

The Role of Social Partners in the Programming, Management and Evaluation of the European Regional Development Fund in Poland

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Abstract

The paper focuses on the introduction and operation of new model of EU-induced, tripartite structure of governance networks - composed of public administration, business and civil society actors - to manage EU structural funds in Poland. More accurately, the role of social partners, i.e. representatives of non-governmental organizations in the ERDF-related region-level and nation-level steering and monitoring committees is analyzed. Following a brief exposition of regionalization principles, regional development policy in Poland and changes induced by the accession to the EU, legal and institutional frameworks for inclusion of social partners in the committees responsible for the programming, management and evaluation of the European Regional Development Fund are scrutinized. Empirical evidence of social partners' participation in the proceedings of such selected committees is introduced and analyzed. Finally, the impact of the social partners on decisions made by the committees is discussed, including the crucial issue of variegated attempts to strike a balance between regional economic competitiveness and social cohesion in Polish regions.

Keywords: social partners, regional (development) policy, structural funds, governance, networks, Poland

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1 Introduction¹

Post-communist Poland has remained a unitary state. Nevertheless, as of 1999, the country's territorial-administrative structure underwent radical changes. The state has been divided into sixteen self-governing regional provinces called *voivodeships*. The ensuing reform of public administration and public policies, including their incipient regionalization, was introduced with country's accession to the European Union in mind. Further reforms, related to both domestic issues and the accession, have strengthened the tendency to adopt and adapt Europeanized (or perceived as such) institutional solutions and modes of policy-making in Poland.

This process has been particularly visible in the newly created arena of regional (development) policy where new policy objectives, new institutional actors, competences, instruments and modes of decision-making began to appear. At the same time, "economic" and "social" dimensions of policy-making started overlapping on the regional level. One of the reasons why this overlapping happened is the extensive transfer of policy competences from the central to the regional tier of government. Because of the transfer, the regional tier has been made responsible, or at least co-responsible, for both economic and welfare growth in regions. On the other hand, the social dimension of policy-making has started to function as a shared arena where both public administration and civil society are expected to coexist and complement each other.

These processes could be analyzed by looking at the mode and results of the programming, management and evaluation of the European Regional Development Fund in Poland (ERDF). The ERDF, being the most important component of the EU structural funds, may by its nature be perceived as a double-edged regional (development) policy instrument. The Fund is meant to both stimulate economic growth and competitiveness of the so-called less favored regions and to serve socio-economic cohesion by counteracting social exclusion of/in the regions. However, the conditions and manner in which a balance is struck between the two orientations of the Fund are to a considerable degree dependent on policy-makers in a given country/region.

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Moreover, the modes of programming, implementation and evaluation of the ERDF have been progressively reformed on the European level so as to embed the policy decision-making processes in the social system. As a result, economic and social partners such as entrepreneur, employee, NGO and academia representatives have also been included in domestic ERDF institutional frameworks. In Poland, the move to the inclusion has been reinforced by the fact that, between 2004 and 2006, the ERDF has been combined with some components of the ESF (European Social Fund) to function as a single Integrated Operational Program of Regional Development (*Zintegrowany Program Rozwoju Regionalnego - ZPORR*).

The inclusion of economic and social partners as fully fledged institutional actors in the arena of regional (development) policy exemplified by the ZPORR could be seen as tantamount to an introduction/spread² of a model of EU-favored, multi-partite governance structure which is composed of public administration, business and civil society actors. Thus, instead of traditional, hierarchical, top-down programming, implementation and evaluation of the policy by the central and/or regional administration, these three parties are supposed to form a policy network. In this case, the network actors are expected to contribute to regional (development) policy-making by taking part in joint regional level and national level steering and monitoring committees co-responsible for the programming, management and evaluation of the European Regional Development Fund.

The underlying logic of the governance model might be interpreted as a way to facilitate a mutual recognition of different interests the various stakeholders may have in regions to encourage them to elaborate “a common good” policy solutions and to release cross-sector synergies. The model is also frequently offered as a means to overcome both static and market policy failures. In the arena of regional policy, the governance model, if successful, may therefore facilitate reaching a working balance between its economic (competitiveness) and social (cohesion) objectives.

Participation of social partners in the proceedings of the committees might be seen as crucial in this respect. It opens up an opportunity to make an impact on decisions taken by the committees which are endowed with a competence to co-decide on priorities, forms and volumes of public - European combined with national and

² *The governance model has been reflected in other institutional arrangements like Voivodeship Committees for Social Dialogue (Wojewódzkie Komisje Dialogu Społecznego - WKDS). Some of them partly functionally overlap with the committees analyzed in the paper. For more on the WKDS, see Zalewski (2005).*

regional - support for regional developmental and social policy projects as well as on the ranking of projects filed for funding. However, the impact may not be taken for granted. It is dependent on many factors such as intricacies inherent in the legal and institutional arrangements for the committees, features of political culture dominant in the country/region, the status of the social partners as civil society actors, the degree of representation that they enjoy within the category of stakeholders whom they claim to represent in the committees, their expertise, etc.

In this paper I offer an analysis of legal and institutional arrangements for the multi-partite steering and monitoring committees related to the programming, implementation and evaluation of the ERDF/ESF - ZPORR in Poland during the period of 2004-2006. My further attempt is to provide an insight into the actual functioning of the committees and to focus specifically on the role of social partners. I will provide empirical evidence which shows that the actual participation of social partners in the proceedings of the committees is limited as is their impact on the committees' decisions to select priority areas and projects that would be supported by the ZPORR. The findings constitute a point of departure when considering the chances of improved functioning and/or viability of the new governance model - policy networks including social partners - in the Polish public policy-making. This evaluation of the chances seems especially important from the point of view of policy-making social dimension which seems increasingly reliant on the activities of civil society actors (cf. *Narodowa Strategia Integracji Społecznej dla Polski*, 2004, Gumkowska et al., 2006).

2 Regions and Regional (Development) Policy in Post-Communist Poland

The territorial-administrative reform of 1998, implemented as of 1 January 1999, divided the Polish state into sixteen regions (voivodeships) - self-governing units of about two million inhabitants and an area of about 20,000 sq km on average. In order to facilitate statistical operations and provisions connected with the EU structural funds, the newly created regions were indicated as equivalent to NUTS2 EU statistical units. Labeled as self-governing, the regions have been equipped with a dual power regime which left them vulnerable to the power of central administration and to the games political parties played both at the regional and central level.

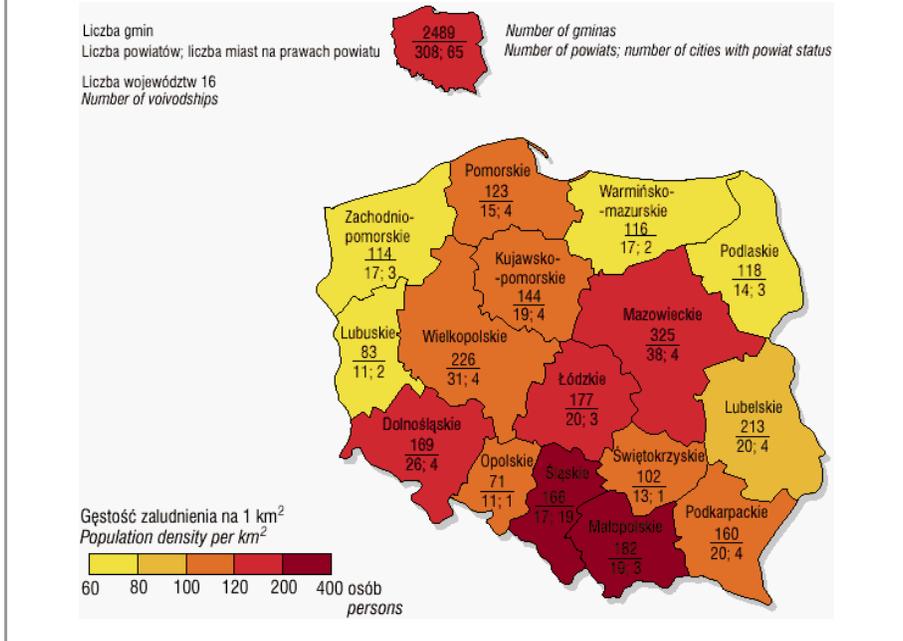
Polish regions are thus headed by a Voivod (*wojewoda*), who is the highest state administration representative on the regional level, and are governed by regional parliaments/assemblies (*sejmik*) elected in regional general elections. They are managed by a board (*zarząd*) with a Marshal (*marszałek*) as its executive head. Depending on political party constellations dominant in a given period in the country's political space, the Voivod and the Marshal may, since their competence overlaps, either act in accord or block each other's policy initiatives in the regions (Hausner, 2001; Gąsior-Niemiec, 2003a; Grosse, 2003). The institutional arrangements for the implementation of the EU structural funds cause the competence of the two regional heads to intertwine even further (cf. Grosse, 2004).

Apart from the Polish Constitution of 1997, there are four major Acts of Parliament that constitute a framework that regulates responsibilities and competence of the regional tier of the Polish government. These are the Commune Self-Government Act of March 1990, the Voivodeship Self-Government Act of June 1998, the Public Finances Act of November 1998 (amended in 2003) and the Law on the Support for Regional Development introduced in May 2000, the last one being replaced in 2004 by the Law on National Plan of Development (cf. Ustawa, 2004). These acts have not only specified competence of regional authorities but have also laid foundations for the regional (development) policy regime in Poland. Moreover, they have constituted a framework within which domestic and European policy objectives, priorities, instruments and their institutional arrangements are conceived and implemented.

The main points of the regulatory framework included in the major Acts of Parliament mentioned above could be summarized as follows: regions and regional governments have been established to: 1) improve the quality of life of the population concerned; 2) promote competitive advantages of the regions; 3) moderate intra-regional disparities at the level of regional development and 4) ensure equal opportunities of citizens living in various regions. The law on support for regional development further specified the tasks of the regional authorities. Among other things they needed to promote the culture of entrepreneurship; restructure territorial economies ensuring their balanced development; create permanent jobs; invest in hard infrastructure; develop human capital; promote regional culture; enhance environmental protection; build institutions in order to support and activate local development.

Figure 1 **Administrative Division of the Republic of Poland, after the 1998 Reform**

Regions, Districts and Communes in Poland.
Population Density at the Regional Level.



Source: Adapted from the Central Statistical Office (GUS).

The regional governments are also obliged to design and implement socially consulted regional development strategies which form the basis for both negotiating and signing regional contracts with the central government and for programming and implementing the ERDF and other EU structural funds. The law on the National Development Plan contains, among other things, foundations for new institutional arrangements to program, monitor and evaluate regional (development) policy programs, instruments and their outcomes. Despite a recent, possibly temporary tendency to uphold the central administration dominance in the area of programming and evaluation,³ the foundations provided by law have established an

³ The centralizing tendency seems to be motivated by both domestic and external factors. The former might be on the governing parties' desire to control and distribute funds as a means to shape political relations at the regional level and to influence the electorate choices. The European Commission's preference to deal with new member-states' central governments instead of having to deal with their, presumably institutionally weak, regional governments appears to be the most important external factor (cf. Hausner and Marody, 2000; Keating, 2002; Grosse, 2004).

opportunity to further decentralize policy-making process and to embed it more in both the market and society by putting in it non-administration stakeholders, i.e. economic and social partners. This breakthrough needs to be related to the (real and perceived) impact of European integration (Gąsior-Niemiec, 2003b).

3 EU Structural Funds and New Modes of Governance in Poland

Following the country's accession to the European Union on 1 May, 2004, Poland has gained access to the European Union Cohesion Fund and the four major structural funds: European Regional Development Fund, European Agricultural Orientation and Guidance Fund, Financial Instrument to Support Fisheries and European Social Fund. During the first implementation period (2004–2006) the funds have been programmed, implemented and evaluated on the basis of the National Development Plan and its seven operational programs:

- Integrated Regional Development (*Zintegrowany Program Operacyjny Rozwoju Regionalnego - ZPORR*);
- Human Resources (*Rozwój Zasobów Ludzkich*);
- Competitiveness of Enterprises (*Wzrost Konkurencyjności Przedsiębiorstw*);
- Transportation (*Transport*);
- Technical Assistance (*Pomoc Techniczna*);
- Restructuring and Modernization of Food Sector and Development of Rural Areas (*Restrukturyzacja i Modernizacja Sektora Żywnościowego i Rozwój Obszarów Wiejskich*);
- Fisheries and Fish Industry (*Rybolówstwo i Przetwórstwo Ryb*).

The funds are primarily regarded as a lion's share of financial provision for the Polish regional (development) policy and therefore a source of strong financial incentives to comply with EU-set developmental and structural priorities for all types of actors entitled to partake in the funds – state, market and civil society ones (cf. Hausner and Marody, 2000; Szlachta, 2001; Hausner, 2001). This perception is reinforced by the fact that both the National Development Plan and regional development strategies, compiled by, respectively, central and regional authorities, have been seen by the majority of Polish experts as not only modeled on, but also clearly subordinated to the principles, objectives and institutional requirements inherent in regional and

structural policy of the EU (Hausner and Marody, 2000; Grosse, 2003; Gąsior-Niemiec, 2003a; Paraskevopoulos, 2001).

Owing to the fact that both procedural requirements and the rhetoric employed by the European Commission in the area of regional and structural policy have been grafted in a wholesale manner onto the Polish policy documents and then gained currency among a wide array of domestic actors (cf. Radaelli, 2000; Gąsior-Niemiec, 2003a, 2003b), the policy documents could also be regarded as a major source of the Europeanizing institutional and normative pressure exercised on Polish actors. This process may, for instance, be seen in the widespread and automatic invocations to the EU policy principles such as subsidiarity and partnership by all kinds of Polish regional (development) policy actors. Speaking of regional issues in terms of cohesion and competitive advantage as well as advocating the network approach and public-private partnerships in relation to all kinds of problems regions face, creating frameworks for social dialogue, etc. can illustrate this point even further. A multiplication of the new institutional policy arrangements to program, implement and evaluate EU-related and other regional (development) policy instruments through multi-partite committees, from central to local level, might then serve as an example of the surrendering to the institutional and normative Europeanization (Ogólnopolska debata, 2005; Bruszt, 2006; Swianiewicz, 2006; Woodward et al., 2006; Skotnicka-Illasiewicz, 2006).

The new institutional arrangements differ from traditional forms of decentralization and/or de-concentration of authority as practiced in Poland before the accession.⁴ One of the most important differences is the fact that decision-making processes in the public policy arena are now institutionally opened to influence up to now excluded categories of actors such as economic and social partners. The other relies on the fact that public administration actors are expected to bargain with the other types of actors instead of imposing single-handed decisions on them. Yet another difference concerns the manner of bargaining which is supposed to be conducted within an institutionalized framework, thus presumably escaping a notorious trap of political clientelism (cf. Paraskevopoulos, 2001; Gąsior-Niemiec, 2003a; Dornisch, 2003; Lewenstein and Palska, 2004; Zalewski, 2005; Skotnicka-Illasiewicz, 2006;

⁴ However, it might be important to note that, at least on the surface, the new, EU-driven institutional solutions seem vaguely reminiscent of some of the compromised state-socialist practices involving the institutionalised participation of political and "social" party members in policy decision-making processes.

Majczyk, 2006) and leading to a fuller (voluntary) compliance with the negotiated policy objectives and outcomes (cf. Boerzel, 1997).

The new institutional arrangements fall in the category of new modes of governance (NMG) as defined by students of European integration (cf. Kohler-Koch, 2002; Smismans, 2006). Apart from the enhanced access of different categories of actors to a variety of public organizational structures, the new modes of governance in their ideal-typical form are also often characterized as much less hierarchical, operating through horizontal rather than vertical linkages, relying on flexible rather than rigid forms of co-operation and coordination, involving on-going negotiation, mutual learning and persuasion on part of the multitude of (public and private) members included in networks which form their ideal-typical organizational basis (cf. Mayntz, 2002; Boerzel et al., 2005). The successful operation of NMG is said to be to a significant degree dependent on soft resources such as social capital (cf. Hausner and Marody, 2000; Paraskevopoulos, 2001; Dornisch, 2003; Adam et al., 2005; Skotnicka-Illasiewicz, 2006).

Boerzel et al. (2005: 6 and ff.) define the new modes of governance in the following manner:

“New modes of governance refer to the making and implementation of collectively binding decisions (based or not based on legislation) that:

- 1. are not hierarchically imposed, i.e. each actor involved has a formal or de facto veto in policy-making and voluntarily complies with the decisions made, and*
- 2. systematically involve private actors, both profit (e.g. firms) and non profit (e.g. non-governmental organizations), in policy formulation and/or implementation.”*

Thus conceived, the new modes of governance are explicitly or implicitly assumed to be contributing to greater inclusiveness, accountability and efficiency of the policy-making process at all levels. They are also claimed to be more useful and effective than the market or hierarchy in creating and safeguarding common and public goods (cf. Heritier, 2002). Therefore, it might be surmised that they are most suited to arenas

such as regional (development) policy⁵ where there is a need to represent and reconcile diverging values and interests of many actors and to strike a balance between correspondingly divergent policy objectives: constantly upgraded economic competitiveness and maintained social cohesion (cf. Hausner and Marody, 2000; Rodrigues-Pose and Fratesi, 2004; Narodowa Strategia Integracji Społecznej dla Polski, 2004; Ministerstwo Rozwoju Regionalnego, 2005; 2006).

Accordingly, by looking at the case of the Polish regional (development) policy with a focus on changes triggered by the accession to the European Union and access to the EU structural funds, we can find legal provisions for new modes of governance in the shape of special-purpose policy networks (cf. Boerzel, 1997), including representatives of the three main categories of stakeholders – representing public administration, market and civil society. The networks known by their official names of monitoring and steering committees have been called into existence in a manner congruent with the EC Directive No. 1260 of 1999. Their establishment has, however, also been strongly underpinned by the wide spreading discourse on the necessity to follow the EU discourse on governance (European Commission, 2003), to introduce a model of public-private partnerships and to allow for an increased inclusion of civil society actors in public policy making processes. All eminent Polish experts see the connection to these policy recommendations (Marody and Hausner, 2000; Hausner, 2001b; Szomburg, 2003; Luft and Wygnanski, 2006; Gęsicka, 2006).

The steering and monitoring committees have been established for each of the seven operational programs listed above. This is all done within the frameworks of strategies to implement the National Development Plan, the Community Support Framework and the EU Cohesion Fund both at the central and regional level. The number of steering committees is fluid and larger than the number of the programs they form for an institutional arrangement because such committees may also be temporarily established separately for several priorities and activities embarked on within any of the particular operational programs. The main legal framework for the establishment and functioning of the committees was adopted in 2004 together with the Law on National Development Plan of 20 April 2004 and put into operation as of 8 June 2004 (cf. Ustawa, 2004). Monitoring and steering committees constituted an integral part of the whole regional (development) policy of the 2004 legislation package.

⁵ Cf. a discussion of terms “regional policy” and “regional development policy” in Hudak (1999).

Monitoring committees are conceived as independent, opinion-giving and consultative bodies to support Institutions Managing of each of operational programs. Among the Institutions included are the Ministry of Regional Development, the Ministry of Economy, the Ministry of Agriculture and the Ministry of Labor, respectively, depending on the policy scope covered by the programs. The task of the committees is to monitor, evaluate and recommend changes and modifications of objectives, priorities, allocation strategies and volumes of support as well as modes of management and implementation of a given program and the related fund. Representatives of the relevant Managing Institution preside over each committee (Ustawa, 2004).

Decisions and recommendations of the committees do not have a legally binding force which is reserved for the Managing Institution. However, their status, scope and composition, as specified in the 2004 law, seem to institute them as an important policy forum which operates through soft methods such as opinion-giving and recommendations based on negotiation, persuasion, learning and mutual adjustment of the members. This is the precise logic of operation typical to new modes of governance, which are different from the traditional, static forms of policy-making relying on legal means and law enforcement (cf. Boerzel et al., 2006). Bearing in mind the inclusion of economic and social partners together with the central and regional administration ones in the committees, it seems that a crucial channel for giving shape to a both market and socially embedded regional (development) policy was created in the post-accession Poland (cf. Szomburg, 2003; Luft and Wygnanski, 2006; Gęsicka, 2006).

Similar remarks pertain to steering committees. From the point of view of economic and social stakeholders involved, the committees may seem even more significant. They are made co-responsible for the actual evaluation, selection and recommendation of projects submitted by all entitled entities with the aim of getting financial support from a particular fund within the framework of a particular operational program. Thus, the committees could act as the most essential forum within which diverging interests of different categories of regional stakeholders are revealed, confronted and reconciled ensuring that regional public interest and common good remain a priority. On the other hand, the steering committees might also be expected to function as a battleground where predominance of any given category of actors is trying to be established to be further reflected in opinions and project recommendations issued by the committees. Also, it could be expected that

the actual relation between economic and social dimensions of regional (development) policy might become one of the main issues to be negotiated within the framework of the committees.

It is therefore clear that bodies such as the committees have been attributed with a potentially crucial role of both market-oriented and society-oriented “sensors”, “bumpers” and “correctors” in the policy process led by political actors (public administration) (cf. also Zalewski, 2005). A closer scrutiny of the law-stipulated principles of the constitution, composition and modes of operation of those bodies seems therefore vital from the point of view of the supposed EU-induced institutional breakthrough in post-accession Poland. Gaining an insight into the actual functioning of the committees seems to be even more important. In particular, it would be interesting to see which economic and social actors are invited to participate in them and in what manner. We should know their status, competence, skills and goals. Also, it appears crucial to investigate what is their expected as well as actual role in the committees and find out their impact on the regional (development) policy-making in the country.

The 2004 Law on National Development Plan stipulates that the managing institution at the central level and the Voivod (the state representative in the region) or the Marshal (elected head) at the regional level are in charge of monitoring and steering committees. The law ensures that central administration is left with the initiative to form a policy network and to control it.⁶ Coordination of meetings and proceedings is entrusted with a Managing Institution representative, who presides over each of the committees (Ustawa, 2004). Each of the committees is composed of one third of representatives of state administration, one third of representatives of (regional and local) self-government administration and one third of representatives of social and economic partners (Ustawa, 2004).

I will now examine the category of social and economic actors who are designated as members of the committees. The category of social and economic partners, as defined by the 2004 law, comprises of three basic stakeholder group representatives. These groups consist of employer and employee organizations, NGOs and the academic

⁶ *The fact that the public administration sector has been strongly privileged in the governance solution adopted in Poland does not make it by itself dysfunctional. Governance networks are claimed to perform better “in the shadow of hierarchy” (Boerzel, 1997; Heritier, 2002). Rather, it is the actual uses to which the hierarchy might be put that would seem decisive in evaluating the fact.*

milieu. Representatives of these groups are granted the status of permanent members of the committees and are invited to participate in their proceedings on equal footing with the remaining categories of actors (Ustawa, 2004). Notably, participation in the proceedings of the committees is not remunerated (with the obvious exception of public administration representatives), which might be, and indeed is, perceived as a certain barrier by non-administration committee members (cf. Chodor, 2005: 70).

Another interesting issue are the procedures regarding the selection of social and economic partners' representatives to particular committees. Analyses indicate that these procedures are only loosely described by the 2004 law and remain rather vague, allowing for discretionary decisions by central administration representatives and of unspecified representatives of other stakeholders during the selection process (Ustawa, 2004). On the one hand, this might be seen as a sign of flexibility stipulated as necessary in the case of policy networks and NMG in general. On the other hand, however, representativeness and accountability of the economic and social actors invited to take part in the proceedings of the committees may not always be recognized by all of the relevant stakeholders.

We may consider for instance a sub-category of social partners - representatives of non-governmental organizations (NGOs) in the monitoring and steering committees related to the operational programs. The process of their selection for the 2004-2006 implementations round was formally entrusted at the central level to the Managing Institution, i.e. a relevant Ministry. The process was co-coordinated and supervised by the Council of Public Benefit (*Rada Pożytku Publicznego*) - a body comprising opinion-making representatives of the NGO sector. The Council was established in 2003 to contribute to the preparation of the Law on public benefit and volunteering. It then continued to advise the government, especially the Ministry of Social Policy and Labor, on matters concerning civil society.

The selection process of committee members involved the following major stages:

- an announcement appeared in the national press and on the relevant public administration agency's (Ministry's) website which invited interested NGOs to nominate their candidates for representatives of the "social" (NGO) sector in the committee;

- applications (including a standardized application form available on the Ministry's website) were filed in at the public administration agency by interested NGOs;
- applications were technically reviewed by officers employed by the Ministry;
- applications were further reviewed by members of the Council of Public Benefit who, in addition, tested and verified the degree of social support the applicants enjoyed in their respective milieus and within the NGO sector in general;
- the Council of Public Benefit issued its final recommendation for some applicants and passed it over to the Minister;
- the Minister, taking the recommendation into account (although legally not bound by it), invited some applicants to participate as social partners in the proceedings of the committees (Chodor, 2005: 10).

Discretionary powers on part of the Ministry notwithstanding and a critical role played by the Council of Public Benefit in the selection process should also be stressed. The Council's role is all the more worth highlighting when we take into account that the composition of the Council is itself largely subject to a discretionary selection made by an informal network of public administration officers and opinion-making NGO activists (cf. Lewenstein and Palska, 2004). Moreover, the fact that there are no formal criteria (such as threshold of a minimal organizational capacity) could lead to marginal NGOs taking up roles of the social partners on behalf of the whole NGO sector. Similarly, because the branch recommendation for nominees is not needed, an NGO which is not perceived as a representative of a given NGO branch and/or indeed does not represent it might be selected.⁷ Thus, the procedures of selecting social partners within the regional (development) policy arena through the central level committees do not seem to guarantee that they will act and be recognized as representative of the relevant stakeholders either in terms of values/interests/preferences or expertise.⁸ The status and potential impact of the social

⁷ *The problem of representativeness involves, among other things, issues such as legitimate interest articulation and compliance of the represented stakeholders with policy networks' regulations. Given the fragmented, competitive and clearly branch-oriented nature of the Polish non-governmental sector, recommendations of branch coalitions (environmental, social services, education, etc.) might help overcome the problem. It needs to be mentioned, however, that in reality apart from environmental and, partly, social services organizations, no such stable coalition has been formed within the NGO sector. The procedural requirement could therefore act as an additional, much needed incentive, to structure the sector and establish its nation-wide and region-wide representations (Chodor, 2005; Gumkowska et al. 2006). On the other hand, it could also prevent the strongest organizations from monopolizing the role of social partner - indeed some NGOs have managed to have their nominees selected to almost all of the committees (cf. Chodor, 2005: 72-73).*

⁸ *A similar case is argued for the WKDS which have been mentioned earlier (cf. Zalewski, 2005).*

partners in the policy networks, including improved compliance of civil society stakeholders with the policy objectives and outcomes, might therefore be undermined by the intricacies of the legal-institutional provisions.

At the regional level procedures for selection of social partners to monitoring and steering committees were initially altogether lacking. Following protests by some civil society actors and a subsequent ministerial directive, such procedures have been gradually introduced in all regions. Nevertheless, the procedures significantly vary between different regions, policy areas and committees. Also, they seem far less formalized and much less transparent than the ones obtained at the central level (Chodor, 2005: 10). Therefore they appear to be much more vulnerable to discretionary powers of the public administration officers and open to charges of political clientelism (cf. Skotnicka-Illasiewicz, 2006: 13-15), not mentioning the problem of the stakeholders' compliance with the committees' decisions. The perception of the degree to which selected social partners are representative of their milieu might be described as even lower than at the central level.

The most common elements of the selection procedures employed by regional public administration are: a local press announcement, a formal invitation addressed to all NGOs registered within the given region, a personal invitation issued by the regional governor and/or the regional executive board to specific persons associated with the non-governmental sector.

4 Social Partners in the ERDF/ESF-ZPORR Related Monitoring and Steering Committees in Poland (2004-2006)

Following the general analysis of the principles according to which the new governance arrangements operate, I will now present findings and conclusions derived from a pilot case study in the arena of the regional (development) policy. The study is focused on the actual status, patterns of behavior and activities of social partners selected to participate in nation-level and region-level monitoring and steering committees established as part of the policy networks to program, monitor and evaluate the implementation of the ERDF/ESF - ZPORR operational program in Poland in the period of 2004-2006. Opinions and recommendations voiced by the

interviewed social partners regarding the new governance settings and the role of civil society actors in the settings are also included.

The case study, which was carried out within the framework of the OFOP (an umbrella type of an NGO) involved analyses of documentation related to the principles of the implementation of the ERDF/ESF - ZPORR, evidence of the selection, presence and actual participation of social partners (non-governmental sector representatives) in the sittings of selected ERDF/ESF - ZPORR steering and monitoring committees. The analyses were supplemented with an opinion survey carried out among the social partners (Chodor, 2005). National press coverage of the ERDF - ZPORR issues was reviewed. Furthermore, some exploratory interviews with selected social partners were conducted at the regional level. It should be emphasized that the data to complete the case study - even though formally they fall in the category of data mentioned in the Law on public information - was difficult and at times impossible to obtain. The willingness and readiness of both public administration officers and social partners to take part in the research must be described as strongly limited.

At this point it needs to be added that the ERDF/ESF - ZPORR, in the framework of which the analyzed committees have been established and social partners invited to, is the most decentralized operational program of all implemented EU structural funds in Poland. Its programming and evaluation are done jointly by the central and regional level and implementation is entirely delegated to the regional level. The ERDF/ESF - ZPORR is thus, by definition, classified as a multi-level and network governance enterprise. Its relative institutional closeness to the potential beneficiaries, addressees and clients makes it appear more “approachable” and “attractive” for multiple actors, including social partners. It also seems - at least in theory - to leave considerable room for representatives of different stakeholder groups to negotiate the ranking of the policy priorities and the volume of funding for particular projects.

This impression is reinforced when the three priority areas - 1) building infrastructure to strengthen regional competitiveness (with initial allocation of 56 percent of available funding); 2) strengthening the regional economic base and human resources (with initial allocation of 22.1 percent of available funding); and 3) local development (with initial allocation of 22.4 percent of available funding) - are decomposed into more detailed types of project areas admitted for support within the ERDF/ESF - ZPORR framework. Some of the projects included are:

- building and modernizing regional road infrastructure;
 - development of systems of communication;
 - increasing the education level;
 - modernization and extension of cultural heritage;
 - development of information society;
 - modernization of educational and academic infrastructure;
 - building and modernizing of regional health infrastructure;
 - improvement of local and regional enterprises' marketing and management capacities;
 - restructuring the regional economy;
 - increasing the investment potential of local enterprises;
 - increasing the level of employment;
 - improving co-operation and transfer of innovation between regional R&D sector and regional/local enterprises;
 - modernization of infrastructure to protect the environment, etc.
- (cf. Zintegrowany Program Operacyjny Rozwoju Regionalnego 2004-2006, 2003).

It is clear that negotiating and mutual adjustment within the ERDF/ESF-ZPORR committees could be expected. This should happen not only in terms of preferential treatment of and recommendation for priorities and project areas but also in terms of the actual shape of concrete projects and the balance between purely economic and social dimensions within them.

The nation-level Monitoring Committee for the ERDF/ESF - ZPORR was established by the Ministry of Economy, Labor and Social Policy in 2004. It was established with the aim of “opinion-giving and recommending Supplement to the Program and changes proposed to it, evaluating annual reports, final reports of the Program, proposals of changes in the Program, including changes and shifts in allocation between activities. The Committee’s aim is also to periodically monitor the progress in reaching milestone objectives as regards to the particular aims of the Program, which are defined in the Integrated Operational Program of Regional Development and Supplement to the Program” (Chodor, 2005: 23; Ustawa, 2004). Its proceedings are now coordinated by the Ministry of Regional Development, which was created in 2005 and took over the role of the main institution managing the Program.

The Committee includes seven representatives of the Polish NGO sector. These were delegated by the Federation of Scientific-Technical Associations (*Federacja Stowarzyszeń Naukowo-Technicznych - NOT*), Foundation for the Development of Local Democracy (*Fundacja Rozwoju Demokracji Lokalnej*), Caritas of the Katowice Diocese (*Caritas Diecezji Katowickiej*), Fraternity of Orthodox Youth in Poland (*Bractwo Młodzieży Prawosławnej w Polsce*), Foundation for Support of Ecological Initiatives (*Fundacja Wspierania Inicjatyw Ekologicznych*), Nation-wide Association of Village Heads (*Krajowe Stowarzyszenie Sołtysów*) and Association of Organizers of Centres for Innovation and Entrepreneurship (*Stowarzyszenie Organizatorów Ośrodków Innowacji i Przedsiębiorczości*).

Members of B&R and academic milieu, NGOs, grassroots local self-government and the milieu of organizations that constitute the so called soft, entrepreneurship and innovation infrastructure are all partners in the Committee. Looking at the organizational resources of the delegating NGOs, four Committee members were appointed by powerful, fully professional organizations (i.e. *Fundacja Rozwoju Demokracji Lokalnej*, *Caritas Diecezji Katowickiej*, *Fundacja Wspierania Inicjatyw Ekologicznych*, *Federacja Stowarzyszeń Naukowo-Technicznych NOT*), two Committee members were appointed by federations of smaller, branch organizations (*Krajowe Stowarzyszenie Sołtysów*, *Stowarzyszenie Organizatorów Ośrodków Innowacji i Przedsiębiorczości*) and one Committee member represented a minority organization. This organization is marginal in terms of both membership and resources (*Bractwo Młodzieży Prawosławnej w Polsce*) but important in symbolic and political terms as a minority representative. It should be mentioned that the balance in the social partner representation is, in general, tipped towards the so called Third Sector oligarchs, i.e. the most powerful, rich and professional organizations (cf. Gąsior-Niemiec and Gliński, 2006). All of the oligarchs do not only enjoy a high profile at the central level but also have strong regional representations. They do not, however, enjoy a status of a Third Sector (branch) representative. Nevertheless, the composition of the social partner segment of the central level Committee might, in general, be interpreted as indicative of conscious attempts to balance the NGO representation in terms of fields of expertise, branch rank, type of resources and political correctness.

The Committee convened six times during the January–November 2005 period when the reported EFOP study was conducted (Chodor, 2005). The attendance of the social partners varied and, generally, deteriorated with time. Only the representatives of *Caritas* and *Bractwo Młodzieży Prawosławnej* were fairly regularly present during its meetings, while the other NGO representatives appeared once or not at all at the

Committee sessions. The level of active participation was very low throughout the studied period and, again, it deteriorated with time, especially when compared with a growing active involvement of other Committee members (Chodor, 2005: 82).

Based on the minutes of the Committee's sessions, the social partners took the floor altogether only six times during the period under research, the majority of which took place during the initial meetings. The grassroots local self-government representative (*Krajowe Stowarzyszenie Soltysów*), for instance, took the floor asking to clarify what were the criteria for classifying NGO financial resources as public resources. The *Federacja Stowarzyszeń Naukowo-Technicznych - NOT* representative successfully proposed changes to an academic scholarship scheme which would allow not only university students but also high school students to take advantage of it (Chodor, 2005: 23-24). At the end of the first year of the Committee's operation the social partners' participation must be classified as extremely passive and almost totally inconsequential in terms of shaping the regional (development) policy program.

I will now offer a brief overview of the activities of selected regional steering and monitoring committees established within the framework of the same ERDF/ESF - ZPORR Program. As mentioned before, the regional committees are created by regional executive boards and/or regional governors. The basic aim of the committees is to evaluate the projects filed for EU co-financing within the given region and recommend some of them for funding. It needs to be mentioned that prior to the evaluation by the committees, the projects are evaluated by panels of relevant experts in order to rank them according to "instrumental" (competitive) criteria such as their potential contribution to the development of the region, congruence with needs of regional economy, technical feasibility, matching with priorities set in the given regional development strategy and/or National Development Plan.

Therefore, it might be surmised that the process of evaluation and recommendation by the regional steering committees could be interpreted as consciously designed to serve additional, non-technical purposes. The committee members could, for instance, attempt to change the expert ranking of projects arguing for/against it on grounds such as projects' contribution to a common good, their beneficial/detrimental social effects, their innovative potential etc. We could then reasonably expect that the committees would indeed become sites of struggle, bargaining, persuasion, mutual learning and adaptation where the voice of social partners will be heard. This, however, seems not to be the case.

Even though the regional committees meet at least twice as frequently as the central level committees, the NGO representatives are generally only slightly more active at the regional level than they are at the central level, both in terms of attendance, voicing opinions and filing postulates (Chodor, 2005: 24-25; RKM, 2005a, 2005b, 2005c, 2005d; RKS, 2005a, 2005b, 2005c, 2005d). Namely, there is not much evidence that social partners indeed attempted to introduce changes in the allocation schemes and/or ranking of projects to be funded by the ERDF/ESF-ZPORR program. Moreover, in many cases the proposed changes, even when supported by the whole committee (i.e. negotiated within the policy forum), were, however, subsequently disregarded or annulled under the pressure by representatives of public administration (cf. Bojarski, 2005; Chodor, 2005: 64-69; RKM, 2005a, 2005b, 2005c, 2005d; RKS, 2005a, 2005b, 2005c, 2005d). In addition, other categories of committee members, including economic partners, appear as active as the social partners – representatives of the non-governmental sector.

Looking for the ways to explain the less than satisfactory level of participation of social partners in the exemplary NMG settings in Poland, we will now turn to opinions of some NGO representatives regarding the functioning of the analyzed committees and their role in them. In general, it should be stressed that the newly positioned social partners seem to appreciate the opportunity and see it as a step forward in the empowerment of Polish civil society. Nevertheless, they rather consistently point to several weaknesses inherent in the institutional formula and its operation. Furthermore, they also express some doubts about their own capacity to perform the institutional role.

On the one hand, the monitoring and steering committees, especially at the regional level, are often seen by the interviewed social partners as “fig leaves” or “voting machines” to simply legitimize decisions already made somewhere else. The voice of social partners appears not to be blocked literally but, rather, disregarded, taken into account selectively or just overruled without any deliberation. Moreover, in many cases if any deliberation does take place, it is perceived as too formalized and misdirected towards technicalities and administrative issues instead of tackling issues such as social costs, public benefit, short and long-term effects of projects, etc.

On the other hand, many shortcomings are also identified on part of the NGO representatives themselves. Quite often the interviewees admit their lack of expertise in dealing with the committees’ agenda and even postulate that some sort of

introductory training should be introduced for them before they start taking part in the committee proceedings. They also admit that the majority of NGO representatives are passive or interested only in narrow issues related to the interest of their organizations or the organizations' clients. Also, they feel that the voice of NGO representatives in the committees could be more effective if it did not come from single but from a coalition of organizations. Moreover, they hint at questionable representation on part of NGO representatives, which also act to the detriment of the social partners' perception and their influence on the proceedings of the committees and other regional policy networks and decision-makers (Chodor, 2005: 65 and ff.; Skotnicka-Illasiewicz, 2006: 13-15, 22-23).

Finally, it is useful to stress the doubts that the interviewed and surveyed social partners have regarding their role in the governance structures such as the committees. The majority of NGO representatives are uncertain if they should play the role of technical/policy experts - for which they admit they are lacking skills - or rather function as guardians of a common good, as "pangs of conscience" to constantly remind the other partners about social costs, civic and moral obligations involved in the policy-making processes (Chodor, 2005: 63-64). The uncertainty is aggravated by the fact that "screenplays" and "skills" needed for both types of roles do not just exist in the waiting for the social partners but have to be defined regarding the other types of committee partners and their respective branch milieus.⁹

5 Conclusion

In the light of existing evidence, the co-optation of social partners to the regional (development) policy networks, illustrated by the proceedings of the ERDF/ESF-ZPORR monitoring and steering committees seems not to have produced expected added policy value in Poland after the accession. Their participation and, consequently, impact on the outcomes of the policy processes are of marginal importance. Because of both external obstacles and internal structural weaknesses, social partners appear neither truly capable of nor very keen on exerting an impact on the committees and thus taking advantage of them to take part in either (re)shaping

⁹ *In addition, some of the civil society representatives appear to experience an already classic Burkean dilemma while participating in the committees: whether to act as a delegate or as a trustee?*

the principles, objectives, and instruments or, at least, influencing the project selection and allocation processes.

In brief, looking from the point of view of new modes of governance and the role of social partners in them, the experience in the first round of the implementation of the ERDF in Poland could be summed up as disappointing. It may be said that social partners are misplaced within the new governance arrangements. Their misplacement is to an extent due to internal weaknesses of the milieu they represent. However, the deficient legal provisions for their inclusion in the committees weigh heavily on the misplacement. The deficiencies are clearly manifest in the selection criteria used to co-opt social partners; their role in the policy networks lacks clarity, and lastly, committees are seen as ambiguous in a larger political context.

The larger political context in the country still seems plagued by façade institutionalizations, low trust in principles of consequential public deliberation and subordinating the public policy processes to non-political influence and control (cf. Szomburg, 2003; Zalewski, 2005; Luft and Wygnanski, 2006; Woodward et al., 2006: 54). Formal compliance with the dominant EU discourse on governance by creating policy networks and paying institutional lip service to principles, such as partnership and social dialogue, are often further undermined by the fact that the networks are circumvented by informal bargaining that takes place away from such institutional arenas.

Notably, in the case of regional (development) policy, the so far failed experience of social partnership within the framework of policy networks, has not had a dramatic, socially damaging influence on the balance between support for economic competitiveness and social cohesion. On the contrary, the policy in its current shape is commonly criticized by experts for its social and anti-developmental orientation, favoring simple redistribution to planting seeds of sustainable development (cf. Grosse, 2004; Rodrigues-Pose and Fratesi, 2004). Thus, in a way, in its current shape, the regional (development) policy might appear as not being in an urgent need of social partners' insight and contribution. However, this would seem a false conclusion, bearing in mind the fact that without their insight and contribution, the policy will continue to function as an arena where political voting support is fought for, rather than a place where systemic solutions to social and developmental problems are sought. The underlying logic of the so far failing governance model seems necessary to be included in the policy making processes in the long-run. This

would be especially desirable in the case of regional (development) policy where the degree of regional stakeholders mutual recognition of different interests, their conception and awareness of a common good as well as the necessity to release cross-sector synergies is still very limited.

Hopefully, the experience of the new modes of governance during the first ERDF implementation period will be submitted to systematic self-reflection by social partners in order to realize and further specify causes for the current failures and devise steps of improvement in the future.¹⁰ One of the means to overcome the failures would certainly be to create some working principles and channels such as branch and sector communication so as to consolidate the milieus and facilitate establishing criteria for its “representative representation” in the policy networks. Effective communication with other policy network partners seems as a different challenge. Its meeting would have to involve the means of convincing the other policy partners about expertise and worthiness of social partners’ participation in the policy-making processes.¹¹ Finally, some changes in the legal-institutional provisions for the policy networks seem unavoidable. Proposals for those, however, ought to be formulated and insisted on by the social partners themselves on the basis of a policy partner role that they will have to define for themselves as well as the other policy partners.

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¹⁰ *An increased interest of non-governmental organizations in consultation procedures preceding the final formulation of the National Development Plan and its operational programs for the next implementation period of 2007-2013 is a sign of the reflection process that is indeed taking place (cf. an OFOP summary available at www.ngo.pl).*

¹¹ *Indeed, more current research based on the opinions of public administration actors seems further to confirm that social partners are not treated as serious policy partners (cf. Skotnicka-Illasiewicz, 2006: 22-23).*

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