

## **Decision on division of the European funds unpaid and recovered from Russian beneficiaries among Polish beneficiaries in ongoing projects within the Poland-Russia CBC Programme 2014-2020**

### **1. Introduction**

Based on the Regulation (EU) 2022/2192 of the European Parliament and of the Council of 9 November 2022 laying down specific provisions for the 2014-2020 cooperation programmes supported by the European Neighbourhood Instrument and under the European territorial cooperation goal, following programme implementation disruption (Regulation 2022/2192), the Joint Monitoring Committee of the Poland-Russia Cross-border Cooperation Programme 2014-2020 during the meeting on 7th December 2022 decided:

- the maximum European Union's co-financing for the Russian beneficiaries is decreased to the pre-financing already paid;
- no expenditure can be accepted from the Russian beneficiaries, even from before the cut-off date (i.e. before 24th February 2022), if sufficient audit work has not been carried out in line with Article 28 of the ENI CBC Implementing Regulation (EU) No 897/2014 of 18 August 2014.

Due to the fact that no expenditure of the Russian beneficiaries has been audited, no co-financing paid to the Russian beneficiaries is eligible and all EU's co-financing paid to the Russian beneficiaries will be subject to recovery under the simplified recovery procedure directly from Russian beneficiaries based on article 14 of the Regulation (EU) 2022/2192.

The EU amount contracted in the Programme for the Russian beneficiaries is approximately 8.7 MEUR (of which 2.5 MEUR has not yet been transferred and 6.2 MEUR is recoverable in full from the Programme's account on which RU funds are accumulated).

Subsequently, the amount of maximum **8.7 MEUR** will increase available EU funds for Polish beneficiaries.

It is decided to redistribute these funds among the current Polish beneficiaries of the Programme.

The Joint Technical Secretariat has collected information from all projects using surveys examining the beneficiaries' interest in obtaining additional funding for:

- 1) increasing the budgets of the Polish beneficiaries of the projects, aimed at counteracting the migration crisis, in accordance with the 'Supplement no 2 to the Programme Manuals related to suspension of the Financing Agreement';
- 2) additional activities in line with the indicators of the current projects (or other Programme indicators from the thematic objective), as well as increasing the financing of present activities for which the planned funds were not sufficient.

Based on the answers received from the Polish beneficiaries, the decision of the Joint Monitoring Committee was made on division of the European funds unpaid or recovered from the Russian beneficiaries among the Polish beneficiaries in ongoing projects.

## **2. Decision on priorities for granting additional funds to the Polish beneficiaries**

It is decided to set the following priorities for granting additional funds to the Polish beneficiaries:

- 1) for activities related to the migration crisis;
- 2) for projects in which the budget for the infrastructure component turned out to be underestimated after the tender was announced;
- 3) for activities related to environmental protection or health protection in line with the indicators of the current project under TO Environment;
- 4) for activities in line with the indicators of the current project under TO Heritage and TO Accessibility.

Based on the received answers form the Polish Beneficiaries, it is decided to allocate additional funds to the following projects:

**1) For activities related to the migration crisis.**

<b>PROJECT NO</b>	<b>REGION</b>	<b>POLISH BENEFICIARY</b>	<b>REQUESTED CO-FINANCING AMOUNT</b>	<b>ACTIVITY</b>
PR/1/069/2018	W-M	Ełk Culture Center (LB)	5 349,98	Polish language course for Ukrainian citizens (aged 15+) living in Elk (25 people); 64 didactic hours from March to July 2023. The cost includes remuneration of a teacher, materials for participants (didactic, stationery), products for coffee breaks, leaflets, psychological support for the participants' children (32 hours).
PR/1/058/2018	W-M	Olecko District	13 767,30	1. Renovation and adaptation of the boarding school to the needs of 80 refugees, modernization of the fire protection system (done in 2022). 2. Purchase of new beds for 30 refugees, 80 sets of dishes, 5 computer stations with software and a printer for online learning for children.
PR/1/103/2018	W-M	Regional Cultural Center in Olecko "Mazury Garbate" (LB)	26 127,00	1. series of meetings and workshops is planned from March to June including: integration workshops (30h); inclusive art workshop (30h); international folklore event; Polish-Ukrainian Children's Day Picnic; 2. A language laboratory where children, young people and adults from the Ukraine living in the municipality of Olecko will learn the Polish language (24 language-learning posts equipped (each)). Teacher to teach Polish (March-June) will be hired.
PR/1/086/2018	POM	Pomorskie Voivodeship	143 302,98	Organization of an integration and sports camp with elements of learning Polish for children and youth refugees from Ukraine (300 children, July-August 2023).
PR/1/115/2018	POD	Puńsk Municipality (LB)	30 552,19	Puńsk Municipality is in the process of renovating 3 bathrooms at the municipality kindergarten facilities in Puńsk. Last year Puńsk Municipality renovated one bathroom within budget line 7.1.1. Support for the Ukrainian refugees. The kindergarten is attended by the children of Ukrainian refugees.
PR/1/115/2018	POD	Bakałarzewo Municipality (B1)	28 785,70	Renovation of bathrooms in the building of the municipal public library in Bakałarzewo (the project has already equipped rooms in the library building to receive Ukrainian refugees in need). The construction works are planned to be performed by the end of June 2023.

PR/1/005/2018	W-M	Miłakowo Commune	22 500,00	Assistance activities directed at support of refugees from Ukraine - children and youth, and their integration with Polish peers, including the organization of integration activities, joint Polish-Ukrainian concerts and competitions.
PR/1/005/2018	W-M	Urban Enterprise of Municipal Services Ltd. in Miłakowo	9 900,00	Assistance activities directed at support of refugees from Ukraine - children and youth, and their integration with Polish peers, including the organization of integration activities, joint Polish-Ukrainian concerts and competitions.
PR/1/116/2018	W-M	Stare Juchy Community (LB)	8 100,00	On 30 January 2023 an addendum to the Grant Contract was signed with the Lead Beneficiary, expanding the project activities on the Polish side among others by the actions supporting the Ukrainian refugees in a form of increasing the capacity of the educational institutions, where the children of the refugees attend. Under the above-mentioned actions the Lead beneficiary planned to renovate 3 classes at the school in Stare Juchy, purchase the school furniture as well as the necessary equipment (including devices that improve learning and communication). As the Lead Beneficiary started implementing the newly contracted actions, it turned out that under three budget lines in the category related to the support for the Ukrainian refugees, foreseen in the project budget, the planned funds appeared to be insufficient and thus the Lead Beneficiary would like to ask for additional funds to cover these lines in total.
<b>Total requested Programme contribution (EUR)</b>			<b>288 385,15*</b>	

\* In the course of distributing the additional funds to the Polish beneficiaries, the funds saved (i.e. contracted, but not spent) by these beneficiaries during the project implementation period are to be taken into account. Thus, there may be a situation, that actually granted amount of the additional funds to the given beneficiary is lower than presented in this table, as the savings of the beneficiary might have compensated some part of the additional funds, which were supposed to be granted.

2) For projects in which the budget for the infrastructure component turned out to be underestimated after the tender was announced.

PROJECT NO	REGION	POLISH BENEFICIARY	REQUESTED CO-FINANCING AMOUNT	ACTIVITY
PR/LIP/01/2016	POM	Municipality of Malbork	477 676,59	Construction of a playground with a lookout point is currently being carried out in accordance with the provisions of the Grant contract, but its budget has significantly exceeded the estimated cost. The completion date is planned for 30.04.2023.
PR/LIP/07/2016	W-M	Voivodeship Roads Management (LB)	893 425,34	The activities include the execution of the construction works performed during the project implementation as a part of the project infrastructural component in the scope of bridge construction, road reconstruction, reconstruction of installations. The costs were paid from the Lead Beneficiary's own resources out of the project budget, as they exceeded the budget foreseen in the project.
PR/1/006/2018	W-M	Szczytno District (LB)	703 746,08	The action concerns increasing the amount of project co-financing to cover the remaining amount of the contract with the contractor under budget lines 6.1.3 Construction of bicycle path in Szczytno District and 6.1.4 Investment supervisory service. The total value of the contracts exceeded the amounts foreseen in the project budget.
PR/1/035/2018	POM	Gdańsk Museum (LB)	5 896,31	During the implementation of the project, the Beneficiary incurred higher than expected costs for the activity related to the graphic design of the exhibition and for the production of stenographic elements of the exhibition. Due to exceeding the budget lines, the surplus over amount in the budget was considered ineligible in the final report.
PR/1/036/2018	WM	Stare Juchy Commune (B3)	73 777,42	Construction works aimed at creating a recreational and tourist park for families with children in Stare Juchy. Costs related to the higher price of construction works than assumed in the application.
PR/1/069/2018	W-M	Ełk Culture Center (LB)	5 834,81	Purchase of stage lighting - 8 moving heads with chests. The purchase was entered into the project budget, the change was approved on March 1, 2022. The heads were ordered, but as a result of the war, their delivery was delayed, therefore the expenditure was paid from the Lead Beneficiary's own funds after the project implementation period as ineligible expenditure.

PR/1/115/2018	POD	Puńsk Municipality (LB)	8 986,50	Puńsk Municipality reconstructed the municipal road No. 101685B Kompocie-Buraki. Total costs of the above investment exceeded the funds in the project budget. The Beneficiary requests to finance the surplus over the amount foreseen in the project budget.
PR/1/115/2018	POD	Bakałarzewo Municipality (B1)	40 431,26	1. Total costs incurred within the budget line "6.1.2 Reconstruction of municipal roads in Bakałarzewo municipality" exceeded the available funds in the project budget. B1 requests to finance the surplus over the amount foreseen in the project (40 188,73 EUR of co-financing). 2. Total costs incurred within the budget line "4.8.6 Organisation of an event" exceeded the available funds in the project budget. B1 requests to finance the surplus over the amount foreseen in the project budget (242,53 EUR of co-financing).
PR/1/115/2018	POD	Filipów Municipality (B2)	140 092,96	Total costs incurred within the budget line "6.1.4 Reconstruction of municipal roads in Filipów municipality" exceeded the available funds in the project budget. B2 requests to finance the surplus over the amount in the project budget.
PR/1/009/2018	W-M	Nowe Miasto Lubawskie Municipality (LB)	137 070,86	Construction of the sewage treatment plant in Jamielnik was implemented as a project activity. Part of the costs was paid by the Lead Beneficiary from its own resources, as total costs of the investment exceeded the funds available in the project budget.
PR/1/118/2018	W-M	Municipality of Młynary	42 695,47	Total costs of construction of the miniature park in Młynary exceeded the available funds in the project budget. All the costs of this action have already been incurred. B1 requests to finance the surplus over the amount in the project budget.
<b>Total requested Programme contribution (EUR)</b>			<b>2 529 633,60*</b>	

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**3) For NEW activities related to environmental protection or health protection in line with the indicators of the current project under TO Environment.**

<b>PROJECT NO</b>	<b>REGION</b>	<b>POLISH BENEFICIARY</b>	<b>REQUESTED CO-FINANCING AMOUNT</b>	<b>ACTIVITY</b>
PR/1/102/2018	POM	Ostaszewo Commune	571 367,43	Modernization of the sewage treatment plant in Ostaszewo Stage 1, Part 2 (Beneficiary has needed permission and documentation and after tender procedure is ready for implementation of the new task).
PR/1/009/2018	W-M	Nowe Miasto Lubawskie Municipality (LB)	390 489,66	Construction of a sanitary sewage system in Jamielnik Stage I part II (over 3 km of sanitary sewage system will be built). This is a direct continuation of the activities carried in the project, regarding the sewage system in Jamielnik. The construction works are ongoing (being financed from the beneficiary's own resources) and according to the contract the works are to be completed by the end of May 2023. The action can increase the project indicators.
PR/1/074/2018	POD	Dr Ludwik Rydygier Voivodeship Hospital in Suwałki (LB)	217 070,07	<ol style="list-style-type: none"> <li>1. Purchase of diagnostic tests and personal protective equipment for diagnosis and treatment of COVID-19 (51 825,59 EUR of co-financing).</li> <li>2. Purchase of medical equipment (71 082,02 EUR of co-financing).</li> <li>3. Purchase of supplementary devices (medical disc devices) + software + PC (19 912,42 EUR of co-financing).</li> <li>4. Purchase of supplementary devices (DRX detectors) (66 034,01 EUR of co-financing).</li> <li>5. Project management and additional audit services (8 216,03 EUR of co-financing).</li> </ol> <p>Activity in point 1 is done and the costs are paid. Activities in points 2-5 would be completed till 15 May 2023.</p>
PR/1/005/2018	W-M	Miłakowo Commune	34 941,60	Organization of educational activities for children and young people aimed at increasing the awareness of water conservation and environmental protection, including the organization of lectures, competitions, concerts with ecological content.

PR/1/005/2018	W-M	Urban Enterprise of Municipal Services Ltd. in Miłakowo	690 154,20	<p>1. Modernization of the sanitary sewage system in Miłakowo. No technical documentation/building permission is required. The task can be completed within 6 months.</p> <p>2. Organization of educational activities for children and young people aimed at increasing the awareness of water conservation and environmental protection, including the organization of lectures, competitions, concerts with ecological content.</p>
PR/1/110/2018	WM	Zalewo Commune	64 417,64	<p>1. Modernisation of sewage connections at the Primary School in Dobrzyki (renovation of connections - 42.0 m, 3 sewage inspection wells), liquidation of the septic tank (completed).</p> <p>2. Additional works within the construction of the main sewage network collector in Dobrzyki, i.e. building of domestic sewage pumping stations with connections - to plots not included in the original construction project (completed).</p>
PR/1/081/2018	W-M	Młynary Commune	173 486,16	<p>1. Development of water, sewage and storm water supply networks in Młynary along with the purchase of materials for the repair of roads damaged as part of the construction of the network. The investment will consist in the construction of water and sewage supply for undeveloped plots. Technical documentation and a building permit are available. The task can be completed within 6 months. The co-financing amount requested – 133 749,44 EUR.</p> <p>2. Construction of a hydrophore station increasing water pressure in the water supply network planned for construction in Bludowo. Technical documentation is being developed (to be ready within 4 weeks). The task can be completed by the end of August 2023. The co-financing amount requested – 39 736,72 EUR.</p>
<b>Total requested Programme contribution (EUR)</b>			<b>2 141 926,76*</b>	

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**4) For NEW activities in line with the indicators of the current project under TO Heritage.**

	<b>REGION</b>	<b>POLISH BENEFICIARY</b>	<b>REQUESTED CO-FINANCING AMOUNT</b>	<b>ACTIVITY</b>
PR/1/008/2018	WM	Stowarzyszenie Zamki Gotyckie (LB)	14 442,52	Publication: maps 'On the Trail of the Castles', 10 000 units, Polish version; Brochure 'Gothic Castles-tourist offers', 1 000 units, Polish version, Folders 'Game Nikolaus Copernicus', 500 units, Polish version; Audit
PR/1/008/2018	POM	Pomorskie Tourist Board (B2)	5 734,29	Promotion of Polish cultural and tourist routes on online services; Audit
PR/1/008/2018	WM	Varmian-Masurian Regional Tourism Organization (B3)	11 153,64	Events in Śląskie Region (Wisła, Racibórz) for visit and advertisement of the Province of Warmia and Mazury, gadgets; Fees for 4 bloggers advertisement of the Province of Warmia and Mazury and Pomorskie Region; Audit
PR/1/103/2018	WM	Regional Cultural Center in Olecko "Mazury Garbate" (LB)	18 066,60	<ol style="list-style-type: none"> <li>1. Purchase of a set of furniture under Activity 3 for artists and children/young people visiting the Regional Cultural Centre in Olecko.</li> <li>2. Two open-air theatre performances for young people.</li> <li>3. Vocal workshops development of vocal skills Participants.</li> </ol> Beneficiary do not need any permission or documentation and it is ready for implementation of the new task).
PR/1/035/2018	POM	Gdańsk Museum (LB)	85 981,78	Establishment of a research and conservation center for amber objects at the Amber Museum. The proposal includes equipping a dedicated room in the museum with the equipment necessary for research and conservation of amber, creating the only facility of its kind in the country. The Beneficiary can start the procurement procedures immediately after obtaining decision on co-financing. Action to be completed till September 2023.

PR/1/062/2018	W-M	Museum of Archaeology and History in Elbląg (B1)	270 410,55	<p>Renovation of the roof of the eastern wing of Podzamcze building, to preserve the historical heritage - the remains of the Gothic buildings of the Teutonic castle. The building was renovated in 2012-2014 under Lithuania-Poland-Russia Programme 2007-2013.</p> <p>The activity is fully prepared for implementation. The beneficiary possesses the construction documentation along with the required building permits. The expected maximum duration of the construction works is 6 months plus 2 months for the public procurement procedures. Total expected implementation period of the action: 8 months.</p>
PR/1/058/2018	W-M	Olecko District	170 244,00	<p>1. Technical documentation and cost estimates for additional renovation works at the Castle and the adjacent manor building (will be ready in March 2023). 2. Renovation of 16 rooms in the Castle. 3. Renovation of the Castle roof and the manor building and its interior (planned completion date – August 2023) 4. The cost of the investor's supervision inspector. 5. Salaries up to 50 000,00 EUR limit of the lump-sum, conference, event, audit.</p>
PR/1/098/2018	W-M	The Folk Architecture Museum Ethnographic Park in Olsztynek	84 137,81	<p>1. Construction of a paved road from the main visiting route of the museum to the studio warehouse (completed). The co-financing amount requested – 24 377,81 EUR.</p> <p>2. Development of road design and construction of a paved road from the entrance gate to the studio warehouse (about 200 m). The co-financing amount requested – 59 760,00 EUR.</p>
PR/1/118/2018	W-M	Municipality of Młynary	516 156,64	<p>1. Development of the area behind the old water Mill in Młynary, which is directly adjacent to the miniature park previously constructed as part of the project. The activity will include construction of paved pedestrian routes, lighting of the area, construction of a wooden shed, etc. Technical documentation and a permit are available. The task can be completed within 6 months. The co-financing amount requested – 500 748,98 EUR.</p> <p>2. Modernization of the miniature park in Młynary. This activity will include installation of wooden benches, wooden sets (benches, tables and roofing), wooden stands for exhibitors. The task is ready for implementation. The co-financing amount requested – 15 407,66 EUR.</p>

PR/LIP/01/2016	POM	Municipality of Malbork	422 170,80	Developing further sections of the Nogat River boulevard, where a pedestrian and bicycle path would be built, along with small architecture, greenery and lighting. <b>Comment:</b> The Beneficiary requested EUR 1 115 135,98 for new activity however due to limited funds it is recommend to support the new activity with the amount of EUR 422 170,80. Taking into account that project has applied also for the amount of EUR 477 676,59 to cover the costs of activity in ongoing project for which the planned funds were not sufficient, the total additional amount that would be allocated to the project would be EUR 899 847,39.
<b>Total requested Programme contribution (EUR)</b>			<b>1 598 498,63*</b>	

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**5) For NEW activities in line with the indicators of the current project under TO ACCESSIBILITY.**

PROJECT NO	REGION	POLISH BENEFICIARY	REQUESTED CO-FINANCING AMOUNT	ACTIVITY
PR/1/020/2018	WM	Ruciane-Nida Commune	48 746,61	1. Reconstruction of Krajeckiego Street, including extending the section of Polna Street by 130 meters as well as construction of sidewalks on the section of Polna Street, 2. Instalation of lighting on Krajeckiego Street - 21 lamps, including 19 lamps illuminating the street and 2 lamps illuminating the pedestrian crossing. (Task No. 1 is already constructed 09.2020; task No. 2 is ongoing and will be finished on 11.2023).
PR/1/086/2018	POM	Pomorskie Voivodeship	896 528,17	1. Renovation of DW 501 on the route from Stegna to Mikoszewo, on sections from km 33+875 to km 34+815, with a total length of approx. 0.94 km. The LB can start the task from the first quarter 2023; public procurement is required (1 month); the works will last about 8 weeks and can be completed by June 30, 2023. The co-financing amount requested – 893 986,93 EUR.

				2. Audit verification. The co-financing amount requested – 1 776,96 EUR. 3. Purchase and installation of two commemorative plaques. The co-financing amount requested – 764,28 EUR.
PR/1/115/2018	POD	Puńsk Municipality (LB)	623 069,18	Reconstruction of municipal road No. 101705B Przystawańce-Widugiery. Description of works: construction of new asphalt pavement with approval of concrete pavement, roadway width of 3.5 m, length of about 3.5 km. Puńsk Municipality possess the project documentation and required permits. In case of obtaining the financing, Puńsk Municipality could finalise the action till the end of September 2023.
PR/1/115/2018	POD	Bakałarzewo Municipality (B1)	191 070,63	Reconstruction of municipal roads in Bakałarzewo (103 m), Stara Chmielówka (650 m) and Góra (1.100 m). In total - 1.853 m of the municipal roads are to be reconstructed. Beneficiary possess the valid documentation and notifications for the construction works. In case of obtaining the financing, the works could be completed by the end of June 2023.
PR/1/115/2018	POD	Filipów Municipality (B2)	382 141,27	Reconstruction of 2 internal roads in Filipów (with a total length of app. 775 m). Beneficiary possess a valid building permit and documentation. In case of obtaining the financing, the task could be completed by September 2023.
<b>Total requested Programme contribution (EUR)</b>			<b>2 141 555,86*</b>	

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It is decided not to support the following activities requested by the Polish beneficiaries:

PROJECT NO	REGION	POLISH BENEFICIARY	REQUESTED CO-FINANCING AMOUNT	ACTIVITY
PR/1/035/2018	POM	Gdańsk Museum (LB)	315 000,00	Purchase of an exceptionally large amber altar in an original case. The Beneficiary underlined in the leading letter to JTS, that due to difficult financial situation, the museum would not be able to cover the purchase of the altar in total, without any advance payment from the Programme.
PR/1/087/2018	POM	The European Foundation for Monuments Protection	400 000,00	Increasing the co-financing by the indicated amount is necessary for the renovation of the STUDZIENKA building. The prices of the offers significantly exceed the planned budget. The implementation of the project began on 01.08.2021. In total, 5 tenders were announced for the implementation of the infrastructural component which were not settled because the bids exceeded the project budget. The difficult situation of the project and the high increase in the prices of construction materials and services were caused by the Covid-19 pandemic and the outbreak of war. The implementation of the project is subject to high risk due to the short implementation time until the end of 2023.
<b>Total requested Programme contribution (EUR)</b>			<b>715 000,00</b>	

### SUMMARY AND DIVISION OF ADDITIONAL FUNDS GRANTED PER TYPE OF ACTIVITY AND PER REGION

Region	TYPE OF ACTIVITY (according to points 1-5 above)						No additional funds granted	ADDITIONAL FUNDS GRANTED (POINTS 1-5)
	1 (migration crisis)	2 (projects with insufficient infrastructure component)	3 (NEW activities for TO ENVIRONMENT projects)	4 (NEW activities for TO HERITAGE projects)	5 (NEW activities for TO ACCESSIBILITY projects)			
<b>PODLASKIE</b>	59 337,89	189 510,72	217 070,07	0,00	1 196 281,08	0,00	<b>1 662 199,76</b>	
<b>POMORSKIE</b>	143 302,98	483 572,90	571 367,43	513 886,87	896 528,17	715 000,00	<b>2 608 658,35</b>	
<b>WARMIŃSKO-MAZURSKIE</b>	85 744,28	1 856 549,98	1 353 489,26	1 084 611,76	48 746,61	0,00	<b>4 429 141,89</b>	
<b>TOTAL</b>	<b>288 385,15</b>	<b>2 529 633,60</b>	<b>2 141 926,76</b>	<b>1 598 498,63</b>	<b>2 141 555,86</b>	<b>715 000,00</b>	<b>8 700 000,00*</b>	

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