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## **LOCAL (SMALL) BORDER TRAFFIC IN THE SYSTEM OF REGIONAL DEVELOPMENT**

*The article investigates the problems and the prospects of the cross-border development of Ukraine's cooperation as a factor, which contributes the acceleration of European integration. Based on the analysis of the main mechanisms TBC the role and the place of small border traffic in the system of the regional development are determined in the article.*

*Key words: Ukraine, EU, European integration, cross-border cooperation, region, small border traffic.*

The European vector of foreign policy of the country is extremely important for Transcarpathia, which is in the heart of Europe. For Transcarpathia is becoming very important for the cross-border and interregional cooperation in the connection of integrative processes in Europe. In the conditions of the development of cross-border cooperation in Transcarpathian region-is the effective method of strengthening the relations between countries and the solving regional problems. One of the mechanisms of cross-border cooperation is the small border traffic.

The problem of the small border traffic is urgent for the Transcarpathian region, which borders with the four EU States and it is a connecting link of Ukraine with the EU. The peculiarity of problems associated with the visa policy is that they had a great influence on people of border regions of Ukraine, Poland, Romania, Hungary and Slovakia, where the national minorities live.

It is known that in Transcarpathia in the border areas live more than 151 thousand Hungarians (12.1%), 32 thousand Romanians (2.6%), a great number of Slovaks and Poles. They all had the possibility to simplify the cross-border between Ukraine and border countries for the

meeting with the members of the family, relatives, business partners. After the introduction of Schengen Agreement in January 2008, contacts between the people of the border areas where ethnic minorities live, became complicated and significantly reduced, which caused some inconveniences for the citizens of Ukraine due to the tight visa policies of these states.

That is why one of the main issues is the problem of the number of national minorities in Ukraine. Living near the border, they have difficulties in communicating with their relatives directly across the border line, the effort to solve this issue the acknowledgement of citizens of Ukraine the ethnic status of Hungarians, Slovaks, Poles and etc. The relevant legislative bodies of these countries made some decision in this regard. This status will allow them to obtain Schengen visas on favorable terms, live and work without having to disclose to appropriate services, preferential use public transportation, education and even health care. Such benefits, according to experts, could reach 2% of the population of Ukraine, but in this case raises the question of the equality of all citizens of Ukraine irrespectively of nationality.

Certain resolution of these issues is the agreement on small border traffic with facilitated form of getting visa, although small border traffic minimizes some Schengen challenges, but the overall picture is a marked tendency to restrict the entry of citizens in Europe.

Signing agreements on local border traffic - one of the steps to get to the citizens of Ukraine simplified visa and visa in the future, the regime within the framework of an agreement between Ukraine and the EU on visa facilitation.

It is clear today that a visa-free entry for Ukraine is the long term prospect, but the positive changes in EU attitude to this issue can be observed:

- **achieved** simplifying visa procedure concerning execution of Schengen visa (multiple, free visa) for the determined 14 categories of citizens throughout the country;

- **introduced** the local frontier movement for the inhabitants of frontier territories of Ukraine with Hungary, Slovakia and Poland and on its introduction with Romania has started.

- **started** a new stage of visa relations with EU, namely: from the simplification of the procedure of execution visas to the gradual

liberalization of the visa entry (cancellation of the visa meetings for all the categories of citizens of Ukraine);

- **started** structured visa dialogue with EU (formulating measures and recommendations, the accomplishment of which will allow the introduction of visa-free entry);

- **realized** the first steps in the realization of Communicative European Committee “Eastern Partnership”, in particular, started the work on the project “Roadmap” has started and it will contain preconditions and technical criteria, the accomplishment of which will allow to cancel visas and to improve the relations between Ukraine and the EU states.

But it should be mentioned also negative tendencies, which are the constraining factor for the EU towards giving Ukraine free-visa entry, in particular:

1. The implementation of the named agreement of the countries that have borders with Ukraine (Poland, Hungary, Slovakia, Romania), directly influence the dynamics of border traffic. The introduction of visa entry, other arrangements have led primarily to a reduction the number of people who come to the western neighbors for tourism aim, to relatives, as well as with the aim of small-scale trade. And the reason for this is that the level of living of the general travelling does not allow them to spend extra money for visas.

2. At the same time, the number of citizens of Ukraine who go abroad for temporary employment does not decrease. According to the foreign experts, in the Western Europe there are about 1.8 million Ukrainian workers and illegal immigrants (only according to the Federal Agency for Refugees in Germany this number varies from 500 thousand to 1 million illegal workers, most of them - Ukrainians )

3. Among the negative factors should also be mentioned the fact that over the last six years, Ukraine has reduced six times investment in the maintenance and repair of ways (up to 100 million dollars per year), which gradually makes it unattractive to foreign, particularly private, transport and annually leads to a loss of 20 -30 billion dollars of additional revenue to the state budget of Ukraine.

4. Insufficient funding of projects expected by technical re-equipping of the state border, and creation of the infrastructure in accordance with EU requirements.

5. The complications with the transferring people to the Schengen countries due to the influx of immigrants from North Africa and the Middle East, and also the Switzerland's coming out from visa-free travel.

6. The growth of the anti-migration dispositions in the European Union States due to the non-fulfillment by Ukraine the agreements on the introduction visa-free entry.

7. The caution of the Interpol concerning visa simplification for Ukraine, which belongs to the category of countries with the risk.

### **Background information**

**Local border traffic** - regular crossing of joint border of the Contracting Parties by citizens of one Contracting Party to stay in the border area of the other Contracting Party for the social, cultural or family reasons and grounded economic reasons, which according to the national legislation of the other Contracting Party are not determined by the gainful activity for a period not exceeding the terms of staying, established by this Agreement.

**Border zone** - the area of administrative units of the Contracting Parties, which does not exceed 30 kilometers from the common border. In the case when a part of an administrative unit located at a distance between 30 and 50 km from the border line, it is considered to be a part of the border zone.

**Permission to cross the border within the local border traffic** is a document that gives the right to the holder to have a multiple crossing of the common border of the Contracting Parties within the local border traffic, under the fixed conditions in the Agreement.

**Frontiersmen** - persons residing in the frontier zone of at least three years, which is approved by a corresponding document.

In 2007 Ukraine initiated the negotiations concerning the complications of bilateral agreements on local border traffic, which foresee the simplified (free-visa) procedure of crossing the border by the citizens of border area (50 km) with Poland, Slovakia and Hungary, and in 2008- with Romania. At present such agreements function with Hungary (from 14.12.2007), Slovakia (27.09.2008) and with Poland (01.07.2009).

The characteristic feature for the border relations with **Hungary** is that that there are no analogies in other EU countries. Indeed, 384 Ukrainian and 244 Hungarian population centers are included to the area

of local border traffic, and 750 thousand of Transcarpathians inhabitants of border areas have the possibility for free movement.

In order to simplify the trips for the citizens living near Hungarian-Ukrainian border, and for the further development of good-neighborly relations between two countries the Foreign Ministers of Ukraine and Hungary on September 18, 2008 signed the Agreement of simplifying the border crossing.

The Hungarian Republic is interested in reintroduction of the local border traffic not only for social, cultural, family and economic reasons, but in order to keep already achieved level of Ukrainian-Hungarian relations.

**On September 5, 2011 Hungary** within the local border traffic started to give out the plastic cards, to the Ukrainian citizens that contain the biometric information.

Applicants, who got the right of local border traffic, instead of an inset in the current foreign passport, get the admittance plastic card. The term of making the biometric cards is from 21 to 30 days. The permissions on local border traffic, which were given before, are valid to the end of their certain term (period).

By the National Plan of Action Plan for liberalization of the EU visa entry for Ukraine and the introduction in our country is defined by the priority of the passport documents with data medium of biometric information.

According to the Agreement between the governments of Ukraine and Poland on the rules of local border traffic, signed in Kyiv on March 28, 2008, to the 30-km area the 16 districts of Transcarpathian and Lviv oblasts of the Ukrainian side and 12 districts of Pidkarpatskuy and Lublinskuy provinces of the Poland side have been included.

Except the possibility of free-visa entry to visit the relatives, to travel within 30-km area, Ukrainians got a possibility to practice a small trade.

In comparison with such arrangements with Poland and Hungary, Slovak mechanism of simplified movement does not work fully.

On December 29, 2011 the Agreement between Ukraine and Slovak Republic amending the Agreement between the two countries on local border traffic on the May 30, 2008 came into force.

The statements of the agreement foresee to increase the period of continual stay of citizens of both countries in the border areas of from 30 to 90 days during the 180 days, introduces a free border movement and the reduction of consideration terms of the citizens' requests on issuing the mentioned permits from 60 to 30 days.

The implementation of the Agreement provides improved conditions for citizens of Ukraine to Slovakia in the local border traffic, and contributes the development of bilateral relations between the two countries, the intensification of contacts in the socio-economic, cultural, humanitarian and other fields.

Ukrainians have the problems with the obtaining the Slovak certification of local border traffic since the beginning of the Agreement, since 2009. For example, at the end of 2010 Slovakia issued only a little more than 1300 of certifications. Poland and Hungary issue the same number during the month.

It is easier for a Ukrainian to get the Schengen visa at the consulate in the Slovakia. It is a matter of several days. If talking about the local border traffic permit, there is a requirement of Slovak police that documents can be drawn up only in Bratislava, and these additional inconveniences. In addition, free certificates can only get the seniors over 60 and children under 15.

The negotiations concerning the conclusion of the treaty with the **Romanian** side still continues.

In this context, the priority of the issue is improvement of Romanian-Ukrainian transit crossing and it will have a positive impact on the development of tourism and recreation.

It should be mentioned, that thanks to the establishment of the rules on the local border traffic, transit cultural cooperation will considerably revive and the cooperation in the sphere of national minorities. The issue of relations with the historical motherlands is urgent for all ethnic groups, especially for ethnic groups living in the border area. It is also important that the rules of local border traffic were the same around the perimeter border of Transcarpathia and neighboring EU states.

To achieve the aim- free visa entry to European Union, chain of measures, should be taken, especially at the state level, in particular:

- to introduce the state stimulation of the law enforcement agencies and control agencies for the detention of illegal issues and the

order of further usage of confiscated property in the interests of supplying materials and machinery of the corresponding departments, building and border crossing checkpoints;

- to establish for a necessary term the monopoly of the state on the sale of material abroad, the realization of which may fill up the treasury state in most short terms;

- to establish a mechanism of effective control over the transit transportation of vehicles and goods throughout the Ukraine. To determine the routes of the vehicles with the transit goods through the Ukraine;

- to establish the procedures for effective control of transit the movement and putting tick marks of passing the checkpoints in Ukraine;

- The additional funds should be allocated by the Cabinet of Ministers for the proper arrangement of checkpoints through the state border of most intense flows of goods;

- To specify and amend the list of checkpoints through the state border, including the air service, through which the transit of military and special goods and goods of excise group in the case of import, export and transit;

- To establish an interdepartmental database of legislation offenders specifying constituent information of persons, vehicles, the goods carriers, goods senders, goods receiving, intermediaries and firms which are detained for the smuggling activity.

Thus, as alternative to Schengen or national visas, the local border traffic will facilitate the borders of Schengen zone for the legal trade, and also for regional cooperation between neighbouring countries. The reintroduction of local border traffic between EU countries and Ukraine serves the further development of good-neighbourly relations between them, support social, cultural, family and economic relations between the inhabitants of the border territories.

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