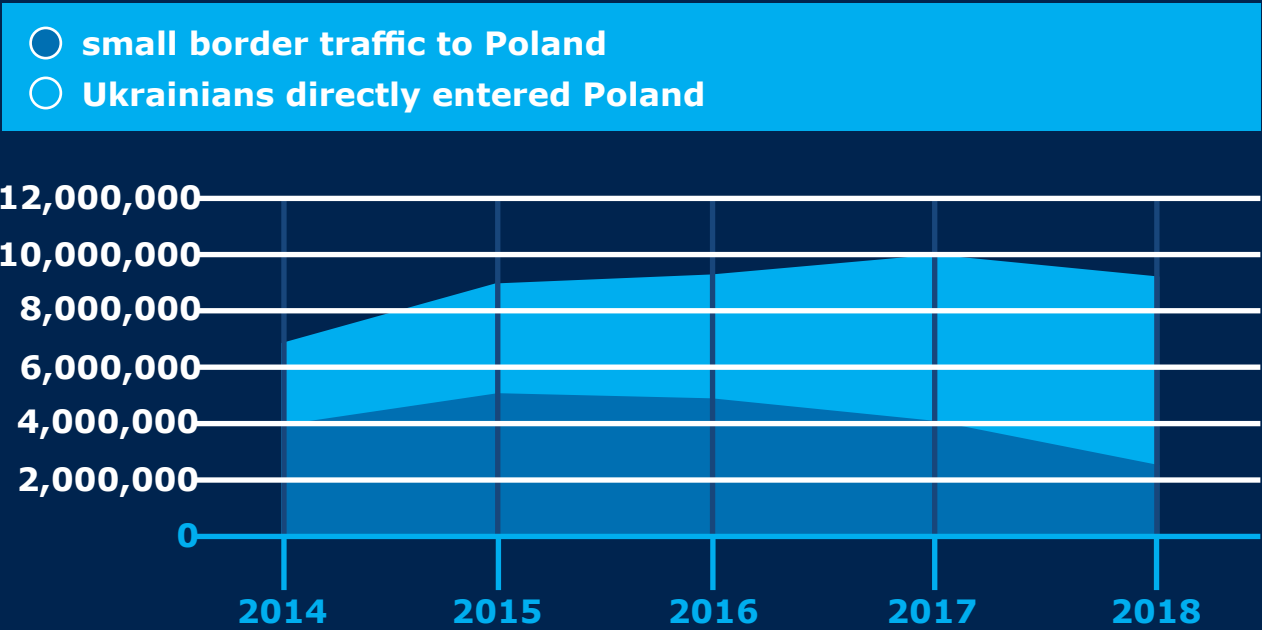
Source: State Border Guard Service of Ukraine

In addition, Shehyni residents are happy with the relocation of the queue beyond the confines of the village. Noise, tensions, fights, and litter had earlier annoyed them a great deal.

But the situation with queues and waiting time is more complex. Locals themselves have an impact on the situation, especially shuttle traders. They were able to cross the border every day and a few times a day, carrying up to 50 kg of

goods worth up to EUR 500. The Ukrainian parliament has, from January 2018, limited tax-free imports of goods, thereby preventing people from overly frequent voyages to Polish shops. Now they can cross the border once every three days and remain in Poland for 24 hours if they want to bring the same amount of goods¹⁷. This legislative change might well explain the 38 percent fall in small border traffic to Poland.

Figure 8.
Small border traffic to Poland



Source:
Polish Border Guards, statistics, <https://www.strazgraniczna.pl/pl/granica/statystyki-sg/2206,Statystyki-SG.html>

¹⁷ Law of Ukraine, "Amending Tax Code of Ukraine and Other Legislative Acts To Balance Budget Revenues in 2019," no. 2245-VIII, 7.12.17, updated 1.01.19, <https://zakon.rada.gov.ua/laws/show/2245-19>

Many interviewees give a positive assessment of Ukrainian border officials while deploring the slowness of the Polish ones. “I have timed it that a Polish customs official checks one car for around 15 minutes, which is longer than Ukrainian officials,” a Sokal businessman notes. Some people explain this by the so-called “Italian strike.” The Polish government refused to raise their salaries. As a protest, they conduct very thorough checks till the last second, as allowed by national regulations, according to our local interlocutors.

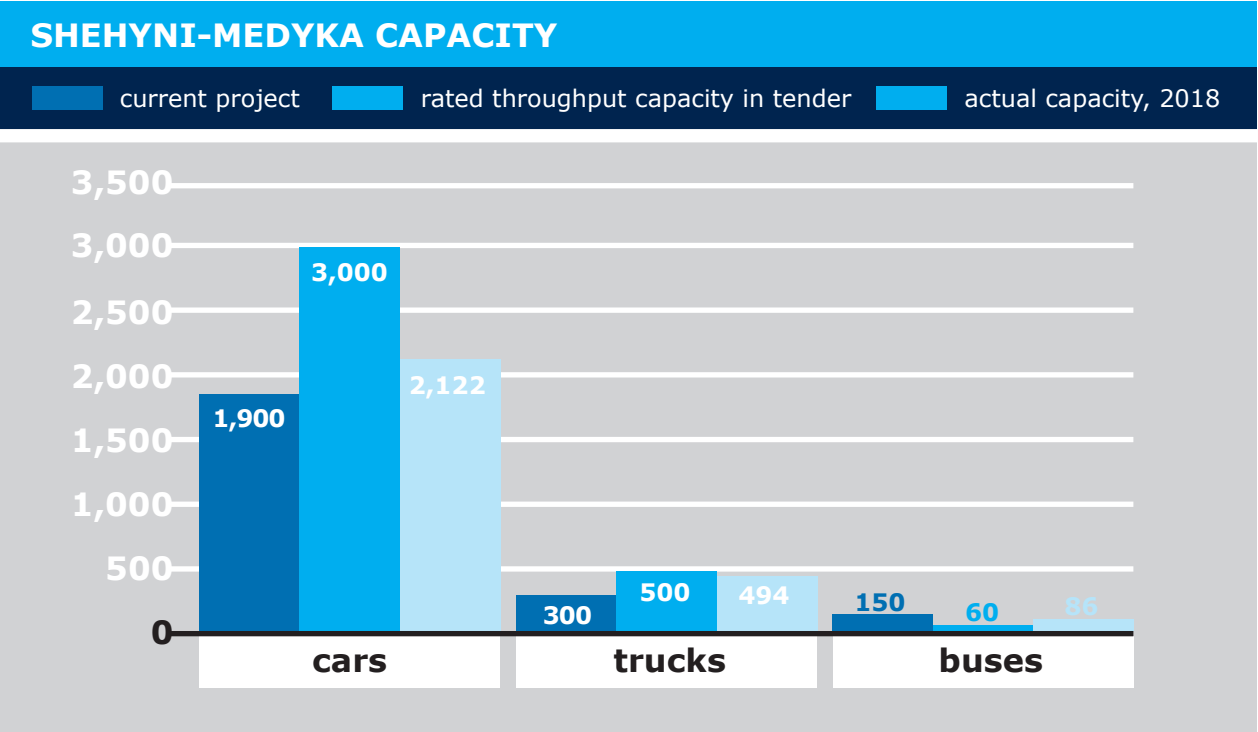
Meanwhile, some respondents travelling via BCPs to other neighbouring EU countries note, “Hungarian and Romanian officials are slow too. So I don’t think that the ‘Italian strike’ is the one to blame.” Another possible explanation is more time-consuming checks of duration of valid stay in the EU for visa-free travellers compared to visa holders. In addition, more people travel to Europe after the in-

troduction of the visa-free regime in 2017. The **capacity** of some BCPs is, in fact, lower than the real movement of people. There are not enough officials to carry out checks. To mitigate this problem Ukrainian border guards provide more people during weekends and holiday when the BCPs are extremely overloaded.

The infrastructure of the BCPs restricts their capacity, as in the case of Shehyni. **In 2015, Poland gave Ukraine a loan of up to EUR 100 m to improve the border infrastructure, including three BCPS and five sections of road.** The agreement was signed in 2015. But it seems like implementation will only start in 2019.

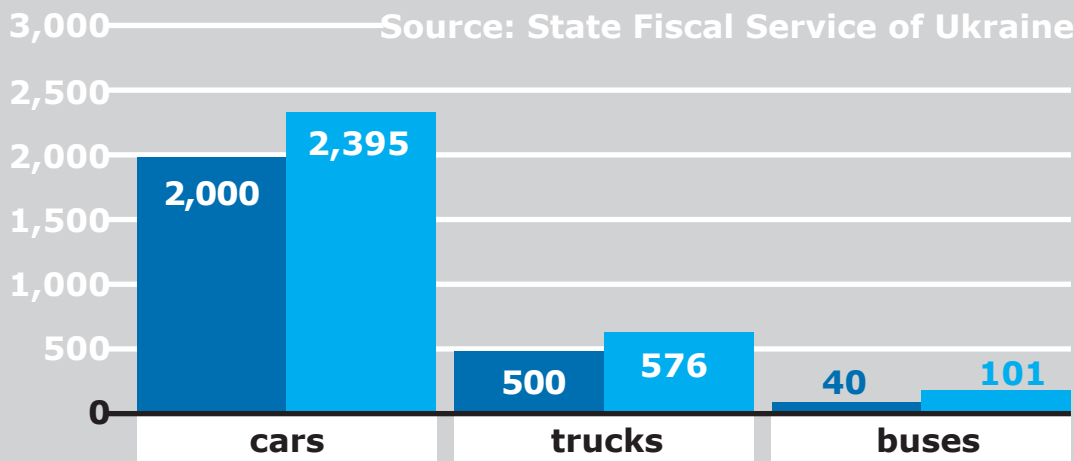
Polish company UNIBEP won a tender in 2018 to rebuild Shehyni. The total cost is EUR 15.720m¹⁸. This will significantly enhance the capacity of the BCP, though it might be not sufficient for buses. The project envisages 60 buses per day, while the actual average daily capacity in 2018 was 86 buses.

Figure 9.
Capacity of BCPs in Lviv region



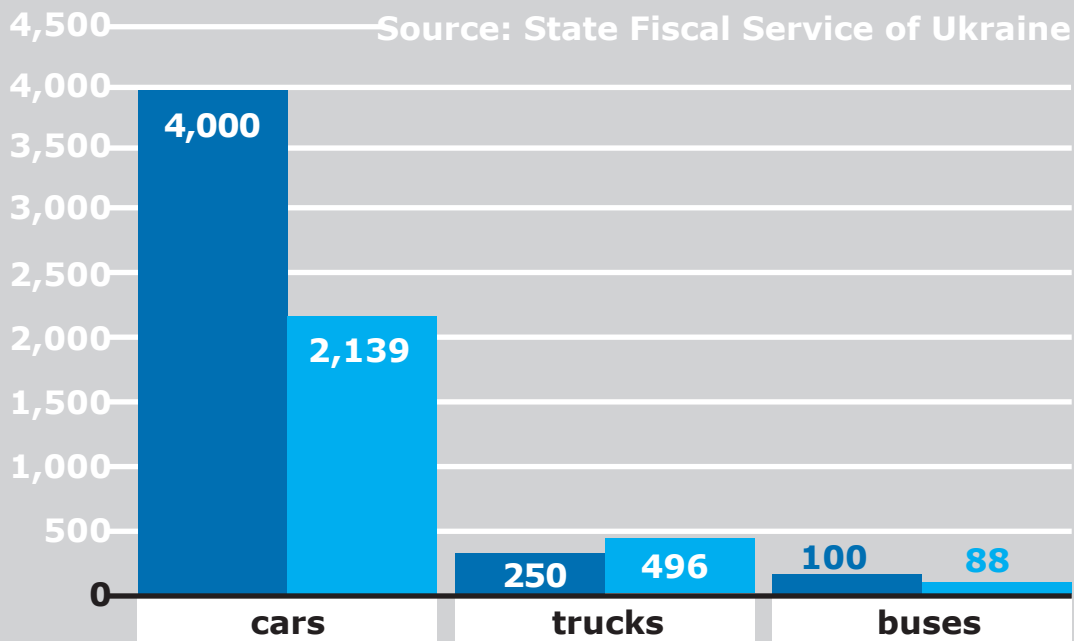
KRAKIVETS-KORCZOWA BCP: AVERAGE DAILY CAPACITY, 2018

project actual capacity



RAVA-RUSKA - HREBENNE BCP: AVERAGE DAILY CAPACITY, 2018

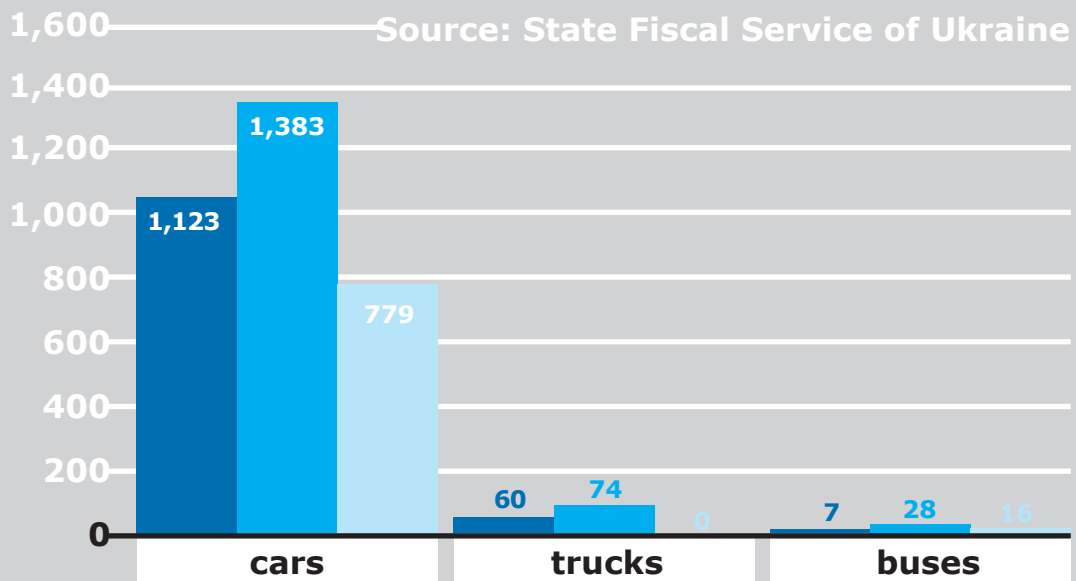
project actual capacity



18 Prozorro Public Procurement, "Reconstruction of the 'Shehyni' International Border Checkpoint for Road Traffic on the Ukrainian-Polish Border," <https://prozorro.gov.ua/tender/UA-2017-07-07-000596-a>

BCP AVERAGE DAILY ACTUAL CAPACITY, 2018

Smilnytsia-Kroscienka Hrushiv-Budomierz Uhryniv-Dolhobyczow



UNIBEP will, inter alia,

- build more lanes for cars, trucks, and buses;
- introduce weighing devices;
- video surveillance, including number-plate recognition;
- perform finishing of the pedestrian crossing;
- introduce conveyors to scan baggage and hand luggage.

New lanes for trucks will enable the use of scanning systems for cargo inspections installed in 2019. The scanners were funded by revenues received by the customs service exceeding targets.

Ukraine supports building new BCPs with Poland, such as Nyzhankovychi-Malhowice, Lopushanka- Michniowiec, Boberka- Smolnik in Lviv region¹⁹. This could improve throughput capacity of the border. But this measure is not sufficient.

Insufficient capacity is not always the problem or the only problem. Local residents admit that the capacity of the Uhryniv-Dołhobyczów BCP is not fully exploited because of the **poor infrastructure**. There are no filling stations, rubbish bins, shops, pedestrian walkway, lighting, parking. The situation in Shehyni is, in this regard, much better. The village is located right next to the BCP, and it has all the services travellers might need. However, the majority of people from both communities admit that the infrastructure on the Polish side of BCPs in Medyka and Dołhobyczów is much better developed compared to the Ukrainian side.

Poor or no infrastructure near BCPs also has an **adverse environmental impact**. "The border only has a positive impact on our community. The only problem is litter," says the leader of the Uhryniv community.

Not all **roads** leading to BCPs with Poland are in good condition. Drivers usually follow GPS via good roads. As a result, BCPs with bad roads, which could ease pressure on better-connected BCPs, are not fully exploited. This is a pressing issue for

the Hrushiv-Budomierz and Smilnytsia-Krościenko BCPs²⁰. These roads will be repaired thanks to the loan from Poland.

Also, it is not always easy to **drive from one BCP to another one**. **When there is a huge queue at one BCP, a driver should have the possibility to easily get to another one, says one regional customs official. This would also ease the situation with queues.** At the moment, Google Maps shows that the direct distance and driving distance are almost similar between Rava-Ruska, Hrushiv, and Krakovets. For other BCPs, the situation is different: the distance between Shehyni and the closest BCP in Smilnytsia is about 40 km, though by car you need to drive 56.4 km, just to give you an example. Building new BCPs would certainly shorten this distance. Ukraine and Poland talk, for example, about the Nyzhankovychi-Malhowice BCP between Shehyni and Smilnytsia. However, without a good direct road between them, the driving distance between Shehyni, Nyzhankovychi, and Smilnytsia would be still about 11-14 km longer than the direct distance.

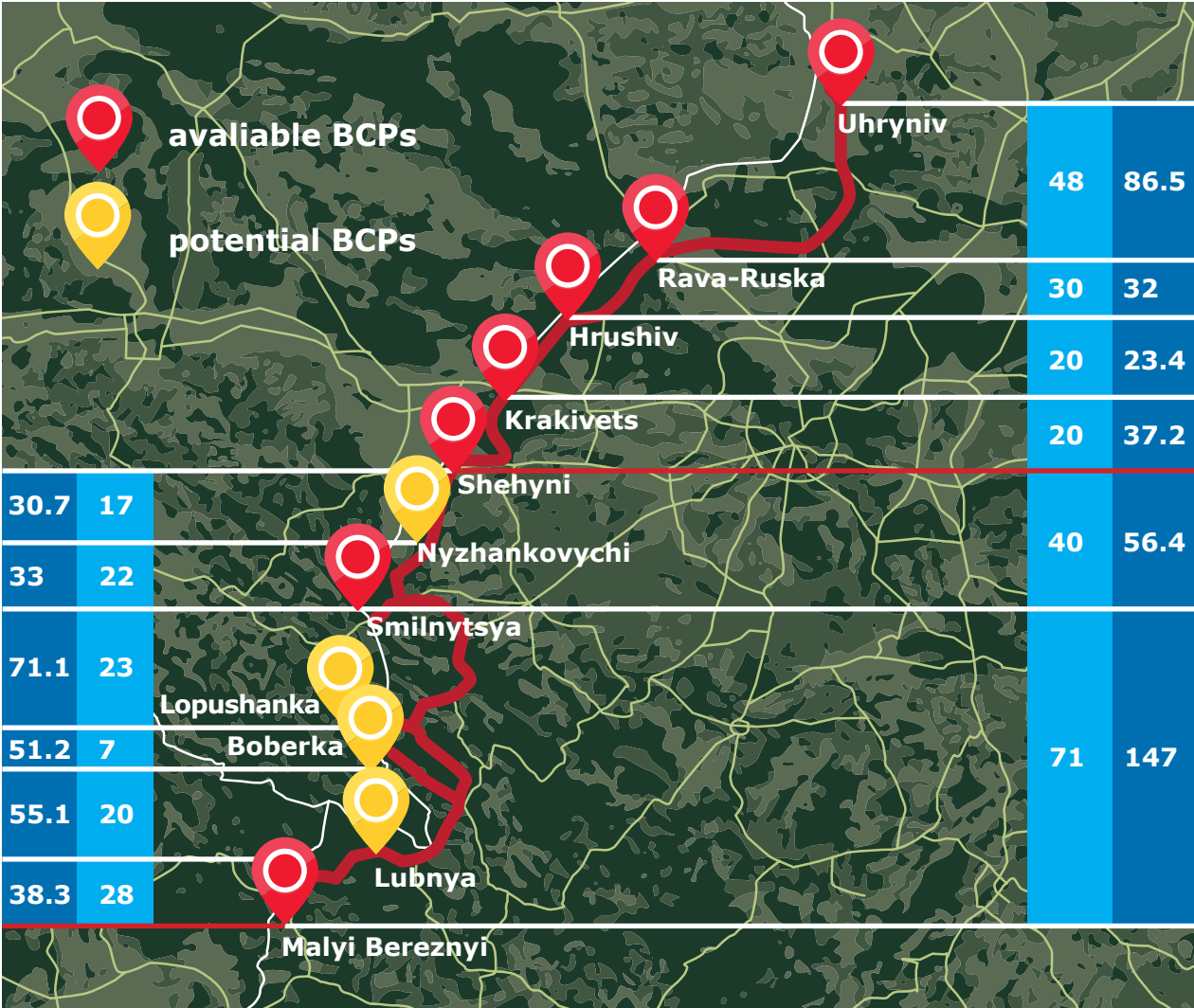
19

Response by Lviv Regional State Administration to public request of Europe Without Barriers

20

Kateryna Kulchytska, "Anatomy of Ukrainian Border: Independent Monitoring Report, 2018," Europe Without Barriers, p. 18, https://europewb.org.ua/wp-content/uploads/2018/10/PRINT_Anatomiya-kordonu.pdf

Map 5.
Driving and direct distance between BCPs, Lviv region

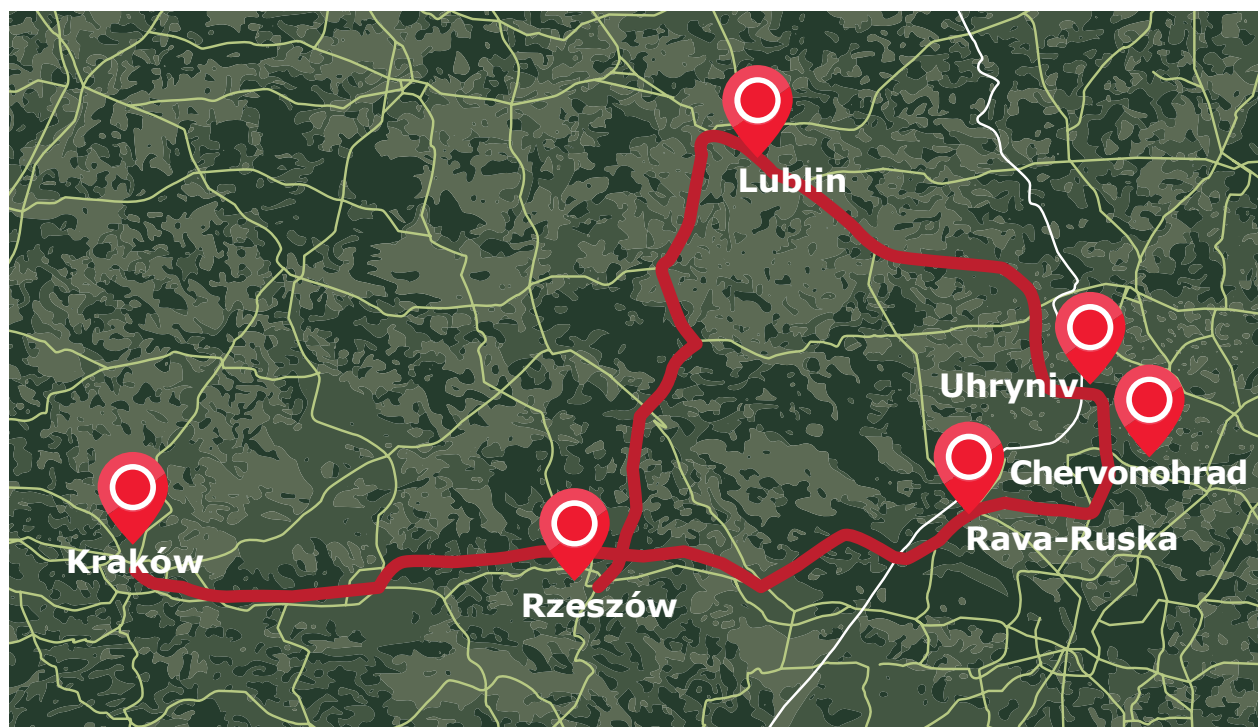


17 direct distance, km **30.7** driving distance, google maps, km

Source:
Google Maps

But even when road is good, as in the case of Uhryniv, drivers can still use other BCPs because of the **location**. Uhryniv BCP is on the very north of Lviv region. Interviewees say that the closest Polish towns are Hrubieszów and Tomaszów Lubelski. They are small. Przemyśl, which is the closest city to Shehyni, is, instead, an important trade route and key station on the Lviv-Kraków railway route. As a result, it attracts more travellers as a good transit point. One respondent explains, “If I go to Lublin, I drive from Chervonohrad to Uhryniv BCP. But if my destination is Kraków or Rzeszów, I use Rava-Ruska BCP.”

Map 6.
Direction



"Queues are due to the human factor. While a bus gets stuck and someone tries to 'solve the issue' of importing a fridge, for instance, for about 30 minutes we, musicians, have to wait behind," a Lviv artist says, hinting at **bribes** being another factor for long queues. **The automation of checks with video surveillance, including number-plate recognition; automatic truck weighing with data transfer to the target centre; electronic queues; GPS-keys; electronic submission and checks of customs documentation could, just to mention a few things, reduce corruption risks.**

Therefore, dealing with the issue of queues could resolve other critical bottlenecks related to border management and BCPs, ones like infrastructure and corruption.

In addition to the above-mentioned remedies, **another way to**

deal with the issue of queues is joint control. "It is quicker to cross the border in Uhryniv than in Shehyni. We have joint control. You need to walk about 100 metres. In Shehyni, instead, the distance is about 500-600 metres. There is the Ukrainian part, then the neutral, and then the Polish part," say people from Sokal, sharing their experience. There is a joint building where both Ukrainian and Polish border guards and customs officers conduct checks.

Electronic or online queues are another solution. But this practice should consider situations when a person needs to cross the border immediately, and there is no available place to book. "It's a good idea with electronic queues. But it should envisage a way to cross when a person is ill or for rescue vehicles, for instance," admits a local journalist and civil society activist.

Walking the Border

The **pedestrian crossing** at Uhryniv BCP was unveiled in 2015 as a pilot project. It was prolonged every six months. Local residents wonder why Ukraine was not proactive in prolonging it. Instead, local authorities have pushed this issue. One businessman states, "The pedestrian crossing in Uhryniv was closed because of indifference. You cannot develop corruption and earn much from people carrying out meat and other foodstuff." It has been closed since January 1, 2019.

The reason for the closure mentioned by officials is the absence of needed infrastructure like lighting, pavements, rubbish bins, and parking.

Local residents strongly emphasize how important the pedestrian crossing was for them, and the need to re-open it on a regular basis. They went shopping in Poland, visited the graves of relatives, worked nearby. Locals hoped that the pedestrian crossing could provide economic impetus attracting investors: after the pilot was launched, 8 land plots were, for example, rented for small shops. After the crossing closed, one person who was renting land terminated the lease deal. The pedestrian

crossing eased trips for Polish tourists on bikes. At the same time, people downgrade the possibility of shuttle trading in the event of its re-opening. "While Poles buy vodka and cigarettes right at the Shehyni BCP from Ukrainians, the situation in Uhryniv is different. The closest Polish shop here is 4 kilometres away," claims a civil society activist from Sokal.

At the same time, it is local residents who own the land around the BCP that is required to develop the appropriate infrastructure. Its absence was indicated in the official explanation for its closure. "Locals deliberately bought the land to sell it at high price," an entrepreneur says with contempt. The local official mentions other obstacles in developing the infrastructure. For example, the authorities provided land for a gas station. However, the energy supply company asked the potential owner for too high a price.

This and other pedestrian crossings could ease the pressure from Shehyni. At the moment, this is the only BCP where you can go to Poland by foot. However, they should not become new channels for shuttle traders.

Tourist BCP

People from Uhryniv and Sokal focus a great deal on the area's tourist potential. **They see Uhryniv BCP as a way to boost tourism.** The potential projects of kayak trails and of cycling highways ([see Tourism And Culture part](#)) are also aimed at that and largely depend on the local BCP. There are few alternatives, as in the case of Shehyni BCP.

In contrast to Shehyni, lorries cannot use this BCP. It is fully on the territory of Poland. As a result, even if there were a lane for trucks, the local budget would not receive any customs revenues. The closest towns, Hrubieszów and Tomaszów Lubelski, are small, while Shehyni is about 16 kilometres away from Przemyśl, a key station on the Lviv-Kraków railway route and a transit point.

Perception Of Discrimination

Many people we have talked to see a separate lane for EU citizens, including Poles, as a form of discrimination. Although separate lanes are envisioned by the Schengen border code, here we talk more about the perception held by people, since this research is sociological, and not legal in nature. "Poles laugh, they joyfully cross the border while we are kept waiting," says Mostyska-based museum director. However, it seems that it is not the separate lane per se that is perceived as discriminatory, but the long queues that Ukrainians have to stand in. "I think that waiting a few hours in a queue is discriminatory," a Sokal businessman laments.

Lanes for citizens of Schengen countries are significantly less crowded because fewer Poles are willing to enter Ukraine. In the first half of 2019, about 4.65m Ukrainians entered Poland via land border crossing points. But only 0.412m Poles entered Ukraine²¹. (see Figure 5. **Who crosses the Ukrainian-Polish border**).

This way, the queuing issue has a human rights dimension to it, or at least it is perceived as such by locals. Tackling this issue could reduce the perception of discrimination.

The very detailed entry conditions set by Poland also contain the risk of discrimination. Some interviewees mention that Polish border and customs officials may abuse such precision in order to impede entry. For instance, Polish officials require bike documents, while Ukrainians are not used to bothering about them. They can also refuse entry if the tint of car windows is too dark.

At the same time, we should say here that it is not only Poland that restricts the darkness of car windows but Ukraine does this too.

Instead, other people say that Ukrainian officials abuse the greater leeway in procedural norms. If Polish rules are perceived as too detailed, the Ukrainian ones are seen as too vague. For instance, one respondent indicates that there is no exhaustive list of documents needed to cross the border from the Ukrainian side. At the same time, from the EU side, the list of supporting documents needed to cross the border is not exhaustive either. **In any case, both very detailed and overly vague conditions contain the risk of abuse, corruption, and discrimination.**

Ukrainian travellers see Polish officials in BCPs as arrogant and biased towards them. Although they admit that the behaviour of people can also be a reason for such an attitude. This relates particularly to Shehyni BCP, where the flow of people is more intense than in Uhryniv and the crossing seems, according to our interviewees, to be more chaotic.



Photo by Europe Without Barriers.
Polish customs official at the BCP.

²¹ Polish Border Guards, statistics, January-March 2019 (Quarter I), <https://www.strazgraniczna.pl/pl/granica/statystyki-sg/2206,Statystyki-SG.html>

Part 3. Bigger Picture: Policy And Institutions

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In the previous parts, we have presented how the border vicinity and concrete BCPs influence local communities and vice versa. Here we put borderlands into a broader context. We discover how high-level political decisions affect the daily lives of these and other people travelling on wheels or by foot.

Like in the EU

Ukraine is currently applying the EU concept of **integrated border management (IBM)**. It has an IBM concept²² and strategy²³. The EU has embraced IBM principles to maintain secure borders with little inconvenience for travellers and trade. For this purpose, various border agencies within one country and between countries should **cooperate and coordinate** their work.

This will not just improve Ukraine's border management but bring it closer to the European Union. It is in line with the Ukraine-EU Association Agreement²⁴ and the Action Plan on Visa Liberalisation²⁵.

Ukraine's inter-agency cooperation is still weak, though it is improving. Local border guards admit, "We have established good horizontal cooperation with the State Migration Service, since we are both part of the Interior Ministry. It is more difficult to work with the State Fiscal Service." At the same time, regional fiscal officials mention close cooperation with regional state administrations, Security Service of Ukraine and the Police.

Cooperation with local communities seems to be rather sporadic and, according to our interviewees, depends on free will. Mostyska's local authorities tell us, for instance, about land they gave to border guards for housing and a recreation area. Border officials appreciate local informants in pre-

venting irregular immigration into Ukraine. When a pedestrian crossing was closed in Uhryniv, Sokal District Council sent a letter to the State Border Service of Ukraine ([see more in Democratic Participation part of this research](#)).

IBM includes **cooperation with neighbouring states** too, including Poland. Border guards of the two states have conducted 721 joint patrols (they are more active only with Moldova). There are two contact centres, in Krakivets-Korczowa and Yahodyn-Dorohusk BCPs, where they exchange information to prevent offences²⁶.

Locals favour **joint control** in Uhryniv. It saves time for checks conducted in the same building by border and customs officials of both states. In addition to Uhryniv-Dołhobyczów BCP, joint control is also present at the Hrushiv- Budomierz, Smilnytsia-Krościenko, and Ustyluh-Zosin BCPs.

Representatives of the border services admit the collateral effect of economies of scale. **Joint patrols involve fewer human resources to protect the borderline, while less space and fewer buildings are needed in BCPs with joint control.**

Ukraine and Poland are talking about a new joint control deal at the moment. The current deal has been in force since December 2002²⁷. However, Poland has asked

²²

Cabinet of Ministers of Ukraine, "Approving the Integrated Border Management Concept," 28.10.2015, № 1149-p, <https://zakon.rada.gov.ua/laws/show/1149-2015-%D1%80>

²³

Government Portal, "Government Approves Integrated Border Management Strategy," 24.07.2019, <https://www.kmu.gov.ua/en/news/uryad-shvaliv-strategiyu-integrovanogo-upravlinnya-kordonami>

²⁴

"Association Agreement Between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part," Official Journal of the European Union, L 161/3, <https://bit.ly/2Y6Bu6z>

²⁵

European Commission, "Sixth Progress Report on the Implementation by Ukraine of the Action Plan on Visa Liberalisation," Final report, <https://ec.europa.eu/transparency/regdoc/rep/1/2015/EN/1-2015-905-EN-F1-1.PDF>

²⁶

"Common Points," State Border Guard Service of Ukraine, 29.10.18, <https://dpsu.gov.ua/ua/tochki-dotiku/>

²⁷

"Agreement Between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland On the Cooperation In Checks On Persons, Goods, and Vehicles Crossing State Border Between Ukraine and Poland," Document 616_027 , Revision on November 25, 2009, https://zakon.rada.gov.ua/laws/show/616_027?lang=en

to amend it in accordance with the Schengen Border Code because it has been an EU Member State since 2004. Similar talks are taking place with Hungary and Slovakia. The European Commission has already provided its conclusions on the deal with Hungary. It could not approve the draft because of disagreements on Articles 7 and 8 regarding the **jurisdiction issue**. According to para 1.1.4 on shared BCPs, Annex VI, Schengen Border Code²⁸, when aware of a fact justifying the arrest of a Ukrainian citizen, in a shared BCP Ukrainian border guards shall transfer the person to an EU country. This contravenes Ukrainian legislation. So, Ukraine has proposed a compromise: the exclusion of Articles 7 and 8 since there is Article 5 allowing the parties to apply national legislation on their territories. It seems that any progress on the deal

with Poland depends on the resolution of this issue with the European Commission during talks with Hungary and Slovakia on similar texts.

Furthermore, Ukraine is improving the situation with awareness and the reaction capacities of the Border Guard Service, bringing it closer to the EU. In 2018, the local border units of Western and Southern regional offices were located more densely: they are responsible for no more than 20-25 kilometres of the state border. Moreover, a number of units deal either with green border protection or with checks at the BCPs, but not with both responsibilities²⁹. **Structural reform should continue at other regional offices. And more subdivisions should focus either on border protection or border checks.** Ukraine has now separated the Customs Service, as it was part of the State Fiscal Service.

Where Polish Money Is

On September 9, 2015, Poland allocated up to EUR 100m to

- modernize 3 BCPs: rebuild Shehyni-Medyka, build a pedestrian crossing at Rava-Ruska-Hrebenne, and build lanes for cars and buses at Krakivets-Korczowa,
- repair roads leading to Smilnytsia, Hrushiv, Rava-Ruska BCPs and a potential future BCP in Nyzhankovychi,
- upgrade software and hardware for the automatisisation of border control.

All works shall be conducted by Polish contractors. At least 60 percent of the materials and equipment used shall have Polish origins.

²⁸

"Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the Rules Governing the Movement of Persons Across Borders (Schengen Borders Code) (Codification)," Official Journal of the European Union, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0399&from=EN>

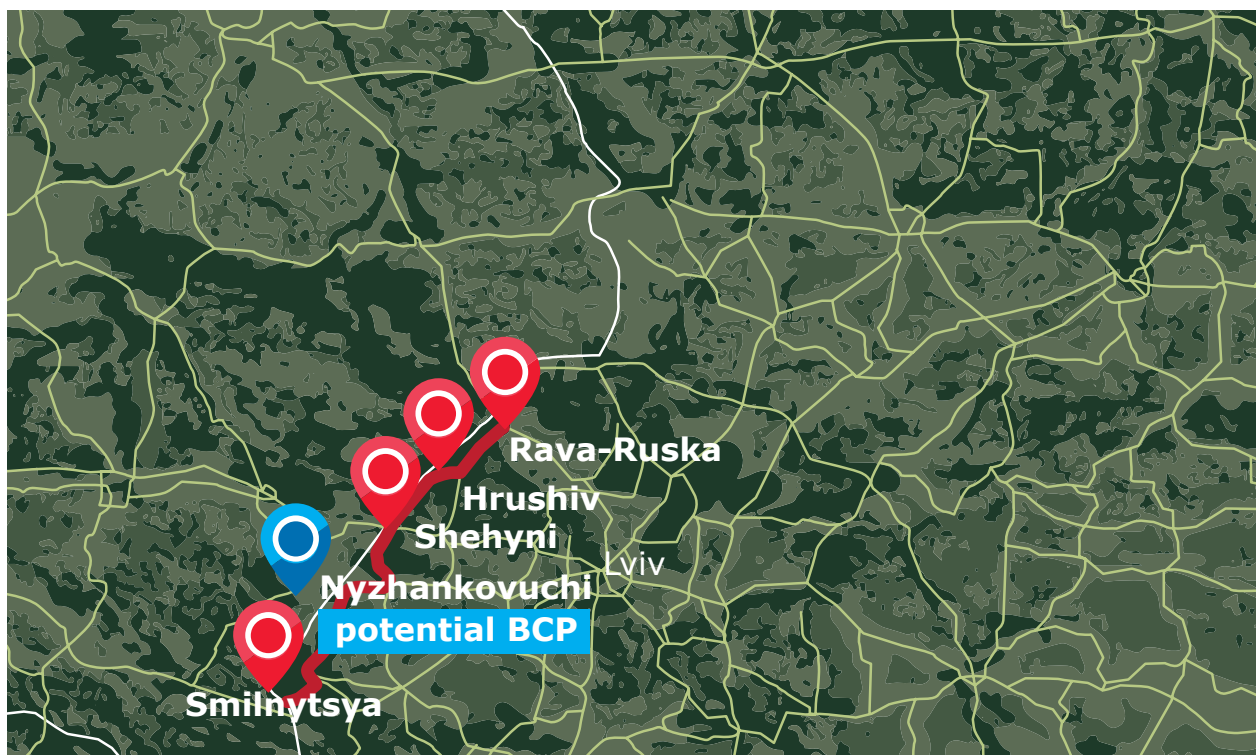
²⁹

Administration of the State Border Guard Service of Ukraine, response to Europe Without Barriers, 19.04.19, no M-764

³⁰

Lviv Regional State Administration's response to public request of Europe Without Barriers

Map 7.
Polish loan



Ukraine's state road agency concluded contracts with Polish companies in 2017. However, it was only in May 2019 that the Polish Finance Ministry approved them³⁰. In 2018, the Ukrainian customs concluded deals for the rebuilding of BCPs. The Polish Finance Ministry approved them in July 2019 after Ukraine and Poland had agreed the form of payment for companies to modernize BCPs and the VAT-related issues³¹. In lieu of upgrading automated systems of border checks, as initially envisaged, Ukrainian border guards are tendering for renovating seven their divisions at Ukrainian-Polish border, as of July 2019. Poland refused to finance the upgrading since border check systems were not Polish, thereby violating loan conditions³².

Delivering on this loan could improve the border's throughput capacity and boost local economic development. **It could also open doors for building new BCPs:** Nyzhankovychi-Malhowice, Lopushanka-Michniewicz, Boberka-Smolnik in Lviv region and Adamchuky-Zbereze in Volyn region. Poland underlined at the meeting of the Ukraine-Poland BCPs and Borderland Infrastructure Commission on October 23, 2018, and the 14th Ukrainian-Polish Intergovernmental Coordination Council on Interregional Cooperation on February 16, 2018³³ that new BCPs can only be considered after the current projects are completed. New BCPs would further enhance border throughput capacity together with good roads leading to them (**see Not Only About Queues part**).

³¹ State Fiscal Service of Ukraine's response to public request of Europe Without Barriers, 31.07.19, no.3ПІ/99-99-18-01-02-14

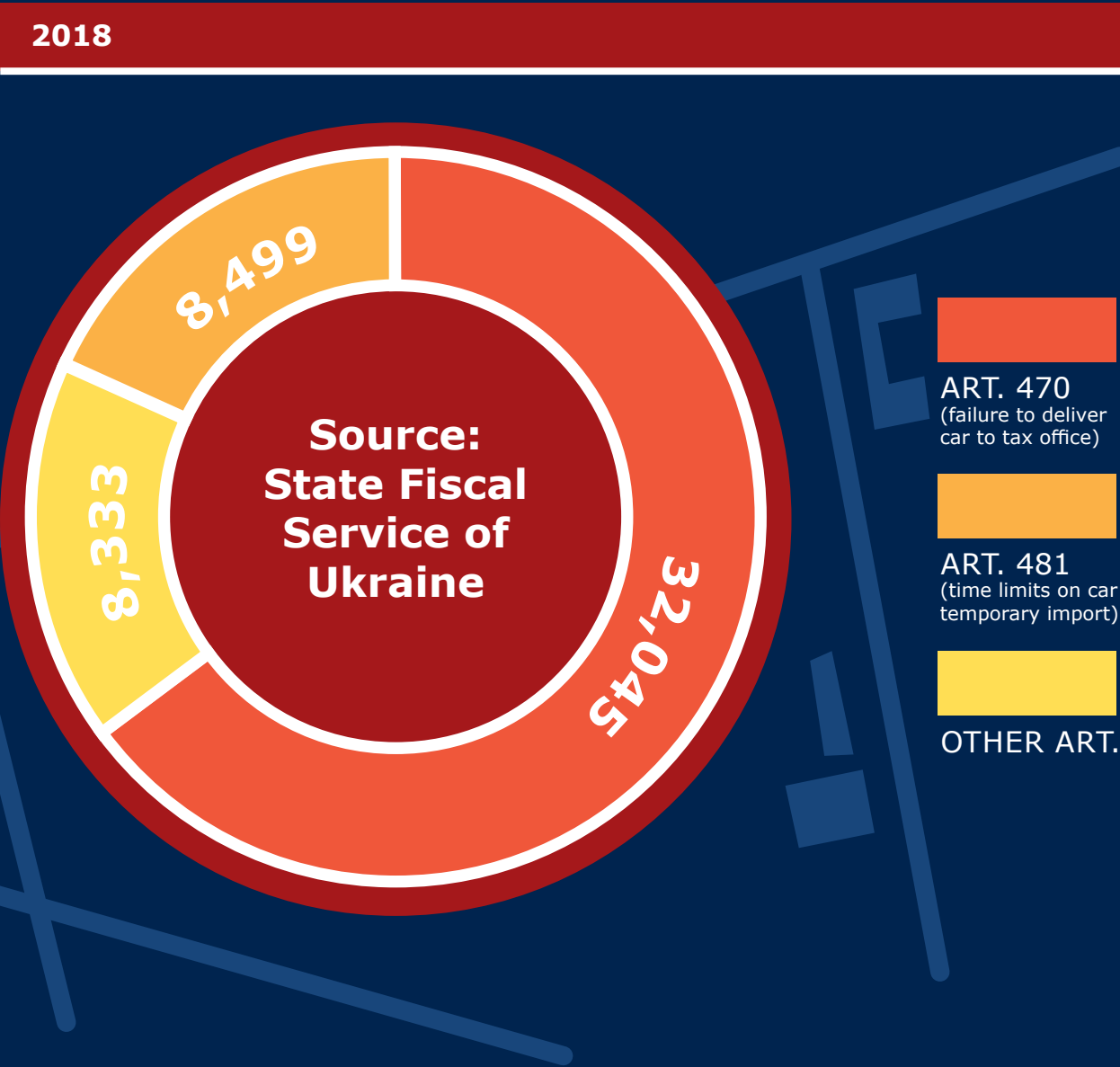
³² State Border Guard Service of Ukraine's response to public request of Europe Without Barriers, 2.08.19, no. 23M-1496

³³ Lviv Regional State Administration's response to public request of Europe Without Barriers

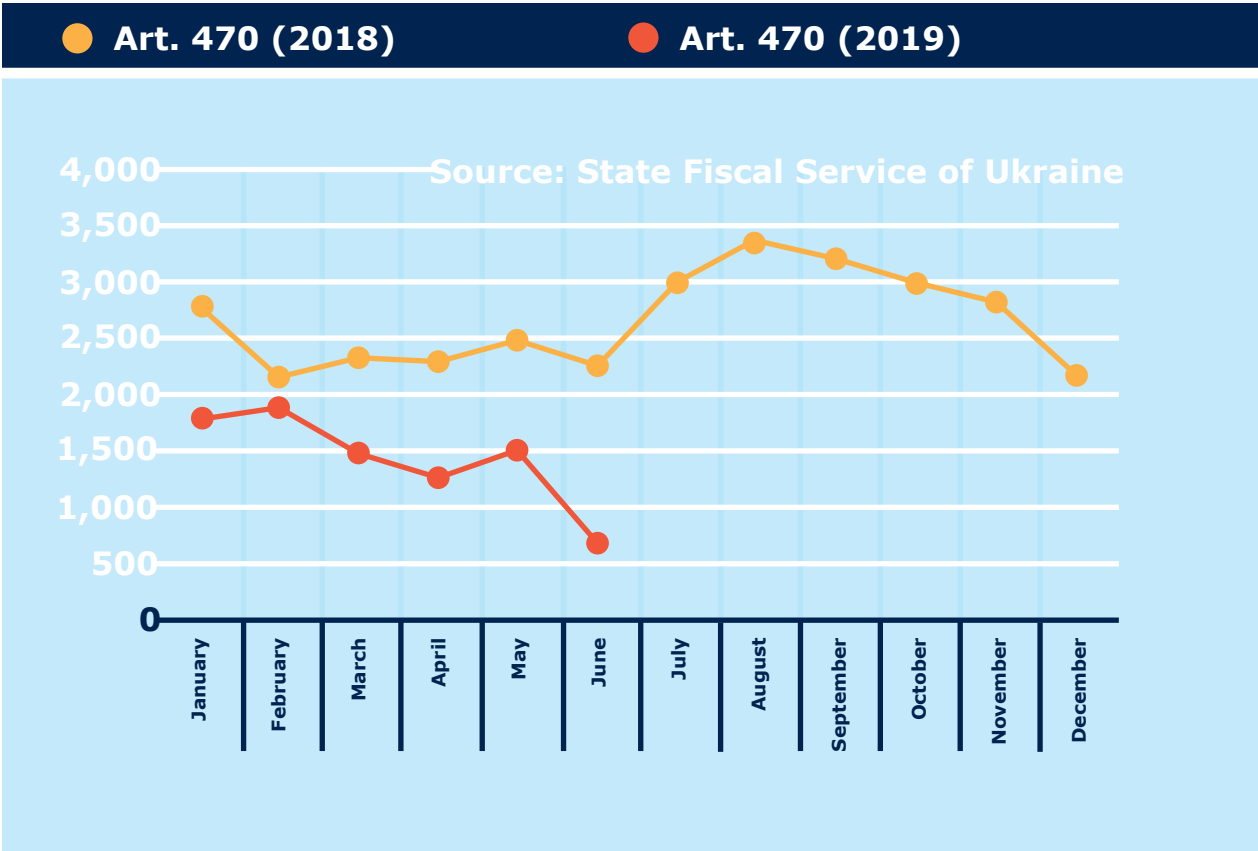
Lifting the Burden

Ukraine has since January 2018 restricted tax-free imports of goods by locals. Also, it reduced the excise tax on cars with EU license plates in November 2018 ([see Not Only About Queues part](#)). The latter legislative novelty has not only eased the situation with queues, but also reduced customs violations. In 2018, the failure to pay car excise tax made up 66 percent of all **customs violations**. In the first months of 2019, the volume of this violation fell significantly (see Figure 10. Customs violations)³⁴.

Figure 10.
Customs violations



³⁴ State Fiscal Service of Ukraine, response to public request of Europe Without Barriers, 31.07.19, no. /3ПІ/99-99-20-02-03-14



37

Maxym Nefyodov, the new head of the State Customs Service, supports the idea to use **big data** analysis to prevent customs violations instead of the traditional approach of “intuitive detection” of potential delinquents³⁵.

Anti-Corruption

Reduction of the ‘human factor’ via process automation is a way of reducing corruption and bribery at BCPs. The Ukrainian customs service is introducing X-ray truck scanners at some BCPs³⁶. It also plans to create **smart customs** in the future with video surveillance, automatic license plate recognition, and GPS tracking³⁷. Maxym Nefyodov supports this new approach.

During interviews locals grumble about bribes that some drivers give to skip a queue or to import forbidden items. Therefore, further automation, i.e., via electronic queues, can improve the situation. A better organized queue can help to resolve the situation with excessively long waiting time at BCPs (**see Not Only About Queues part**).

³⁵ Maxym Nefyodov, “Customs Strategy,” <http://bit.do/eYWZE>

³⁶ “Myroslav Prodan: 10 BCPs Will Be Equipped With Scanners This Year,” State Fiscal Service of Ukraine, <http://sfs.gov.ua/media-tsentr/novini/334068.html>

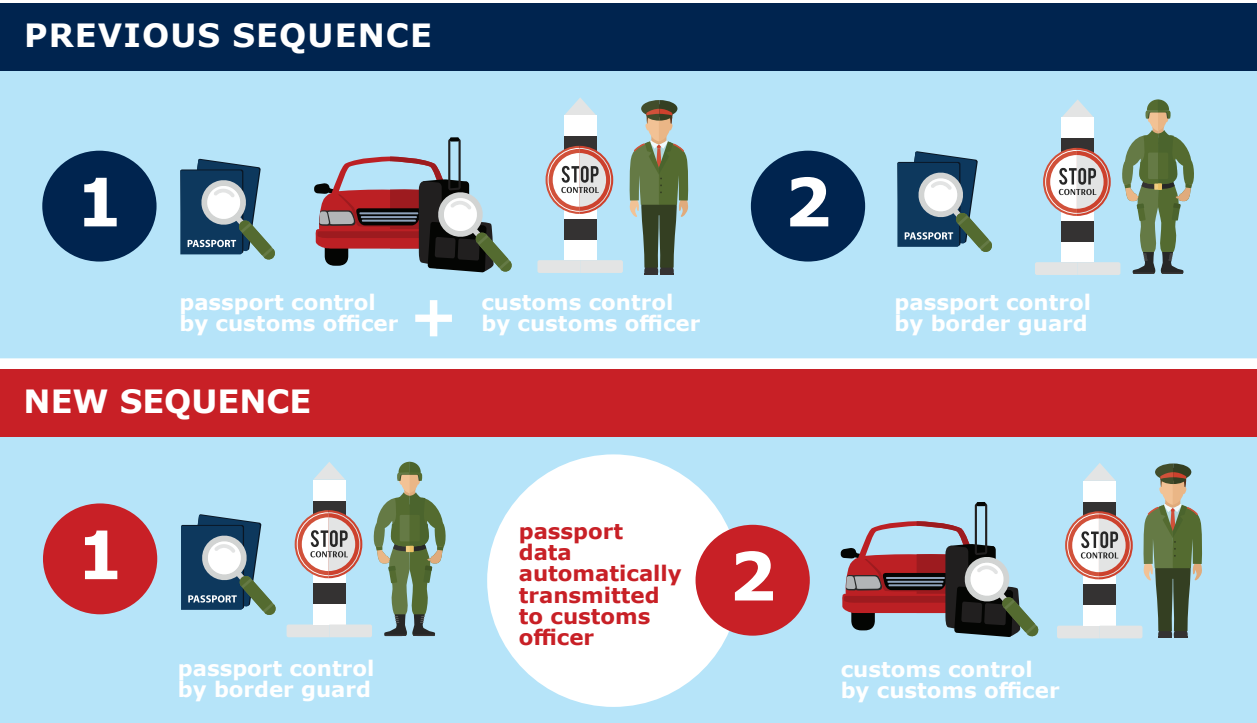
³⁷ “Head of SFS Myroslav Prodan: “I Often Have My Own Opinion, That Is Taken Into Account By the Premier,” State Fiscal Service of Ukraine, <http://sfs.gov.ua/media-tsentr/zmi/335014.html>

Pilots

During interviews customs officials and border guards told us about certain other novelties and experiments. For instance, in 2019 a pilot project is being tested at the Smilnytsia and Hrushiv BCPs to change the **sequence of checks**. First of all, border guards check a person's ID, and then the customs service checks the person's bags and vehicle. The personal information held by border guards is auto-

matically provided to customs. This approach has a few advantages. First, border guards use scanners to read this personal information, while customs do it manually. Second, customs do not need to do the same job a second time. The pilot concerns cars, since this system has already been working for buses at all BCPs in Lviv region since summer 2018³⁸. This helps to save time by reducing excessive checks.

Sequence of checks



According to one border official, Ukraine is considering the possibility that a customs official may also conduct border checks of importers, while border guards may conduct customs checks of other travelers, learning to do so from Finnish and Latvian experience. However, **the official emphasizes the need**

for legislative changes to make this happen. This practice may help to use human resources more efficiently in order to ease the situation with queues. Ukraine is also introducing some new tech solutions. The customs service has, together with an IT company, created a **mobile app**

³⁸ "Pilot Is Launched In Two Border Crossing Points of Lviv Region. How It Works," Tvoie Misto, 3.04.19, <http://bit.do/e2Jgf>

called **EasyBorder** that shows the waiting time at BCPs in Lviv region. Using data on queues from previous days, it is able to predict waiting time in advance. At the same time, the Internet provider agreed to provide **free wi-fi** in Shehyni for travellers in exchange for 10 seconds of adverts. “It helps to reduce the number of interpersonal conflicts while waiting in queues,” a customs official notes, indicating

a positive collateral effect. Locals confirm that free wi-fi was available in Shehyni for some period of time; however, they say that this practice no longer exists. Ukraine has been carrying out a **customs experiment** since 2015: 50 percent of customs revenues exceeding targets go on road repairs. This money has helped to improve about 500 kilometres of roads in Lviv region³⁹.

Table 2.
Customs experiment results, Lviv region

YEAR	REGIONAL BUDGET REVENUES FROM CUSTOMS EXPERIMENT, K, UAH	DISBURSED, K, UAH	REPAIRED ROAD SECTIONS, KM
2015	312,322.5	287,151.9	53.2
2016	870,356.6	738,257.0	149.9
2017	1,115,619.8	1,188,909.09	257.3
2018	239,884.5	320,311.0	25.86
TOTAL	2,538,183.4	2,534,628.99	504.27

Source:
Lviv Regional State Administration’s response to public request of Europe Without Barriers, no OF-188/3ПІ, 16.05.19

Furthermore, 10 percent of customs revenues exceeding targets were used to buy X-ray truck scanners for the Shehyni, Rava-Ruska, and Krakivets BCPs, modernize weighing devices and software.

³⁹ Lviv Regional State Administration’s response to public request of Europe Without Barriers, no OF-188/3ПІ, 16.05.19



Democratic Participation

The border has a profound impact on local communities. It affects their lifestyle and behaviour. Nevertheless, the possibility of locals to lobby certain changes as well as their **democratic participation** is limited. They help to prevent illegal border crossings. For instance, in 2018, 68 out of 3,275 irregular migrants were detected and detained due to information from local residents⁴⁰.

However, the border is managed in the main by regional units of central institutions like the customs service and border guards. The state road agency, which is responsible for the highways leading to BCPs is a central executive authority. "We cannot even maintain the road from the P15 regional highway to the border, including removing roadside litter. The road service responsible is situated far from Uhryniv. Local authorities are trying to do something. But this work is sporadic. We have no responsibility," laments a district official in Sokal.

At the same time, some respondents admit that maintenance of BCP is not a task that is inherent for the customs service. This institution's direct responsibility is to carry out customs control.

Locals are disappointed with the slow progress in improving border crossing points and roads, and they do not see how they can influence the situation. Therefore, it seems that this may have weakened their desire for civil participation in general.

Residents of Uhryniv were, for instance, puzzled as to what they could do to reverse the decision to

close the pedestrian lane. Sokal District Council sent a letter to the State Border Service of Ukraine⁴¹. However, people are not aware of direct official channels of communication at local level in general.

Meanwhile, some local representatives of central government as well as of local authorities demonstrate readiness to acquire responsibilities related to the management and maintenance of BCPs while keeping policy-making at central level. We could consider Polish institutional architecture, where regional authorities have more responsibilities related to border management, as a possible model to apply.

In 2014-2015, these responsibilities were first delegated to the infrastructure ministry on October 1, 2014, later to the administration of border guard service on May 20, 2015, and then they returned to the customs service on July 22, 2015. The possibility of transferring these functions to the regional state administration was discussed at government meetings.

Empowering local decision-makers would reflect the idea of the **subsidiarity principle** of the European Union, thereby moving in line with Ukraine's policy of European integration. According to this principle, local authorities should act in cases when they are more efficient than central institutions.

This would also support **decentralization reform** aimed at empowering local communities. At the same time, local administrations, which seem to be ready to receive some responsibilities on BCP maintenance, should, in the course of decentralization, be abolished⁴². Instead, prefects would represent the

executive branch of power at local level. Thus, the question remains as to which institution is the most appropriate in this case: regional state administrations, prefects, or authorities of local self-government?

Such a situation also reveals the need to show local communities what instruments they already have to communi-

cate their ideas and problems to policy-makers whose decisions directly affect the daily life of borderlands. Everyone will benefit from this. Our general impression is that people living directly on the border see many solutions to current problems and they are full of ideas and eager to share them.



Photo by Europe Without Barriers.
Uhryniv community.

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Response of the Administration of the State Border Service of Ukraine to Europe Without Barriers, 19.04.2019, no. M-764

41

Sokal District Council, Decision no. 707, 21.12.18, "On Letter to the State Border Service of Ukraine To Prolong Functioning of Pedestrian BCP At Uhryniv-Dolhobychow," <http://bit.do/eZG73>

42

Prefect, Decentralization, <https://decentralization.gov.ua/prefect>

Key Points and Lessons

1.

Residents of Uhryniv and Shehyni who live right next to the border perceive it very pragmatically. It is an important source of income for them. Even various cultural initiatives, projects to boost tourism and people-to-people contacts aimed at bringing investors and foreign money to boost the economic development of the Sokal and Mostyska areas. Interethnic friction is practically absent in daily life.

2.

Improving borderland infrastructure and subsequent economic development could provide additional financial incentive for Uhryniv local communities to participate in decentralization reform, since only this way would they receive new direct income sources and more powers on how to spend this income.

3.

People emphasize the tourist potential of the region, with its beautiful untouched nature and ancient architecture. This is strongly felt in Uhryniv and Sokal. A pedestrian crossing and maybe even a river crossing point through the River Bug could provide additional impetus to various tourist projects.

4.

Local residents are practically unaware of how they can influence political decisions related to the border and those affecting their daily lives. Devolving more powers to locals and informing them about available communication channels with policy-makers may enhance the efficiency of border management. It would be in line with European integration applying the subsidiarity principle this way.

5.

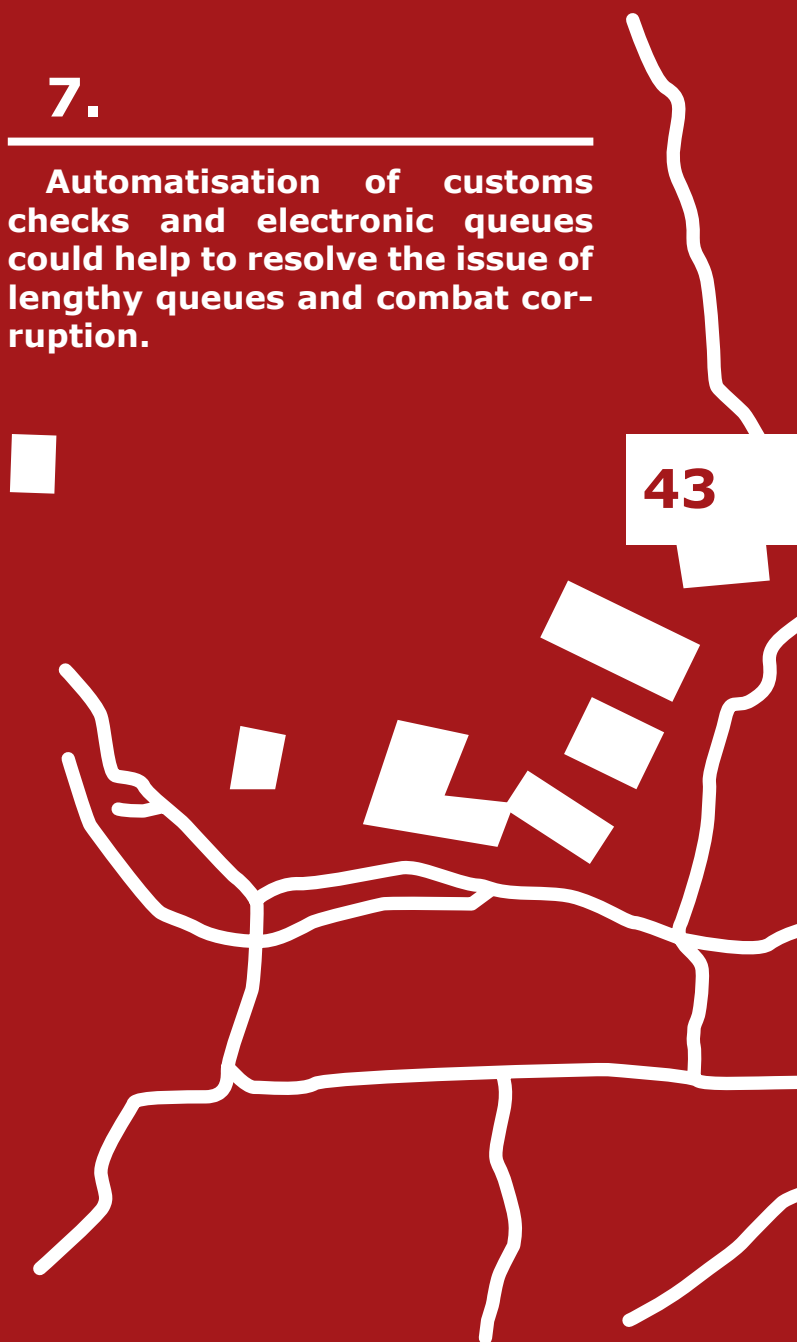
Lengthy queues are the main problem at the Uhryniv and Shehyni BCPs. On the one hand, they impede the economic development of Lviv, which is about 70 kilometres away from the borderline, though this is mitigated by low cost flights and trains. On other hand, it enhances the perception of discrimination by locals. The causes are very complex and, therefore, its solution would bring about many other positive changes, including in the realms of infrastructure and anti-corruption.

6.

New BCPs could improve border throughput capacity only with the existence of good roads leading to them and to other BCPs. Otherwise, they would serve only the local shuttle trade. The latter is perceived as largely negative in areas farther from the border, though people in Uhryniv and Shehyni do not see any problems with it.

7.

Automatisation of customs checks and electronic queues could help to resolve the issue of lengthy queues and combat corruption.



To Be Continued...

Local communities are both the main stakeholders and consumers of the border. The people of Uhryniv and Shehyni continually feel the social, economic, and cultural influence of both societies, Ukrainian and Polish. As a result, they are different from both. They belong to both nationalities and, at the same time, they are not accepted by either one or the other.

They earn their living thanks to the border and perceive it rather as an opportunity, unlike the many people who live farther away from the borderline.

The perception differs depending on who you ask. Officials try to use limited funding to fix pressing issues. They focus on security and efficiency. People living farther away from the frontier see it mainly as a problem. Locals, instead, look at the border as a source of income. They are consumers of the border. They are full of ideas and pragmatic solutions though they lack a voice.

We need to listen to them all, and make them hear each other so as to better understand the border and to benefit from it.

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