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Permanent Mission
of the Republic of Poland
to the Organization for Security
and Co-operation in Europe
in Vienna

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The Permanent Mission of the Republic Poland to the Organization for Security and Co-operation in Europe in Vienna presents its compliments to all Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Center, and has the honour to transmit herewith the response to the questionnaire on the Code of Conduct on Politico-Military Aspects of Security for 2022.

The Permanent Mission of the Republic Poland to the Organization for Security and Co-operation in Europe in Vienna avails itself of this opportunity to renew to the all Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Center the assurances of its highest consideration. *h*

Vienna, 16 May 2023



To:

**All Delegations and Permanent Missions to the OSCE in Vienna
The Conflict Prevention Center**

Vienna

**Exchange of Information on the
OSCE Code of Conduct on Politico-Military Aspects of Security
POLAND 2022**

SECTION I: External factors

1. Account of measures to prevent and combat terrorism

1.1. To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

Poland is a party to the majority of international agreements adopted to prevent and combat terrorism, or contributing to the reduction of this phenomenon, including in particular:

- 25 UN conventions and protocols (Annex, pt. 1 - 31);
- 15 Council of Europe conventions and protocols (Annex, pt. 32 - 46).

Furthermore, Poland has concluded a number of bilateral agreements to combat organized crime, including terrorism (Annex, pt. 52 - 92). They establish mechanisms for cooperation, coordination of efforts, information sharing, joint working groups, etc.

1.2. What national legislation has been adopted in your State to implement the abovementioned agreements and arrangements?

Polish legislation has been repeatedly amended to comply with obligations under the signed and ratified conventions and protocols listed above, and other international agreements concerning identification, prevention and combating terrorism. The most important legal acts in that area are:

- the Act of June 6, 1997, Penal Code, penalizing acts of a terrorist nature (consolidated text - Journal of Laws of 2021, Item 2345 with further amendments);
- the Act of 1 March 2018 on counteracting money laundering and terrorist financing (consolidated text - Journal of Laws of 2022, Item 593 with further amendments);
- the Act of 26 April 2007 on crisis management (consolidated text - Journal of Laws of 2022, Item 261 with further amendments);
- the Act of 10 June 2016 on the Antiterrorist Activities (consolidated text - Journal of Laws of 1021, Item 2234 with further amendments) ;
- the Act of 12 October 1990 on the protection of the state border (consolidated text - Journal of Laws of 2022, Item 295 with further amendments);
- the Act of 4 September 2008 on the protection of inland and sea ports (consolidated text - Journal of Laws of 2019, Item 692 with further amendments);
- the Act of 29 August 1997 on the Banking Law (consolidated text - Journal of Laws of 2021, Item 2439 with further amendments);
- the Act of 3 July 2002 on the Aviation Law (consolidated text - Journal of Laws of 2020, Item 1970 with further amendments);

- the Act of 16 September 2011 on information exchange between law enforcement authorities of the Member States of the European Union (consolidated text - Journal of Laws of 2020, No. Item 158 with further amendments).

Furthermore, legal regulations governing the recognition, prevention and combating terrorism, and the division of powers in this area between the institutions of governmental and local authorities are included in acts or regulations (executive acts) issued by the Council of Ministers, in particular:

- the Act of 6 April 1990 on the Police (consolidated text - Journal of Laws of 2021, Item 1882, with further amendments);
- the Act of 12 October 1990 on the Border Guard (consolidated text - Journal of Laws of 2021, Item 1486 with further amendments);
- the Act of 24 May 2002 on the Internal Security Agency and Foreign Intelligence Agency (consolidated text - Journal of Laws of 2022, Item 557 with further amendments);
- the Act of 8 December 2017 on the State Protection Service (consolidated text - Journal of Laws of 2021, Item 575 with further amendments);
- the Act of 9 June 2006 on the Military Counterintelligence Service and the Military Intelligence Service (consolidated text - Journal of Laws of 2022, Item 502 with further amendments);
- the Act of 17 December 1998 on the principles of use and stay of the Polish Armed Forces abroad (consolidated text - Journal of Laws of 2021, Item 396 with further amendments);
- the Act of 24 August 2001 on the Military Police and military law enforcement bodies (consolidated text - Journal of Laws of 2021, Item 1214 with further amendments);
- the Act of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance for national security and the maintenance of international peace and security (consolidated text - Journal of Laws of 2020, Item 509 with further amendments);
- the Act of 12 December 2013 on Foreigners (consolidated text - Journal of Laws of 2021, Item 2354 with further amendments);
- the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland (consolidated text - Journal of Laws of 2021, Item 1108 with further amendments).
- the Act of 21 May 1999 on arms and munition (consolidated text - Journal of Laws of 2020, Item 955 with further amendments);
- the Act of 13 April 2016 on the safety of trading in explosives precursors (consolidated text - Journal of Laws of 2019, Item 994 with further amendments);
- the Act of 9 May 2018 on the processing and transfer of passenger name records (consolidated text - Journal of Laws of 2019, Item 1783 with further amendments).
- the Act of 1 December 2022 on the System of Financial Information (Journal of Laws of 2023, Item 180).

Considering the existing geopolitical situation, in order to strengthen the security of the gas terminal in Świnoujście, as a critical object for state security, new regulations were introduced to the Act on the protection of inland and sea ports, granting the voivode the right to prohibit staying in a specific area within a distance of up to 200 m from the border of the property on which the terminal is located. The voivode may introduce such a ban at the request or after consulting the Border Guard and the Internal Security Agency, if he considers it necessary to prevent, limit or remove a serious threat to this terminal or in the event of a terrorist threat.

There are exceptions to this ban, including: against people living, working, studying in the prohibited area.

In order to sanction the violation of this prohibition, appropriate penal provisions providing for a fine were also introduced.

The consequence of the amendments to the Act on the protection of inland and sea ports was the introduction of amendments to the Act on the Border Guard, thanks to which the Border Guard has become obliged to enforce this prohibition. These new regulations were introduced by the Act of January 13, 2023 amending the Act on the protection of inland and sea ports, which entered into force on February 23, 2023.

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

In Poland main burden of identifying, preventing and combating terrorism is laid on **the Internal Security Agency and Police** (at the spot of terroristic event, pursuant to art. 2 sec. 2 pt. 3 of the Act on Police of 6 April 1990) supported by the intelligence, counterintelligence and security services.

Those provisions are supplemented by the Act of 10 June 2016 on the Antiterrorist Activities. Pursuant the art. 22 of the act abovementioned, in case of introducing third or fourth level of alert, in case Police does not have sufficient means to effectively counter those threat, Armed Forces of the Republic of Poland can be used for the assistance (such case is foreseen also in the art. 18 of the Act on Police). In course of amending the respective legislation, Military Police has been designated as a specialized part of Armed Forces, responsible for conducting counterterrorism actions at the premises of or supervised by the Minister of Defence. Military Police assign and ensure readiness of the means prescribed by the MoD Crisis Management Plan to act in the specific timeframes. Armed Forces can apply means of coercion or use firearms on the same rules as soldiers serving in Military Police. Wider competences are granted (on the basis of Act of 21 November 1967 on the common obligation to defend Republic of Poland) to the units of the Special Forces.

The Head of the Internal Security Agency is responsible for preventing terrorist events, while the minister competent for internal affairs is responsible for preparation, response and reconstruction phase in the context of terrorist threats. The minister is a state authority appropriate for safeguarding security and public policy, state border surveillance, border traffic and foreigners' control, coordination of actions related to the country's migration policy, as well as crisis management, rescue and civil protection. In urgent cases, the minister competent for internal affairs is responsible for crisis management in the country, in substitution for the Council of Ministers. The minister performs his or her duties directly and through the actions of subordinate or supervised services: the Police, Border Guard, State Protection Service and National Fire Service, and in cooperation with other bodies, services and institutions. From the perspective of the coordination function of the minister competent for internal affairs within the counter-terrorism system, it is also important that the minister chairs the Interministerial Team for Terrorist Threats.

The Interministerial Team for Terrorist Threats, a subsidiary body of the Council of Ministers operating under the Minister of the Interior and Administration, is responsible for the country's counter-

terrorism policy-making. The Team was established pursuant to Ordinance of the Prime Minister No. 162 of 25 October 2006. The Team is composed of the Chairperson and Deputies: Minister of Foreign Affairs, Minister of Finance, Minister of National Defence, Minister of Justice and a minister-member of the Council of Ministers in charge of coordinating intelligence agencies, if appointed by the Prime Minister. Other members of the Team include: the Secretary or Undersecretary of State in the Ministry of the Interior and Administration, Secretary of the Committee for Intelligence Agencies, Chief of National Civil Defence, Head of the Internal Security Agency, Head of the Foreign Intelligence Agency, Commander-in-Chief of the Police, Commander-in-Chief of the Border Guard, Commander-in-Chief of the National Fire Service, Commander-in-Chief of the State Protection Service, Chief of the Military Intelligence Service, Chief of the Military Counterintelligence Service, Chief of the Military Police, Chief of the General Staff of the Polish Armed Forces, Operations Commander of Armed Forces, Head of the National Revenue Administration, General Inspector of Financial Information, and Director of the Government Centre for Security. The Head of the National Security Bureau and representative of the General Prosecutor's Office are also invited to the meetings. The tasks of the Team include, i.a., monitoring, analysing and assessing terrorist threats, as well as giving opinions and drawing conclusions for the Council of Ministers. An important task of the Team is also to initiate, coordinate and monitor the actions taken by competent government administration agencies in the area of preventing, preparing for and responding to terrorist threat. As part of its tasks, it also prepares proposals aimed at streamlining the methods and forms of preventing terrorist threats, and it is authorised to request competent authorities to take up legislative work.

The strategic level of the Polish counter-terrorism system includes also **the Government Crisis Management Team**, an opinion-giving and advisory body competent for initiating and coordinating activities related to crisis management. The Team is responsible, i.a., for: drawing proposals to use capabilities and resources necessary to restore control over crisis situations and offering advice on the coordination of activities by government administration agencies, state institutions and services in crises, and giving opinion on the needs related to reconstructing or restoring infrastructure. The Government Crisis Management Team is composed of: the Prime Minister as the chairperson, Minister of National Defence and the minister competent for internal affairs, the minister competent for public administration, the minister competent for foreign affairs, Minister Coordinator of Intelligence Agencies (if appointed) and other government administration agencies, as needed.

The Internal Security Agency (ABW) is statutorily obliged to identify terrorist threats and prevent terrorist acts. The Head of the Internal Security Agency was defined as a central government entity responsible for the overall process of preventing and combating terrorist incidents. In order to guarantee that the tasks within this sphere are being realized in a prompt and efficient manner the act introduced, inter alia, the following instruments:

- The Head of the ABW coordinates the analytical activities carried out by the intelligence services and the process of the exchange of information on terrorist threats and data on individuals who may be potentially associated with such threats, provided by the Police, Border Guard, Marshal's Guard¹, State Protection Service, State Fire Service, National Treasury Administration, Military Police and the Government Centre for Security;

¹ Marshal's Guard is responsible for protection of the Parliament

- The Head of the ABW shall maintain a list of individuals who may be engaged in the activities carried out on behalf of the terrorist organizations, organizations associated with terrorism or members thereof. Such a list shall comprise as well data on persons wanted for terrorist activities or suspected of having committed a terrorist crime with respect to whom the relevant authorities of the Republic of Poland have issued a detention or search order on other individuals who may be deemed to constitute a terrorist threat;
- The Head of the ABW coordinates the operational activities carried out by intelligence services, the Police, Border Guard, National Treasury Administration, and Military Police with respect to terrorist threats;
- The Head of the ABW may be granted, without any charge, access to information stored in public registers and databases held by intelligence agencies, public administration bodies and other entities (specified in the act) as well as access to the image of events registered by devices placed in public utility buildings, alongside public roads and in other public places;
- The Head of the ABW may request to the court (after obtaining the written consent of the Public Prosecutor General), a decision ordering blocking in the ICT system IT data or ICT services related to a terrorist event. In urgent cases, the Head of the Internal Security Agency is entitled to block or request the administrator of the ICT system to block the IT data or ICT services directly.

Thus within the Agency's structures the Counter-Terrorism Centre (CAT ABW) has been established. It is a unit responsible for coordination and analytical activities in respect of countering and combating terrorism. CAT ABW operates 24 hours a day, 7 days a week. In addition to the officers of ABW, it also employs delegated officers, soldiers and employees of other competent units.

Apart from that there is also the Centre for Preventing Terrorism (CPT ABW) dedicated to terrorism prevention. Its main aim is to disseminate knowledge on the means of preventing terrorist incidents. The Centre organizes training for the officers and employees of the intelligence agencies, public administration bodies, and other entities.

In turns, **the minister competent for internal affairs**, in order to perform tasks in the stages of preparation, response and resource recovery, is entitled to the following instruments:

- submit the request for the use of units the Armed Forces to provide support for Police, Border Guard or the State Protection Service,
- prohibit carrying any kind of weapon or some of its kind for a specified period of time,
- introduce 24/7 duty in designated offices or other units of public administration bodies (in the event of introducing the third alarm level).

The Police is a uniformed and armed formation serving and protecting the society and maintaining public order. The Police comprises the following kinds of services: criminal, investigative, internal affairs, preventive, counterterrorist, combating cybercrime and supporting. The Police is responsible for carrying out counterterrorist operations. In order to ensure their effectiveness on 5 April 2019 the counterterrorist service was established within the Police. It consists of *Central Counterterrorist Unit "BOA"* and autonomous (regional) counterterrorist Police units. The counterterrorist service is

responsible for carrying out counterterrorist actions and supporting other police units in situations when use of special weapons and tactics is required.

According to the Act on antiterrorist activities Police is the service responsible for managing counter-terrorist activities in the event of a terrorist incident. The Act provides for a number of competences for the Police officer managing activities. These are following:

- ordering the evacuation of persons or property from the place of a terrorist event and its surroundings,
- implement various restrictions in trafficking, including prohibiting any presence of third parties,
- suspension of public transport,
- requesting the suspension of air traffic (in situation the airport is being the place of a terrorist incident).

In addition, the officer is entitled to demand the free use of the property or the free use of movable property, including means of transport, objects and devices, necessary to conduct counter-terrorist activities. He may also demand assistance from institutions, organizations, entrepreneurs or give them orders.

If the Police does not have the capacity to effectively protect security of people and the public order, the assistance may be provided by the Polish Armed Forces (Art. 18, Act on the Police). The decision to use the armed forces is made by the President of the Republic of Poland at the request of the Prime Minister. In urgent cases, the decision to grant assistance is made by the Minister of National Defence at the request of the Minister of Internal Affairs, specifying its scope and form, immediately informing the Prime minister and the President of the Republic of Poland of the measures taken. The President authorizes the decision or revokes it.

Additionally, the 10 June 2016 Act on Antiterrorist Actions introduced a simplified procedure of granting support of the Armed Forces, the application of which is however limited to situations when third of fourth (highest) alert level has been announced. According to the Act, Armed Forces may be used to assist Police by virtue of a decision of the Minister for National Defense issued at request of the minister competent for internal affairs. As opposed to the abovementioned procedure, the authorization of the decision by the President is not required. Nevertheless the President may overrule the decision or amend it.

Border Guard and the Military Police can also be used to support the Police.

Act of 26 April 2007 on Crisis Management is constituting **Armed Forces tasks in terms of preventing and combating terrorism**. Pursuant to the art. 25 of the act abovementioned, in case application of other forces or means is not possible or they might prove to be insufficient, Minister of Defence (on the request of the voivode – provincial governor) might delegate specified units of Armed forces to fulfil the crisis management tasks under the governor's command.

Decision to use Armed Forces is made by the President of the Republic of Poland on the request of Prime Minister. In case of urgent matters, decision on providing the assistance is made by Minister of Defence, acting on request of the Minister of Internal Affairs. Decision sets up scope and form of the assistance. President and Prime Minister should be promptly notified on the actions taken.

Ministry of Defence plays a crucial role in the event of the appearance of the non-Polish civil flying object in the national airspace or a foreign vessel within Polish maritime areas in case of suspicion it can be potentially used for the terrorist attack. Decision is taken, on behalf of the Minister of Defence, by the Operational Commander of Armed Forces (pursuant to the Act of 12 October 1990 on the protection of the state border and the Act of 4 September 2008 on the protection of inland and sea ports)

In case of extraordinary threat of a terrorist actions, which cannot be mitigated by the ordinary constitutional means, Council of Ministers request the President to introduce a state of emergency. Presidential regulation should prescribe a definite period, no longer than 90 days and should be presented to the Parliament within 48 hours. State of emergency is effective from the promulgation the Regulation in the Journal of Acts. President, on the request of Prime Minister, may decide to use Armed forces to restore state's order if applied forces and means proved to be insufficient.

In case of external threat to the country caused by the actions of terroristic character the President may, on request of the Council of Ministers, declare a state of martial law in a part of or upon the whole territory of the State. President's regulation should be presented to the Parliament within 48 hours. Armed Forces are authorized to apply coercive measures, use firearms and other weapons if required by the needs and aim of the tasks assigned, in a manner adequate to the threat and within the provision of the ratified treaties and international customary law binding for Poland. In such case provisions of International Humanitarian Law of Armed Conflicts apply as well.

The Foreign Intelligence Agency's (AW) tasks include: conducting inquiries into international terrorism and extremism and organised crime groups and transnational links, as well as protecting foreign representations of the Republic of Poland and its employees from activities that could harm Polish interests. The Foreign Intelligence Agency is also in charge of electronic intelligence activities and forwards the information collected and processed to the key recipients in the country. The Agency's operations in Poland may be carried out solely in relation to its activities outside the country, and the operational and inquiry activities may only be carried out through the Head of ABW.

The security of the Polish Armed Forces within the country is provided by **the Military Counterintelligence Service (SKW)**, and abroad by **the Military Intelligence Service (SWW)**. Within their competences, both services are obliged to take up actions related to counteracting terrorism. The SKW's tasks include, e.g., the identification, prevention and detection of terrorist crimes committed by soldiers on active military duty, SKW and SWW officers and employees of the Polish Armed Forces as well as other organisational units of the Ministry of National Defence. The SWW's tasks include the identification of and prevention of international terrorist threats related to national defence and security and the military capabilities of the Polish Armed Forces. SWW focuses on acquiring anticipative information to identify threats at an early stage. SWW may take up activities within the country only if these activities are related to those carried out abroad.

The Military Police (ŻW), which functions as internal police within the army, also plays an important role in counter-terrorist and crisis management activities, and its mandate covers, i.a., ensuring public policy protection at premises and buildings of military facilities and in public places, as well as carrying out activities to protect the persons entitled to such protection as well as military property from attacks (including combating terrorism physically). The Military Police is also authorised to carry out investigation and prosecution as well as operation and inquiry activities which involve, i.a., identifying

and combating terrorist threats. Moreover, at the request of the minister competent for internal affairs and as agreed with the Minister of National Defence, the Prime Minister is empowered to order the Military Police to assist the Police if security and public order are threatened.

Cooperation with other bodies and services in conducting inquiries into and preventing terrorist threats is also the statutory responsibility of **the Border Guard**. These activities involve: state border surveillance (including sea border), border traffic organisation and control, and prevention of illegal crossing of the national border and prosecution of perpetrators in this scope. The Board Guard also carries out activities related to ensuring international communication security, including on board aircrafts providing passenger air service. With regard to terrorist threats, the monitoring of crimes involving foreigner groups and communities remains an important task. Apart from that the Border Guard is responsible for the processing of Passenger Name Records (PNR). Therefore, the National Passenger Information Unit (PIU) has been established at the Border Guard Headquarters.

The above-mentioned services – ABW, Police, AW, SWW, SKW, ŻW and the Border Guards – are authorised to perform operational, inquiry, analytical and informational functions within the scope of their counter-terrorism tasks. Furthermore, they also perform a number of other tasks, such as the identification of international trade in weapons, ammunition and explosives, or weapons of mass destruction, which are extremely important for national security.

Within the Polish counter-terrorism system, security and prevention tasks are also performed by **the State Protection Service (SOP)**, competent for the protection of persons and objects as defined by law that may become a potential target of terrorist attacks. At the request of the Prime Minister, SOP also provides protection for high-risk diplomatic institutions.

The **National Fire Service** plays an important role in the Polish counter-terrorism system, as the main service responsible for conducting life rescue operations and protecting people's health, property and the environment in the event of an emergency. The tasks of the National Fire Services include conducting activities in the field of risk identification, including the risk of contamination with chemical and radioactive substances, as well as initial operations related to biological identification. Entities undertaking rescue operations operate within the National Firefighting and Rescue System. All rescue operations in time of a terrorist threat are focused on maintaining the priority of saving lives and health and the technology actions aimed to minimise the consequences of a particular incident.

An important role in the context of measures taken in the framework of crisis management is played by **the Government Centre for Security**, legally obliged to execute preventive measures, to counteract and eliminate the effects of terrorist events as well as to cooperate with the Head of the Internal Security Agency in preventing, counteracting and eliminating the effects of terrorist incidents. It performs tasks related to, i.a., substantive and organisational support for the Government Crisis Management Team, draws up government documents, provides opinions on crisis management plans of ministers, voivodes and heads of central offices and coordinates the planning processes relating to the protection of national and European critical infrastructure. It is also competent in matters relating to preparation for launching crisis management procedures – in the event of emergencies – and to ensure information policy coordination between public administration during a crisis situation. The Government Centre for Security is also responsible for cooperating with NATO and European Union structures and other international organisations in the field of crisis management and protection of

critical infrastructure. Organising, conducting and coordinating crisis management training and drills, including international exercises, remains just as important.

The National Security Bureau (BBN) assists and supports the President of the Republic of Poland in carrying out and implementing his tasks in the field of security and protection. They result from the role of the President, stipulated in the Constitution of the Republic of Poland, as the supreme Representative of the Republic of Poland and a guarantor of the continuity of state authority, the supreme head of the Armed Forces and also as the person who watches over compliance with the Constitution, who uphold the sovereignty of the State's security as well as inviolability and indivisibility of its territory.

The BBN is not an entity towards which legal regulations concerning counteracting, identifying and combating terrorist threats directly refer. Activity in the above mentioned field results, however, indirectly from regulations included in the Act on general defence obligation of the Republic of Poland. Their consequence was the determination by the President of the Republic of Poland of the action scope of the National Security Bureau which, in turn, was a basis for internal division of task and for defining the problem of terrorism as one of the area of interest of the Bureau.

Furthermore, involvement of the BBN in initiatives concerning terrorist threats and at the same time regulating the functioning of special services results from the fact that the *Head of the Internal Security Bureau* on the basis of the Act on the Internal Security Agency and the Foreign Intelligence Agency is a member of the Security Services Board. This form of activity of the Bureau has a consultative and advisory character, inter alia in the field of directions of works of the security services or with reference to legal acts regulating their activities.

The General Inspector of Financial Information (GIFI) and the Department of Financial Information which supports the GIFI in its statutory activities together form a *Polish Financial Intelligence Unit (FIU)*. One of the GIFI major task is to prevent a potential crime of financing terrorism stipulated in Article 165a of the Penal Code. Under provision of the Act on countering money laundering and financing of terrorism (consolidated text: Journal of Laws of 2022 items 593, 655, 835, 2180, 2185, and of 2023 items 180, 326), the GIFI obtains, gathers, processes and analyses information which can be connected e.g. with financing terrorism.

The GIFI exchanges information with its foreign counterparts on the basis of the said Act, and on the basis of the Act of 1 December 2022 on the System of Financial Information as well as on the basis of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (Warsaw Convention), and the bilateral agreements signed by the GIFI with its foreign counterparts.

The Tax and Custom Service is a homogeneous uniformed formation established for the purpose of ensuring protection and security of the customs area of the European Community. The Tax and Custom Service is in charge of performing customs policy with the regard to import and export of goods as well as performing other tasks resulting from separate provisions and in particular: -identification, detection, prevention and combating crimes and offences connected with an infringement of provisions on importing to the territory of Poland and exporting from its territory goods covered by restrictions or bans on marketing due to security and public order or international security, in particular

such as chemical substances and preparations, nuclear and radioactive materials, narcotic drugs and psychotropic substances, arms, ammunition, explosives as well as strategic goods and technologies.

Within the Polish anti-terrorist system, **the Ministry of Foreign Affairs** actively participates in activities aimed at preventing and combating terrorist threats. The Ministry is in charge of providing comprehensive and efficient consular care. It supports actions of Polish military and police units which take part in operations outside country. The Ministry is responsible for coordinating actions relating to assuring security of Polish institutions and their personnel abroad. All actions within this scope are taken in cooperation with the interested national institutions. Within the competences of the Ministry is also conducting analysis of terrorist acts which have occurred worldwide and preparing political assessment of the effects of the foregoing incidents. The Ministry is in charge of cooperating with other countries and international organizations and also of presenting in international forums Polish positions in the field of counteracting and combating terrorism.

1.4 Provide additional information on national efforts to prevent and combat terrorism, e.g. pertaining, *inter alia*, to financing of terrorism, border controls, security of radioactive sources, use of the Internet and other information networks and legal cooperation.

The tasks associated with the threats analysis, prevention and combating terrorism are in particular carried out by:

- the Ministry of the Interior and Administration, together with the Police, the Border Guard, the State Protection Service;
- the Ministry of National Defence, together with the Military Intelligence Service, the Military Counterintelligence Service, the Military Police, and the National Atomic Energy Agency;
- the Ministry of Foreign Affairs;
- the Ministry of Finance, together with the General Inspector of Financial Information, the National Revenue Administration;
- the Internal Security Agency;
- the Foreign Intelligence Agency;

Coordination and advisory functions in terms of terrorism prevention are rendered by the Intragovernmental Terrorist Threats Task Force (reporting to Prime Minister). It is chaired by the Minister of Internal Affairs with Minister of Defence as a deputy. Chief of General Staff and Commander of Military Police are also members of the Task Force.

Creating a stable international security environment in the regional and global context and fortifying state's defence capabilities are main objectives of the National Security System Development Strategy. National Security Strategy is approved by the President on the request of Council of Ministers. 12 May 2020 President signed the approval of the Strategy. It comprises current assessment of the security measures, priorities and proposals of the long-term action in the sphere of security and defence.

➤ ***Preventing the financing of terrorism***

The main piece of legislation used to counter the financing of terrorism is the act of 1 March 2018 on counteracting money laundering and financing of terrorism (further referred to as the AML/CFT Act). The act implements i.a. the directive 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. On 15 May 2021 the Act of 30 March 2021 amending the AML/CFT Act and certain other laws entered into force and implemented to the Polish legal system the amendments to the directive 2015/849 (in line with the directive 2018/843).

It must also be highlighted, that in 2017 an amendment of Article 165a of the Criminal Code, concerning the terrorist financing offence, was introduced, in order to guarantee the full criminalization of terrorist activities conducted by persons referred to as “lone wolves” – in line with Financial Action Task Force (FATF) recommendations.

Poland has a mature and reliable AML/CFT system. As a member of the MONEYVAL Committee, Poland is subject to regular evaluation of its domestic system of combating money laundering and terrorism financing (AML/CFT system) conducted according to the framework of MONEYVAL mutual evaluations. In 2020/2021 Poland was evaluated within MONEYVAL 5. round of mutual evaluation process. The Polish AML/CFT system was evaluated in terms of its compliance with international standards (FATF Recommendations) as well as of its effectiveness. The compliance was evaluated according to FATF Methodology. The evaluation process checks the legal compliance and the effectiveness of the national AML/CFT systems and results in providing recommendations that shall be realized by the assessed country in order to provide the security of national financial system and to contribute to the security of the international financial system. The latest evaluation report was published at MONEYVAL’s website in December 2021.²

The leading role in the Polish system of combating financial crime and terrorist financing is played by the General Inspector of Financial Information (GIFI). His tasks include carrying out the procedure of transaction suspension or account blocking; sharing and requesting information about transactions, transferring documents justifying the suspicion of committing a crime to the competent authorities; exercising control over the compliance with regulations on counteracting money laundering and terrorist financing; cooperation with foreign institutions and international organizations. In August 2018, the new Interdepartmental Committee for Financial Security (working under the new AML/CFT Act) became operational.

In the performance of his tasks, the GIFI is supported by the Department of Financial Information of the Ministry of Finance, which acts as the Polish Financial Intelligence Unit (PFIU). The PFIU verifies the reported suspected cases of money laundering and financing of terrorism on the grounds of information gathered from obligated institutions, cooperating units, as well as foreign financial intelligence units. In case of justified suspicion of money laundering or terrorism financing, it forwards it to the Prosecutor’s Office, which in cooperation with the law enforcement authorities undertakes actions aiming at completing the indictment against the suspects.

In August 2018, the first session of the Financial Security Committee was convened. The Committee has a consultative and advisory function with regard to the use of specific restrictive measures against persons, groups and entities, such as freezing of assets in order to combat terrorism and prevent its

² <https://www.coe.int/en/web/moneyval/jurisdictions/poland>

financing. It is also responsible for providing opinions on the national assessment of the money laundering and terrorist financing risk along with the strategy to mitigate the identified risks. The Committee convenes regularly a few times a year.

In 2019, the first National Risk Assessment of Money Laundering and Financing of Terrorism was developed by the GIFI in cooperation with the Financial Security Committee, the cooperating units and the obligated institutions. Annex 3 to the National Risk Assessment covers terrorism financing risk scenarios. In response to the risks identified in the National Risk Assessment, in 2021, the "Strategy for counteracting money laundering and financing of terrorism" was adopted by resolution of the Council of Ministers. The Strategy contains action plan in which actions for years 2021-2023 are planned aimed at reducing the risk of money laundering and terrorist financing.

The PFIU participates in the work of MONEYVAL, the Egmont Group and some other international fora. Recognizing threats that affect the world today, the PFIU has committed itself to activities related to the prevention of terrorism, i.e. taking part in the Counter-ISIS Finance Group (CIFG), functioning within the framework of the Global Coalition against the Islamic State (Counter-ISIL Coalition). Poland hosted a CIFG meeting in Warsaw in September 2018, where delegations from over 30 countries along with representatives of international organizations discussed how to combat Daesh more efficiently.

➤ ***Border Guard***

Border control in Poland is carried out in accordance with the provisions of the Schengen Borders Code and the Act of 12 October 1990 on the state border protection. It is carried out by the Border Guard cooperating with the Customs Service and special services. The Border Guard is also working with other national and international partners (including the European Agency for the Management of Operational Cooperation at the External Borders - FRONTEX).

➤ ***Protection of radioactive materials***

Poland is a member of the International Atomic Energy Agency (International Atomic Energy Agency - IAEA) and the European Atomic Energy Community (European Atomic Energy Community - EURATOM). It implements the documents and regulations of these organizations.

Poland has a well-developed legislation and a nuclear safety system, under which supervision operations are exercised involving the use of nuclear materials and sources of ionizing radiation. Technical solutions for nuclear safety involve mainly the monitoring and controlling radioactive contamination and keeping records of nuclear materials and radioactive sources.

The main body dealing with issues related to radioactivity in Poland is the National Atomic Energy Agency. This body reports directly to the Minister of the Environment and is responsible for nuclear safety and radiological protection. The principal document in Polish legislation regulating nuclear safety is the Act of 29 November 2000, the Atomic Energy Law. The act regulates, among others:

- conduct of business rules in the field of peaceful use of atomic energy;
- actions taken in the event of radiological emergencies;
- specific rules for the protection of individuals against the dangers arising from the use of ionizing radiation for medical purposes.

On 20 July 2017, an Agreement was concluded between the President of the State Atomic Energy Agency and the Commander General of the Armed Forces on cooperation in the field of radiological protection and in the field of response in situations of radiation events on the territory of the country. The cooperation concerns:

- counselling connected with counteracting the effects of radioactive contamination in facilities subordinate to the Minister of National Defence,
- measuring equipment for detecting and identifying radioactive contamination,
- individual protection measures against contamination,
- a mobile radiometric laboratory and airborne contamination identification equipment with their services.

Moreover, current cooperation is realised through:

- participation in trainings and exercises,
- consultations and exchange of experience concerning preparation and action during elimination of effects of radiological incidents,
- consultations within the scope of functioning and modernisation of the military automated measurement network,
- consultations on developing projects of new or verifying existing methodologies and procedures concerning radiological protection.

➤ ***Use of the Internet and other computer networks for terrorist purposes***

The CSIRT GOV Computer Security Incident Response Team led by the Head of the Internal Security Agency acts as a National Level CSIRT Team responsible for coordinating the process of responding to computer incidents occurring in the area indicated in Article 26.7 of the Act of 5.07.2018 on the National Cyber Security System. One of its basic tasks is to identify, prevent and detect threats compromising the security, relevant to the continuity of the state's functioning of the systems of public administration bodies or the system of ICT networks covered by the uniform list of objects, installations, devices and services constituting critical infrastructure. They are subordinated to the Plenipotentiary of the Minister of National Defence for Cyber Security. In the context of continuous challenges related to the construction of security systems in this sphere, special supervision is given to cybersecurity in its broadest sense (including legislative, strategic, organisational matters).08.02.2022 D-two of the Cyber Defence Forces Component was established. The D-two will be closely integrated with the National Cyber Security Centre (NCBC).

The above mentioned amendment granted the court, upon a written request of the Head of the Internal Security Agency, submitted after obtaining the written consent of the Public Prosecutor General, the right to issue a decision ordering blocking - or demanding from the system administrator ICT blocking - availability in the ICT system of specific IT data or ICT services related to a terrorist event for a specified period of time, not longer than 30 days. In addition, in urgent cases, the Head of the Internal Security Agency is entitled to block or request the administrator of the ICT system to block the availability of specific IT data or ICT services related to a terrorist event in the ICT system, after

obtaining the written consent of the Public Prosecutor General. Simultaneously with the blocking of data or a request from the data controller to block them, the Head of the Internal Security Agency is obliged to submit a written request to the District Court in Warsaw for issuing a decision in this case. The court may, upon a written request of the Head of the Internal Security Agency, submitted after obtaining the written consent of the Public Prosecutor General, for a period not longer than 3 months, issue a decision to extend the blocking of the availability of IT data or ICT services, if the reasons for ordering these activities have not ceased to exist. Blocking the availability of IT data is terminated if the court does not grant consent to blocking the availability of certain IT data within 5 days or the court does not consent to the extension of the blocking of data availability, or after the period for which it was introduced has expired.

NC Cyber (National Cybersecurity Center), an entity responsible for the security of Polish cyberspace, was launched on 4 July 2016. The Center operates within the structure of NASK - a research institute subordinate to the Ministry of Digital Affairs. As an early warning centre NC Cyber operating on a 24/7 basis, 365 days a year monitors network-related threats and manages the exchange of related information. Besides NC Cyber the Governmental Computer Security Incident Response Team - CERT.GOV.PL is operating. Its chief task is ensuring and developing the capability of public administration units to protect themselves against cyber - threats. The CERT.GOV.PL team is a part of the IT Security Department at the Polish Internal Security Agency.

On 22 October 2019, the Council of Ministers adopted a resolution on the Cybersecurity Strategy of the Republic of Poland for 2019-2024. The document has been in force since 31 October 2019 and replaces the National Framework for Cybersecurity Policy of the Republic of Poland for 2017-2022. The adoption of the Strategy results from the Act on the national cybersecurity system. By 30 March each year, the minister responsible for digitalization, in cooperation with other Members of the Council of Ministers, is obliged to present information on the implementation of the Cybersecurity Strategy.

➤ ***Prevention of violent extremism and radicalization that lead to terrorism***

The main acts related to extremism are penalised in the Act of 6 June 1997, the Penal Code, especially in the articles:

- Article 119, referring to using violence or unlawful threat because of the victim national, ethnic, racial, political or religious affiliation or because of a lack of any religious denomination of a victim;
- Article 256, referring to propagating fascism and totalitarianism, racism and intolerance;
- Article 257, referring to public insulting of a group of people of different worldview, national or racial affiliation.

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your State's armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

The Polish Armed Forces do not have permanent bases or units stationed permanently outside the country. Military units and soldiers are staying temporarily on the territories of other countries, with their consent, performing tasks under international missions with the purpose of introduction, maintenance and construction of peace, in accordance with the mandate of the United Nations Security Council (UNSC), decisions of international organizations and / or relevant international agreements.

In 2022 Polish Military Contingents (PMC – pl. PKW) have been participating in 10 international missions and operations carried out under the auspices of the UN, NATO and EU or within international coalition at the territory of:

- **Iraq, Jordan, Qatar and Kuwait** – PMC of 350 soldiers and civilian personnel performing tasks of the operation *Inherent Resolve* within the framework of the Global Coalition led by the US and NATO mission in Iraq (NMI). Global Coalition acts on the basis of art. 51 of the UN Charter (right to individual or collective defence) as well as on the request of the government of Iraq. PMC Iraq performs training and advisory tasks.
- **Kosovo** – within NATO KFOR International Force (Kosovo Forces) under the provisions of UN SC Resolution 1244 of 10 June 1999; the military contingent counts up to 300 soldiers and civilian personnel and performs duties of monitoring of the implementation the peace agreement in Kosovo along with security support tasks;
- **Romania and Bulgaria** - PMC RUMUNIA – with the multinational brigade of the NATO Tailored Forward Presence, operating on the basis of North-Atlantic Council decisions of 8 and 9 July 2016. Their tasks include development of the collective defence capabilities, deterrence and ensuring safety in the Black Sea region. It counts up to 250 soldiers and personnel.
- **Lebanon** – the Polish Military Contingent in Lebanon takes part in the mission of the United Nations Interim Force in Lebanon (UNIFIL) operating on the territory of south Lebanon since 1978 on the basis of UN SC resolutions 435 and 426 of 19 March 1978 (and further ones, prolonging UNIFIL mandate). Mission assist local armed forces with maintaining peace and security and monitoring border with Israel. PMC main tasks are: protection of the civilian population, monitoring the demarcation zone - the so-called "Blue line" - and the support of the Lebanese government in maintaining peace and security, in accordance with the United Nations Security Council Resolution no. 1701 adopted on August 11, 2006. The military contingent counts up to 250 soldiers and civilian personnel. PMC cooperates with soldiers from Ireland and Hungary.
- **Latvia, Estonia and Lithuania** - PMC ŁOTWA – within battalion battle group of the NATO Enhanced Forward Presence acting on the basis of the North-Atlantic Council decisions of 8 and 9 July 2016. Their tasks include development of the collective defence capabilities, deterrence and ensuring safety of the NATO Eastern Flank. It counts up to 200 soldiers and personnel.
- **Latvia, Estonia and Lithuania** (PMC ORLIK 11) – as a contribution to the NATO Baltic Air Policing Mission of patrolling Baltic states' airspace. Mission is carried out on the basis of art. 3 of the North-Atlantic Treaty to support Estonia, Lithuania and Latvia in the sphere of protecting their airspace. It's performed in the 4-months long rounds of duties. Poland participated in the mission for the 11th time, delegating contingent of up to 150 soldiers and personnel.
- **Turkey** (PMC TURCJA) – within NATO's Tailored Assurance Measures mission in Turkey, operating on the territory of Turkey, eastern basin of the Mediterranean Sea and the Black Sea. The contingent counts up to 80 soldiers and personnel.

- **Bosnia and Herzegovina** – as a PMC EUFOR within ALTHEA operation carried out on the basis of the UN SC resolutions (inc. 1551 of 9 July 2004). The Polish Military Contingent EUFOR / MTT in Bosnia and Herzegovina comprises of up to 50 soldiers and civilian personnel performing duties of monitoring of the security situation, training and building capabilities of the Bosnia and Herzegovina’s Armed Forces along with cooperation with local authorities and NGO.
- Mediterranean Sea (PMC IRINI) – as a part in the EU military operation EUNAVFOR MED IRINI. Contingent counts up to 80 soldiers and personnel.
- Central African Republic – as a part of the EU training mission (EUTM RCA) carried out on the basis of Common Security and Defence Policy Council’s decision 2016/610 of 19 April 2016. Main task is to support defence sector reforms in CAR. The military contingent comprises of 2 soldiers in the mission headquarters.

Total number of 1557 soldiers and civilian personnel from Poland took part in missions and operations abroad w 2022.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

Poland is committed to the UN-developed concept of arms control, disarmament and non-proliferation of weapons of mass destruction, which is the basis for agreements reducing the peace threats, both in the global as in the regional dimension. We recognize that the compliance with the principle of transparency, reciprocity and equivalence of the fulfilment of obligations ensures international security at the lowest possible level of military arsenals. Poland adopts relevant provisions to provide proper implementation of arms control, disarmament and non-proliferation agreements, existing on both global and regional level. Poland is a party to the vast majority of multilateral treaties, conventions and agreements, including:

- The Treaty on Conventional Armed Forces in Europe (CFE);
- The Treaty on Open Skies (TOS);
- The Vienna Document 2011 (VD’11);
- All agreements on confidence and security building measures agreed upon in the OSCE (CDBM);
- The Treaty on Non-Proliferation of Nuclear Weapons (NPT);
- The Treaty banning the research on nuclear weapons (CTBT);
- The Arms Trade Treaty;
- The Convention on the Prohibition of the Development, Production, Storage and Use of Chemical Weapons and on their Destruction (CWC);
- The Convention on the Prohibition of the Development, Production, Storage and Use of Biological and Toxin Weapons and on their Destruction (BTWC);
- The Convention on the Prohibition or Restriction of the Use of Certain Conventional Weapons, which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW), and all its Protocols;

- The Convention on the Prohibition of the Use, Storage, Production and Transfer of Antipersonnel Mines and on Their Destruction;
- The Missile Technology Control Regime (MTCR).

In the area of disarmament and non-proliferation, Poland implements treaties and agreements, as well as other international instruments and initiatives, such as:

- UN Security Council Resolution No. 1540;
- The UN Plan of actions concerning Small Arms and Light Armament;
- The Global Initiative to Combat Nuclear Terrorism (GICNT);
- Initiative for the Non-proliferation of WMD (Proliferation Security Initiative – PSI).

Furthermore, Poland is an active member of the following export control regimes:

- The Nuclear Suppliers Group (NSG);
- The Zangger Committee (ZC);
- The Australia Group (AG);
- The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA);

3.2 Provide information on how your State pursues arms control, disarmament and confidence and security-building measures with a view to enhancing security and stability in the OSCE area.

Polish arms control policy is focused on international cooperation for the prevention of proliferation of weapons of mass destruction and the means of their delivery. We are active participants of the control regimes. We follow the guidelines of the EU Strategy on the Weapons of Mass Destruction (The EU's WMD Strategy).

On December 14, 2012 Poland ratified the Convention on the Prohibition and the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the so-called the Ottawa Convention). The Convention went into effect as of 1 June 2013.

Section II: Intra-State factors

1. National planning and decision-making process

1.2 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

➤ *Defence expenditures*

The Homeland Defence Act of 11 March, 2002 (Journal of Laws of 2022, Item 2035) stipulates that the annual military expenditures from the state budget should be of not less than

- 2,2% of GDP in 2022;
- 3% of GDP in 2023 and afterwards.

Defence expenditures consist from of budgetary expenditures in the state budget within the part “national defence” as well as of “defence budget” departments within other parts. Besides prescribing the minimum level of defence expenditure, the law stipulates capital investment expenditure must account for at least 20% of total defence budget.

It should be stressed that defence tasks are carried out not only by the Minister of Defence, but also to varying degrees by other authorities of the state, which may therefore participate in the defence expenditure budget. Budget of MoD amounts for the biggest share of defence expenditures, but they are covered by the budget of other state organs as well.

➤ *Budget planning and implementation*

Recognising the importance of public finance for ensuring efficient functioning of the state, the basic principles and procedures relating to the budget were regulated by the Constitution of the Republic of Poland of 2 April 1997. Whereas, the details relating to the principles and procedure of drawing up the draft state budget, its degree of detail and the requirements to be met by the draft budgetary act, as well as the principles and procedure of implementing the budgetary act are set out in the Act of 27 August 2009 on public finance.

Legislative initiative with respect to the Budget Act, including its amendments, is vested exclusively in the Council of Ministers. At the stage of government works, the Minister of National Defence prepares a draft budget of the Ministry of National Defence for the next year (on the basis of the assumptions of the Council of Ministers) and submits it to the Minister of Finance, who drafts the budget act. The Council of Ministers is obliged to submit a draft budget act to the Sejm at least 3 months before the beginning of the fiscal year (i.e. by 30 September). Sejm adopts the state budget for the financial year in the form of a budget act. If, within 4 months of the submission of the draft budget law to the Sejm, it has not been presented to the President of the Republic for signature, the President of the Republic may, within 14 days, order that the term of office of the Sejm be shortened. If the Budget Act has not entered into force on the date of commencement of the financial year (i.e. on 1 January), the Council of Ministers conducts financial management on the basis of the submitted bill.

Defence expenditures constitute an element of the state budget and thus are subject, as a rule, to the same principles of planning, execution and reporting as the other measures in the state budget. The importance of civilian and democratic control over the Armed Forces should also be emphasised, which includes, inter alia, open discussions and analyses both at the stage of planning and execution of the Ministry of Defence budget (e.g. debates in the Sejm and the National Defence Commission, as well as audits conducted by the Supreme Chamber of Control).

Within 5 months of the end of the budgetary year, the Council of Ministers submits to the Sejm a report on the execution of the Budget Act together with information on the state of the country's debt. The Sejm considers the submitted report and, having familiarised itself with the opinion of the Supreme Chamber of Control, adopts a resolution to grant or refuse to grant discharge to the Council of Ministers within 90 days of the submission of the report to the Sejm.

The Homeland Defence Act created a state earmarked fund - The Armed Forces Support Fund, which is additional, non-budgetary source of financing *The Armed Forces Development Program*.

It is established at Bank Gospodarstwa Krajowego - BGK (on the basis of the agreement between MoD and BGK).

The Fund is used to achieve the objectives set out in *The Armed Forces Development Program* and its financial plans for 2022 and 2023 were prepared within the following process (described in the legal act):

- BGK prepares the financial plans of the Fund and consults it with Ministry of Finances

- Once the financial plans are agreed with the Ministry of Finance, they are sent to the parliamentary Commission of the national defence for the opinion.
- Minister of Defence approves the financial plans after receiving the parliamentary opinion mentioned above.
- Approved financial plans constitute the basis for the payments from the Armed Forces Support Fund.

➤ Principles of public finance:

✓ *The Principle of Transparency*

In accordance of art.33 of the Public Finance Act, management of the public funds is public³. The principle of transparency is implemented through:

- transparency of the budgetary debate in Parliament (Sejm and Senate) and openness of the debate on the report on the execution of the state budget in Sejm (the above includes openness of the work of the National Defence Commission);
- publication of the budget law in the Official Gazette of the Ministry of Defence and the Ministry of Defence budget decision in the Official Gazette of the Ministry of Defence;
- making public: (1) amounts of subsidies provided from the state budget, (2) amounts of subsidies provided by state purpose funds, (3) aggregate data on public finances, and (4) information on state budget execution for monthly periods;
- publishing information by public finance sector entities on: (1) the scope of tasks or services performed or provided by the unit and the amount of public funds transferred for their implementation, (2) the principles and conditions of providing services to eligible entities, (3) the principles of payment for services provided;
- making available by entities of the public finance sector a list of entities from outside the sector to which a grant, co-financing of the task implementation or a loan has been granted from public funds or from which the receivable due to the entity of the public finance sector has been remitted
- making available annual reports on the finances and activities of the public finance sector entities;
- publishing reports on the implementation of the Budget Act adopted by the Council of Ministers.

The information is also given in answer to any interested party, who will make such request in accordance with the Act on Access to Public Information of 6 September, 2001 (Journal of Laws of 2020, Item 2176).

✓ *The Principle of Legality*

In accordance with the Constitution of the Republic of Poland, public authorities act on the basis and within the limits of the law. The Public Finance Act stipulates that public expenditures may be incurred for the purposes and in the amounts determined in the Budget Act and in the financial plan of the public finance sector unit. The entities shall make expenditures in accordance with the regulations on particular types of expenditures and may incur liabilities to be financed in a given year up to the amount arising from the entity's expenditure or cost plan.

³ Except for the public funds, which source or destination has been considered classified on the basis of other acts or International treaties.

The Act on accountability for violating public finance discipline of 17 December, 2004 (Journal of Laws of 2021, Item 289) introduced the whole system of accountability for the administrators of the public funds with aim to assure public finance discipline.

✓ *The Principle of Efficiency*

In accordance with the Public Finance Act public expenditure should be made:

- in a purposeful and economical manner, observing the principles of: (1) obtaining the best results from given expenditure, (2) optimal selection of methods and means to achieve the assumed objectives;
- in a manner enabling the timely implementation of tasks and in the amount and within the time limits resulting from previously incurred liabilities.

In order to strengthen the effectiveness of actions taken in the system of public finance, the so-called management control was also introduced, which in entities of the public finance sector constitutes a set of actions taken to ensure the implementation of objectives and tasks in a legal, effective, economical and timely manner. The aim of management control is to ensure in particular: (1) compliance of activities with legal provisions and internal procedures; (2) effectiveness and efficiency of activities; (3) reliability of reports; (4) protection of resources; (5) observance and promotion of principles of ethical conduct; (6) effectiveness and efficiency of information flow and (7) risk management. Ensuring the functioning of adequate, effective and efficient management control is the responsibility of the Minister of Defence, as well as the heads of individual organisational units.

✓ *The Principle of Annuality*

The state budget is adopted for the financial year, which is defined as the calendar year. According to the principle of annuality, as a rule, unrealised amounts of state budget expenditure expire at the end of the financial year.

The exceptions are the so-called unexpired expenditures. Not later than 30 December of the following financial year the Council of Ministers may establish a list and a financial plan of non-expiring expenditure and the final deadline for their implementation, which is not later than 30 November of the following financial year.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

The main task of the security and foreign policy of Poland is to ensure the independence, territorial integrity, as well as security and civil liberties of its citizens. For this purpose, in accordance with the strategic documents and decisions of the democratically elected government, Poland maintains and develops the Armed Forces and defence capabilities at such a level that is necessary for the defence and independence of its territory and to fulfil its allied and international commitments.

As a member of the European Union and NATO, Poland belongs to the group of countries that share common democratic values and a common goal of building a zone of stability and security. It is a part of these activities, and promotes them. This is accomplished through political dialogue, crisis response, and close co-operation with neighbouring countries. Poland is developing strong cooperation and friendly relations with all its neighbours, as well as cooperation with other countries of Central and

Eastern Europe, seeing it as a chance to strengthen the zone of stability and security in this part of the continent. Poland aims to strengthen the cooperation within the Weimar Triangle and the Visegrad Group, and supports the development of other sub-regional institutions, contributing to greater security and stability.

Poland is actively seeking opportunities to increase international cooperation and to strengthen cross-border dialogue to resolve the most pressing threats to international security. These activities are implemented mainly through international forums and organizations, including the UN, NATO, the EU and the OSCE. In the case of military involvement abroad the legal basis for the use of and stay of the Polish Armed Forces in other countries are the UN Security Council resolutions, decisions of international organizations engaged in international missions and/or relevant international agreements.

2. Existing structures and procedures

2.1 What are the constitutionally established procedures for ensuring democratic control over the military, paramilitary and internal security forces, and the police?

The Polish Armed forces remain neutral in political matters and are subject to civil and democratic control pursuant to Article 26(2) of the Constitution of the Republic of Poland. Democratic control is ensured by constitutional bodies of the legislative and executive powers - Parliament, President, Council of Ministers, Prime Minister and Minister of National Defense. Detailed competences of the executive and legislative authorities in terms of exercising democratic control over Armed Forces are as follows:

➤ *The President of the Republic of Poland*

The constitutional position of the President is set out in Article 126(1) of the Constitution, stating that he is the supreme representative of the Republic of Poland and the guarantor of the continuity of state authority. Within the competencies specified in the Constitution, the President ensures its observance, guards the sovereignty and security of the state, and the inviolability and integrity of its territory. He is the head of the Armed Forces, and in times of peace exercises this authority through the Minister of National Defence. This authority does not provide a basis for deriving sovereign powers from it and ensures the neutrality of the Armed Forces in political matters. Sovereignty over the Armed Forces does not mean that the President is vested with commander-in-chief powers, neither in peacetime nor in wartime, combined with the ability to issue orders to combat units. The mere notion of the President's sovereignty over the Armed Forces does not give rise to any specific competences, which are determined in the particular acts of law.

In exercising his supreme authority, the President appoints the Chief of the General Staff of the Polish Armed Forces and the commanders of the types of the Armed Forces. For the duration of war, upon the motion of the Prime Minister, he appoints the Supreme Commander of the Armed Forces. In the same procedure, he may dismiss the Supreme Commander of the Armed Forces in accordance with Article 144 (2), of the Constitution. An official act of the President appointing the Supreme Commander of the Armed Forces requires for its validity the signature (countersignature) of the Prime Minister. Furthermore, during a state of martial law, the President, upon the motion of the Prime Minister, may appoint the Commander-in-Chief of the Armed Forces. The President's competences related to his

authority and control over the Armed Forces are regulated by the Homeland Defence Act of 11 March 2022. Pursuant to its provisions, the President of the Republic of Poland, in particular:

- determines, on the application of the Minister of National Defence, the main directions for the development of the Armed Forces and their preparation for national defence;
- may participate in briefings of the executive staff of the Ministry of National Defence and the Armed Forces;
- shall approve, upon the motion of the Prime Minister, the national security strategy;
- shall issue, on the application of the Prime Minister, by decision, the Political and Strategic Defence Directive of the Republic of Poland and other executive documents for the National Security Strategy;
- shall approve, at the request of the Council of Ministers, plans for national defence system exercises and shall direct their conduct;
- decides, at the request of the Prime Minister, on the introduction or change of a particular defence readiness of the State;
- may request from all public authorities, central and local government administration, entrepreneurs, heads of other organisational units and social organisations information of importance for the security and defence of the state;
- when the Sejm cannot convene its meetings, decides on a state of war;
- has the power to impose martial law and a state of emergency (in part or at the whole territory of the state);
- has the power to make universally binding laws during martial law in the circumstances set out in the Constitution (if the Sejm cannot convene during martial law, the President, at the request of the Council of Ministers, may issue regulations with the force of law);
- decides on the deployment of the Armed Forces abroad.

➤ *The Council of Ministers*

Council of Ministers conducts internal and external policy of the Republic of Poland . In accordance with the scope and rules described in the Polish Constitution and other Acts, it assures internal security, public order and external security of the state, exercise general control in the field of national defence and annually specify the number of citizens who are required to perform active military service.

Council of Ministers may request the President:

- to introduce martial law
- to introduce a state of emergency
- to issue a decree with the effect of a law, when Sejm cannot convene during the martial law.

In accordance with Homeland Defence Law of 11 March, 2022, within the competences of the Council of Ministers as regards the control of the Polish Armed Forces are:

- preparation of the draft national security strategy;

- planning and conduct of the state's preparation of the national defence in case of external threat to the security and during a war time;
- preparation of the system of national security management
- maintaining national defence readiness and requesting the President for its increase in case of the external threat of security or in a war or its lowering accordingly to decreasing the threat level.

During the imposition of a martial law Council of Ministers triggers the national defence management system and transition of the public authorities functioning for the war period. At the same time it can suspend the functioning of the public authorities in the direct war zone and may delegate their powers to the military authorities.

➤ *The Prime Minister*

Article 11(2) of the Act of 29 August 2002 on Martial Law and the Powers of the Commander-in-Chief of the Armed Forces and the Principles of his Subordination to the Constitutional Authorities of the Republic of Poland, if during martial law the Council of Ministers cannot meet, the constitutional powers of the Council of Ministers are exercised by the Prime Minister.

During the imposition of a state of emergency, the Prime Minister may request the President to use troops and subdivisions of the Armed Forces to restore the normal functioning of the state if the forces and means used so far have been exhausted. In the same procedure, in the event of a threat to public safety or a disturbance of public order, pursuant to Article 18, sections 1 and 3 of the Act on the Police, the Prime Minister requests the President to order the use of divisions and subdivisions of the Armed Forces to assist armed divisions and subdivisions of the Police if their use proves insufficient.

➤ *Minister of Defence*

According to the Act of 14 December 1995 on the Office of the Minister of Defence, the competences of the Minister of Defence in terms of democratic control over the Armed Forces include:

- directing in peacetime all activities of the Armed Forces;
- preparing assumptions for the defence of the State, including proposals concerning the development and structure of the Armed Forces;
- forming, reforming and deforming military units and assigning posts to them;
- carrying out the general assumptions, decisions and guidelines of the Council of Ministers with regard to national defence and coordinating the performance of tasks arising from them;
- exercising general leadership in matters of fulfilment of the general obligation to defend;
- directing the administration of personnel reserves for the purposes of general defence duty;
- carrying out the decisions of the Council of Ministers with regard to the participation of the Republic of Poland in military undertakings of international organisations and with regard to the fulfilment of military obligations arising from international agreements;
- concluding international agreements resulting from the decisions of the Council of Ministers concerning the participation of Polish military contingents in international peace missions and humanitarian actions and military exercises conducted jointly with other states or international organisations.

The Minister of Defence, in accordance with art. 134(2), of the Constitution, in peacetime mediates the President's authority over the Armed Forces.

➤ *Parliament*

The Sejm and the Senate exercise legislative power in the Republic of Poland. The legislative power, within the scope of democratic control over the Armed Forces:

- determines the amount of funds for the security and defence of the state, including the maintenance and development of the Armed Forces;
- shall take decisions on behalf of the Republic of Poland on the state of war and on the conclusion of peace;
- shall define the principles of use of the Armed Forces outside the borders of the Republic of Poland;
- determines the principles of stay of foreign troops on the territory of the Republic of Poland and the principles of their movement through this territory;
- determines the duration of the term of office of the Chief of General Staff of the Polish Armed Forces and commanders of the types of the Armed Forces as well as the mode and conditions of their recall before its expiry;
- determines the competence of the Commander-in-Chief of the Armed Forces and the principles of his/her subordination to the constitutional bodies of the Republic of Poland;
- shall define the competences of the President connected with the control over the Armed Forces;
- determines the principles of operation of public authorities and the extent to which human and civil liberties and rights may be restricted during particular states of emergency.

2.2 How is the fulfilment of these procedures ensured? Which constitutionally established body/institution bears responsibility for the implementation of these procedures?

In addition to its legislative, budgetary and appointments functions, Parliament also performs control functions in national defence matters. As part of the work of Parliament, these functions are performed by the national defence committees of the Sejm and the Senate, as well as directly by MPs and senators who submit interpellations, questions and interventions. The Sejm National Defence Committee and the Sejm Committee for Special Services are active in this field, as is the Senate National Defence Committee.

The scope of the Sejm Committee for National Defence includes matters relating to the activities of the Armed Forces, the system and functioning of the country's territorial defence and civil defence, the strengthening of defence by state bodies, cooperative and social organisations and citizens, as well as defence industry plants.

The Chairman of the Council of Ministers and other members of the Council of Ministers, in accordance with art. 157 of the Constitution, are jointly and individually responsible before the Sejm for their activities, including the implementation of tasks concerning democratic control over the Armed Forces. They may also be liable before the State Tribunal for violations of the Constitution or laws. For the same reasons, the President may also be liable before the State Tribunal.

2.3 What are the roles and missions of the military, paramilitary and security forces, and how does your State control such forces so they act solely within the constitutional framework?

Pursuant to the art. 26 of the Constitution, Armed Forces shall protect independence of the State, its territorial integrity and ensure safety and inviolability of its borders. The President is the supreme Commander of the Armed Forces, who - pursuant to art. 134 (1&2) of the Constitution - in times of peace, shall exercise command over the Armed Forces through the Minister of National Defence. of the Republic of Poland. Principles of the control over the Armed Forces are described in detail in para 2.1.

3. Procedures related to the personnel of various forces

3.1 What kind of procedures does your State use for the recruitment and drafting of personnel for service in the armed forces?

➤ *Professional military service*

Legal regulations on the whole range of issues related to professional military service, including appointment to professional military service (along with the definition of procedures), are contained in the Homeland Defence Act of 11 March 2022 (Journal of Laws of 2022, item 2305 with later amendments) and in the Ordinance of the Minister of Defence of 27 June 2022 on appointment to professional military service (Journal of Laws of 2022, item 1384).

In accordance with the article 83 (1) of the aforementioned Act, a professional soldier may be a person who meets the following conditions:

- is a Polish citizen;
- of good repute;
- has appropriate qualifications and physical and mental capacity to perform professional military service;
- is at least 18 years old;
- with no criminal record;
- is not scheduled for the alternative civilian service;
- is not exempt for performing active military service in case of declaring the military mobilization and in the war time;
- hasn't received the duty assignment to the military unit
- has at least
 - a higher education – in case of military service in the officer corps
 - a high school education or secondary technical education – in case of military service in the non-commissioned officer corps
 - an elementary education – in case of military service in private corps – if there is need to replenish the Armed Forces.

In accordance with the article 83 (2), assignment to the military service can depend on:

- particular qualifications required to serve at this post

- medical certificate confirming no contradictions to perform military service at the post requiring specific physical and mental capacities
- submitting a questionnaire for personnel security clearance certificate
- is determined by a military medical commission. The professional personnel of the Armed Forces are divided into the corps of professional officers, professional non-commissioned officers and professional privates.

Professional military service is one of the form of the active military service. Appointment to the service is conditioned on the needs of the Armed Forces. The official relationship of candidate service is established by way of an appointment on the basis of a voluntary application. The start date and the military post are specified in the personal order. Appointment to the professional service takes place for an indefinite period.

The Homeland Defence Act specifies the conditions of the appointment of the professional military service:

- to the professional officer corps – a person, who possesses jointly:
 - a master's degree or equivalent
 - a military rank equal to or directly lower than the full-time rank of the official position to which he/she is to be appointed
- to the professional non-commissioned officer corps – a person who jointly:
 - completed secondary education or secondary education in the field
 - possesses a military rank equal to or directly lower than the rank in the service position to which he is to be assigned upon appointment to professional military service;
- to the professional private corps – a person who jointly :
 - completed elementary school, basic vocational training or basic education in the field
 - has vocational training or qualifications or skills useful in the personal corps in which he is to perform military service
 - has at least completed basic training of 28 days, has taken a military oath and received a military booklet, as specified in the art. 143 (2.1) if she/he hadn't completed active military service before.

Appointment of the judges to the professional military service in the military courts is regulated by the specific Act on military courts (Journal of Laws of 2023, item 217).

The Homeland Defence Act of 11 March, 2022 describes as well the training for the candidates for professional soldiers in the framework of voluntary active military service (art. 95). Pursuant to art. 95 (4), the training starts after the appointment of the candidate to the voluntary military service lasting:

- first year at the military higher education institutions
- if training at the non-commissioned officer school and training centre or in case of the candidates with the higher education degree or equivalent who undergo training for the professional officers at the military higher education institution
 - a) first year if the education course is longer
 - b) during whole period of the training if the course is shorter than 12 months.

Taking into account the above, appointment to the professional military service of the candidate who serves in the voluntary military service during the training, could take place after the first year, if, such is the need of the Armed Forces and the relevant agreement specifying the terms of reimbursement

of the costs incurred for a candidate's upkeep and education has been signed. These costs are not reimbursed in case of receiving the official certificate on the physical and mental incapacity for professional military service or the issuance of a psychological opinion by a military psychological laboratory concerning the contraindications to perform professional military service. The soldier who has been appointed to the professional military service, if he/she continues their education in the higher education institution, non-commissioned officer school or training centre, acquires rights of the professional soldier as indicated in the Homeland Defence Act of 11 March 2022.

In accordance of art. 186 (1) of this Act, the personal order on the appointment to professional service are issued:

- 1) in case of colonels (commanders) and generals (admirals) – by the Minister of Defence
- 2) in case of the officers corps (possessing other ranks than those enumerated in 1), non-commissioned officers corps and privates corps in the military units others than mentioned in 3) and 4) – by heads of the human resources
- 3) in case of the non-commissioned officers and privates corps – by (respectively) Chief of Staff of the Polish Army , Commanders of the Armed Forces Branches, army commanders, Commander of the Military Gendarmerie and Commander of the Warsaw Garrison, as well as the chief of the Armed Forces Support Inspectorate in the dependent units;
- 4) in the privates corps – by military unit commander possessing at least the rank of the colonel (commander).

As it comes to the personal orders on appointment of the persons during their training, including preceding voluntary military service, to the professional military service are given by:

- Head of the human resources department at the Ministry of Defence - in case of the military higher education institution
- commander of the Armed Forces Branch – in case of the non-commissioned officer school and training centres which are subordinated to this commander.
-

3.2 What kind of exemptions or alternatives to military service does your State have?

Details concerning the alternative military service has been put in Chapter XIX of the Homeland Defence Act of 11 March, 2022. The alternative serve can take place only during the validity of the obligation of the active military service. The Polish Armed Forces are fully professional from 2010 on .

3.3What are the legal and administrative procedures to protect the rights of the entire armed forces personnel?

Professional soldiers of the Armed Forces of the Republic of Poland have all the constitutional rights vested in civilian citizens of the Republic of Poland, with the exception of the possibility of combining the service relationship of a professional soldier with the function of a deputy, including to the European Parliament, senator, elected state managerial post and authority or member of the executive body of a local government, as well as the right to associate in political parties and the right to associate in trade unions.

In the event of violation of the rights granted by virtue of military service, a soldier has the right to appeal, provided for in the relevant regulations on the pragmatics of professional military service. In this area the Homeland Defence Act of 11 September 2022 applies.

The subject matter is also regulated by a number of other legal acts concerning, among others, soldiers' property liability, benefits due in case of accidents and illnesses in connection with military service, accommodation of the Armed Forces, etc.

According to art. 122 of the Homeland Defence Act of 11 March, 2022, the decisions concerning the soldiers can appeal to the higher organ, following the regulations of the Administrative Procedure Code of 14 June, 1960 (Journal of Laws of 2022, Item 2000 and later) or make complaint to the appropriate administrative court, in accordance with Law on proceedings before administrative courts of 30 August 2002 (Journal of Laws of 2023, item 259).

The above doesn't apply to cases concerning:

- appointment to the military rank;
- transfer to the other corps or unit;
- delegation to perform duties outside of the military unit;
- temporary transfer to another post;

A complaint to the administrative court cannot be made if the decision concerned:

- Appointment to the compulsory military service;
- Call up for the military exercise;
- Appointment and transfer to the post, dismissal or transfer to the personnel reserve or to the disposal
Assignment to perform official tasks in other place

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available e.g. through military training programs and regulations?

The officers of the Polish Armed Forces systematically participate in international seminars and courses devoted to this field of law, organized, among others, by the International Committee of the Red Cross, the International Institute of Humanitarian Law in San Remo or the International Association of Military Law and War.

The subject of international humanitarian law of armed conflicts has been covered in curricula for candidates for professional soldiers and courses implemented as part of the professional development system for professional soldiers of the Armed Forces.

The education in international law of armed conflicts in the Polish Ministry of Defence is regulated by Decision No. 163/MON of the Minister of National Defense of November 27, 2020 on the tasks and coordination of training in international humanitarian law of armed conflicts in the Ministry of Defence. The importance of the basic principles of the law of war is particularly emphasized, including issues related with military necessity, principle of distinction, proportionality and due precaution

during military operations, prohibition on the use of certain methods and means of warfare, as well as the principles of protection of people and civilian goods (including humanitarian personnel) and treatment of prisoners and detainees. Course are conducted not only in the form of lectures, but also with the use of interactive methods, requiring engagement, deepened analyzes and decision – making form the participants. IHLLW plays important role in the training process, military exercises execution of tasks in the peace and stabilization missions. Their main aim is to shape soldiers' behavior and beliefs in a way that will exclude – in the extreme combat conditions - the possibility of activities that are not compliant with the international law.

The training in the area of IHLLW is also compulsory part of preparations – along with the legal and cultural aspect of the particular country – for each soldier participating in the peace and stabilisation operations.

In 2022 – in the framework of implementation and promotion of IHLLW, as well as execution by the MoD of the tasks related to the implementation of the agreements on arms control, disarmament and confidence – building measures in Europe, we have organized the following courses:

- 2-weeks-long course on IHLLW in the Polish Air Force University;
- 5-days-long course “ IHLLW – protection of the cultural goods in the armed conflicts and crisis situations” for the officers, non-commissioned officers and employees of the MoD in the Military Centre of the Civic Education (WCEO);
- 5-days-long course “IHLLW for non-commissioned officers” (WCEO).

IHLLW was also present in other forms of the education of professional soldiers in 2022:

- post-graduate studies, including Post-Graduate Operational and Tactical Studies, Post-Graduate Defense Policy Studies and qualification courses for candidates for individual positions with a specific military rank, carried out at military universities and non-commissioned officers' schools;
- IHLLW – post-graduate studies at the Academy of War Arts;

IHLLW – a course at the Academy of Warfare for battalion commanders (equivalent);

- IHLLW – a course at the Naval Academy for officers and non-commissioned officers of the Polish Navy;
- E-learning course on IHLLW (WCEO);
- IHLLW for legal advisers - a course conducted at the WCEO for legal advisers of the justice corps and legal services, special forces, intelligence and military counterintelligence and the Military Gendarmerie;
- IHLLW professional course for officers and non-commissioned officers of the Land Forces - conducted at the Land Forces Training Centre for professional soldiers;
- IHLLW course conducted at the Naval Training Centre and intended for professional soldiers assigned to foreign military missions.

At the same time, it should be noted that the implementation of the above-mentioned projects was included in the "Schedule of professional development at the War Studies Academy in 2022", "Schedule of professional development at the Naval Academy in 2021" and "Schedule of professional development at the Military Centre for Civic Education in 2022".

The implementation of content from the field of IHLHRC at all levels of education and training in postgraduate studies and qualification courses conducted in military academies and non-commissioned officer schools is regulated by Decision No. 420/MON of the Minister of National Defence of 12 September 2008 on the introduction of a system of professional development of professional soldiers in the Polish Armed Forces.

It should be noted that the issues of international humanitarian law of armed conflicts are included in the curricula of courses for candidates for professional soldiers and are carried out within the framework of in-service training of professional soldiers of the Polish Armed Forces, in accordance with the provisions of Decision No. 184 /MON of the Minister of Defence of 13 June 2012 on the organization of education and training system on "International Humanitarian Law of Armed Conflicts" in the Ministry of Defence.

Additionally, the issues of International Humanitarian Law of Armed Conflicts and the Law of War are covered by other subjects, such as: "Educational activities and disciplinary prevention in the army", "Tactics", "Peace and stabilization activities", "Non-kinetic activities", "Selected issues of national and international security" and "Medical security".

4.2. What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

In order to familiarize soldiers and military employees with the principles and obligations contained in international humanitarian law and the issues of individual responsibility for actions taken, other events are organized, e.g. cyclical training of soldiers and army employees in the supplementary training system, conferences, meetings within the framework of cooperation with international organizations and the dissemination of training and information materials.

Publications and teaching aids (brochures, textbooks, instructional films on DVD/CD, training materials) have been developed. For the participants of the Polish Military Contingents, manuals have been prepared, which include, among others, information on international humanitarian law of armed conflicts.

As part of the education, legal cases in the field of IHLLW are used, thus ensuring the possibility of analysing actual events and determining the rules of conduct in the event of similar situations, and the forms and methods of training are improved using the Experience Utilization System in the Armed Forces. The scope of knowledge provided during education is supplemented on an ongoing basis with information on international agreements to which the Republic of Poland is a party, as well as with the experience gained from conducted operations. Education at every level is supported by legal advisors.

The education which is given to all soldiers and employees of the Ministry of Defence is conducted in 6 subsystems:

- training of legal advisers of the commanders, professors and instructors;
- education at the military higher education institutions;
- education at the training centres;
- training at the units and departments of the Ministry of Defence;
- training for subdivision of the military;
- training for the personnel reserve.

The coordination of the IHLLW education is responsibility of the Chief of Staff of the Polish Army.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights and to deprive them of national, religious, cultural, linguistic or ethnic identity?

The Polish Armed Forces conduct activities contributing to the dissemination of the issues of international humanitarian law. The effect of these activities was to raise the importance of the law of war in the practical training of soldiers, to intensify training for commands and staffs of military units, as well as the preparation of martial law instructors. The officers of the Polish Armed Forces systematically participate in international seminars and courses devoted to this field of law, organized e.g. by the International Committee of the Red Cross, the International Institute of Humanitarian Law and the International Society for the Law of Military and War. Part of the IHLLW education is related to the application of the international humanitarian law and human rights during the armed conflicts, with the particular emphasis on respect for freedom and human rights, including national, religious, cultural, linguistic and ethnical identity during the armed conflicts.

In addition, art. 85 (3) of the Polish Constitution stipulates that any citizen whose religious convictions or moral principles do not allow him to perform military service may be obliged to perform substitute service in accordance with principles specified by statute.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

Art. 26 of the Polish Constitution indicates that the Armed Forces shall observe neutrality regarding political matters, which translates into requirement for the soldiers (especially for those of higher rank) to maintain impartiality and resistance for any external influences. It is closely interlinked with the principle of civil and democratic control over the Armed Forces as the Constitutional Court underlined, drawing both principles from this of the democratic state ruled by law as enshrined in the art. 2 of the Polish Constitution. The Court stated the principle of neutrality should be considered in 2 aspects: 1) the Armed Forces cannot be autonomous in the political state structure nor influence the political decisions of the constitutional organs of the state (which is guaranteed by the civil control); 2) exclusion of this structure from the sphere of direct influence of the political parties.

The principles of neutrality is related with some limitations on political rights and freedoms (enlisted in the II chapter of the Polish Constitution), but cannot limit the rights of the soldiers when they function outside of the military structures. On the other hand, the interest of the Armed Forces can constitute the reason for limiting the rights and freedoms of the citizens. According to the Constitutional Court any limitations of the human rights have to take into consideration art. 31 (3) of the Polish Constitution ("Any limitation upon the exercise of constitutional freedoms and rights may be imposed only by statute, and only when necessary in a democratic state for the protection of its security or public order, or to protect the natural environment, health or public morals, or the freedoms and rights of other persons. Such limitations shall not violate the essence of freedoms and rights"). "There can be no doubt that the rights of an individual collide in this case with the purposefulness of protecting the public interest, closely related to the protection of state security, and thus the value which in any democratic legal order may, within the limits set by necessity, justify

encroachment on the rights of an individual, even fundamental rights"⁴. Such restrictions on the right of association and the right of assembly, in relation to, inter alia, to "members of the armed forces", are permitted by Art. 11 sec. 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on November 4, 1950. Due to the goals of the Armed Forces specified in Art. 26 sec. 1 of the Constitution, the rights of their members may be subject to more extensive restrictions than in the case of other social groups. The legislator may differently shape the spheres of rights and obligations of a specific category of entities, provided that these different rules are based on differences in their factual situation existing between particular categories of entities. Restricting the political rights of members of the Armed Forces is justified, inter alia, by the necessity to maintain the principle of neutrality of the Armed Forces⁵. The Constitutional Court stated that: "professional military service is a special type of public service, subject to specific rigors and limitations"⁶. Limitations on the civic rights and freedoms are indicated in the Homeland Defence Act of 11 March, 2022, which regulates restrictions on the public activities of the professional soldiers. They, for example, are not allowed to participate in the assemblies of political nature nor engage in political activities. However, professional soldiers have the right to participate in assemblies related to elections of state authorities and local government, for example in election rallies, but on the condition that they will not be in uniform or will not boast of their military badges and insignia. In addition, on the first day of professional military service, membership in a political party, association, organization or civic movement, if they pursue political goals, ceases. A professional soldier may stand as a candidate in elections to the Polish and European Parliament. He/she may also apply for managerial positions in the state filled on the basis selection process and for local government bodies. However, he is obliged to immediately inform the commander of the military unit about such actions. An additional entitlement of a professional soldier is unpaid leave for the duration of the election campaign. At the same time, the applicable regulations introducing restrictions in the field of public activity of the professional soldiers do not infringe their right to belong to churches and other religious associations with legal personality. As a rule, a professional soldier is entitled to belong to all kinds of associations or organizations (however, the professional soldier is obliged to notify in writing the commander of the military unit, in which he/she serves, if it is a national association or organization, or to apply for the permission from the Minister of Defense - in case of a foreign or international organization). Professional soldiers are not allowed to form trade unions, nor are they allowed to associate in trade unions. Nevertheless, the legislator provided for the possibility for soldiers to establish individual corps of professional staff by selecting representative bodies.

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

In accordance with art. 9 of the Constitution, Republic of Poland respects international law binding upon it, and art. 7 indicates that the organs of public authority function on the basis of, and within the limits of, the law, which commit all the authorities responsible for shaping the defence policy and doctrine to abide international law.

Compliance of the defence policy and doctrine with the international law is also one of the criteria for the NATO membership. Observance of the international law is also included as one of the elements of

⁴ See, for example, in cases of professional soldiers: judgment of the Constitutional Court of July 12, 2012, ref. no. SK 31/10; judgment of the Constitutional Court of June 9, 1998, file ref. no. K 28/97.

⁵ Judgment of the Polish Constitutional Court of November 17, 1998, file ref. no. K 42/97.

⁶ Judgment of the Polish Constitutional Court of June 9, 1998, file ref. no. K 24/96.

the stable security environment in the National Security Strategy for 2022. It indicates the need to enhance the efficiency of the international law through: development of the legal norms at the international level, striving for assuring full universalization of the treaties and agreements' norms, implementation of the international laws into internal legal order (by establishment of the appropriate executive mechanisms at the national level). The Polish National Security Strategy reads that international law enhancement is an opportunity for the security both at the regional and global dimension. In addition, the Polish Armed Forces make sure that the new types of military equipment weaponry are compliant with the limitations concerning the armed struggle that were introduced by the international law norms.

SECTION III: Public access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

This information is available at the internet website www.osce.org/forum-for-security-cooperation.

1.2 What additional information related to the Code of Conduct, e.g. replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

In addition to the Code of Conduct, there are no additional publications on the subject, apart from specialist or academic documents, publicly available, for example, via the Internet.

1.3 How does your State ensure public access to information related to your State's armed forces?

The Republic of Poland shall offer its citizens the right to obtain information about the activities of public authorities and public office holders, which is referred to in art. 61 of the Constitution. These constitutional provisions were defined in the statutes. Among others in the Act of 6 September 2001 on the access to public information and the Act of 26 January 1984 - Press Law. Public access to information may be restricted only in cases of the necessity to protect national security or in the cases provided by law, for example, relating to classifying information and documents and dealing with them.

Public access to information concerning the Armed Forces of the Republic of Poland is ensured by the implementation of the information policy of the government and the Ministry of Defence. Public information that has not been published on the website of the Public Information Bulletin is made available upon request. Requests for public information directed to the Ministry of Defence should be addressed to section of the Public Information and Data. A request for access to public information may be submitted in the following forms: orally, in writing to the address of the Operations Centre of the Ministry of Defence or by e-mail: bip.wniosek@mon.gov.pl, through ePUAP platform or delivered in person. In the case of submitting a request by phone, the information will be received immediately, or – if it is not possible, the applicant will be informed on the need to submit a request in other way.. A written reply is given within 14 days from the date of receipt. If the information cannot be made

available within this deadline, deadline may be prolonged up to 2 months from the date of receipt of the request and the applicant is informed about reasons of such delay.

The Ministry of Defence implements information policy with the application of a number of modern tools, social campaigns and organisation of the events accessible to public. Ongoing information of the public and the personnel of the Armed Forces is provided by means of official websites (in the form of announcements, information, reports and photo and video galleries). The main sources of information are: the official website of the Ministry of Defence at e-gov/obronanarodowa and at the portal www.wojsko-polskie.pl. Journalists can send their questions by newsroom@mon.gov.pl.

Accounts of the Ministry of Defence in social media are run on Facebook (official account + ones with ZOOM photos), Twitter (official accounts in Polish and in English + one for veterans), Flickr, Instagram, and YouTube. Every soldier has as well access to the application "Żołnierz RP" ("*Soldier of the Republic of Poland*") and candidates for military service can consult the recruitment webpage "Zostań Żołnierzem" ("*Become Soldier*").

The public is also informed through the Military Publishing House in Warsaw. The main activities of the Institute in 2022 was issuing of online media products, including:

- a) Online journal-portal www.polska-zbrojna.pl;
- b) Magazine "Armed Poland",
- c) "The Armed Forces Review",
- d) "The Veteran Courier",
- e) "Armed Poland – History",
- f) Scientific quarterly "Quarterly Bellona".

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct

The National Focal Point for the implementation of the Code of Conduct is the Security Policy Department at the Ministry of Foreign Affairs (Al. J. Ch. Szucha 23, 00-580 Warsaw, telephone no.: +48 22 523 9205; fax: +48 22 523 8749).

SECTION IV

Additional information on the implementation of Security Council resolution 1325 on women, peace and security, submitted in accordance with the provisions of the OSCE Action Plan for the Promotion of Gender Equality, in accordance with Ministerial Decision 14/04, as well as No. 14/5 on Women In Conflict Prevention, Crisis Management and Post Conflict Rehabilitation.

➤ *Women's professional military service*

The UN Security Council unanimously passed the resolution nr 1325 on Women, Peace and Security, which topic has been successively developed in further 10 resolutions adopted since then. Ministry of Defence actively participates in the implementation of the so-called Women, Peace and Security Agenda (WPS Agenda), in particular implementation of the Polish National Action Plan on Women,

Peace and Security 2018 – 2023 (NAP WPS). The Plan was prepared jointly by MoD, MFA, Ministry of Interior and Administration, Chancellery of the Prime Minister, Government Plenipotentiary for Equal Treatment, Police and Border Guard and has 4 main objectives:

- meaningful participation of women in conflict prevention and peacekeeping;
- implementation of the WPS Agenda through the Polish humanitarian and development aid;
- protection and support of the victims of conflict – related sexual violence;
- promotion and development of the WPS Agenda in Poland and in the framework of international cooperation.

In addition to the above, National Action Plan on Women, Peace and Security 2018-2023 foresees that Poland will strive to:

- strengthening women position in the uniformed services through increasing their representation at the management and command structures
- increasing the number of women in the foreign service and in uniformed services and the number of women serving in foreign missions and operations;
- support for women's participation in mediation and conflict prevention and resolution;
- implementation of the WPS Agenda as element of the security sector support through international missions and operation;
- implementation of the WPS Agenda as element of the peace processes support through international missions and operations.

➤ *Women's contribution in the Polish Armed Forces*

Women have been serving in the Polish army for over 30 years. In 2022, 11 550 women served in the Polish Armed Forces, which accounted for 9,8 % of the army's personnel (versus 8,3% in 2021). Out of the total number of women-soldiers, 16,4% serve in command and managerial positions at various levels of command. The largest number of women soldiers - around 6,000 - serve in the private corps while over 2,700 women are serving in officer corps. There have been further changes in the development of women's professional military service. There has been a noticeable increase in the number of women in the army and their appointment to positions in all types of the Armed Forces and staff corps. The most numerous group (over 4,500) contributes to the Land Forces. About 1,500 women support the activities of the Air Force, over 600 women serve in the Navy. Female soldiers also fulfil themselves in the Special Forces. Women also support the activities of the Armed Forces Support Inspectorate (700), the Military Police (200), the Warsaw Garrison Command (300), the Operational Command and the Ministry of National Defence. Women's interest in military service was the result of proper information about the possibilities of pursuing a professional career in the Polish Army. They occupy command positions from the squad to battalion level. In addition to positions in medical and other logistical services, women have also occupied specialist positions (pilot, sapper, diver, etc.). Military colleges and schools remain the main source of female recruitment. In military schools, about 1,000 female candidates are studying in the so-called candidate service.

➤ *Participation of women in peace and stabilization missions*

There are many campaigns run aiming at enhancing women's participation in the stabilization and peace missions. Increasing its number is enlisted as one of the priorities of the Polish National Action Plan on WPS. The need to implement the 1325 resolution is also emphasized in the National Security Strategy

of 2020, referring to women's participation in the international missions and operations. The majority of women in the missions are assigned to the medical, financial, logistical and general corps, but in PMC Kosovo, Latvia and Romania they have as well training and operational tasks. The following number of women soldiers have been deployed to missions within Polish Military Contingents (PMC) in 2022:

- PMC KFOR, Kosovo – 21,
- PMC Iraq – 22,
- PMC Latvia: 12,
- PMC Romania – 21,
- PMC EUFOR, Bosnia and Hercegovina – 2,
- PMC ORLIK, Baltic Air Policing – 5,
- PMC TÜRKIYE – 10,
- PMC UNIFIL, Lebanon – 32,
- PMC IRINI – 14,
- PMC KOŚCIUSZKO – 6,
- PMC Central African Republic – 1.

➤ *Women's Affairs Council*

The Ministry of National Defence has a Women's Affairs Council as a representative of female soldiers, which is a consultative and advisory body to the Minister of National Defence. The activity of the Council is supervised by the Minister of National Defense (Decision No. 19/MON of the Minister of National Defense of 7 March 2018 on the functioning of the Council for Women).

The tasks of the Council include:

- 1) presenting the position to the Minister of National Defence, in the form of resolutions, on matters related to the performance of military service by women;
- 2) preparing analyzes on the performance of military service by female soldiers, commissioned by the Minister of National Defence;
- 3) identifying factors affecting the performance of military service by female soldiers;
- 4) conducting educational activities;
- 5) constant cooperation with the Coordinator for Equal Treatment in the Ministry of National Defence in matters related to the performance of military service by female soldiers, including by: organizing joint community meetings, conducting thematic training, educational and informational activities and promotional activities for the Polish Armed Forces;
- 6) cooperation with military units, representative bodies of professional soldiers, non-governmental organizations, state institutions
- 7) and international, together with their specialized agencies in matters arising from the performance of military service by female soldiers;
- 8) developing proposals for detailed legal solutions related to the performance of military service by female soldiers;
- 9) informing female soldiers about the activities undertaken by the Council in matters arising from the performance of military service by female soldiers;
- 10) promoting the professional military service of female soldiers;

The Council is represented by the Chairwoman of the Council for Women's Affairs, whose position was established in the Operational Center of the Minister of National Defence. The tasks of the Chairman of the Council include, among others:

- 1) developing and initiating training and education projects as well as Ministry of National Defence programs to raise the level of collective awareness in the field of women's military service;
- 2) participation in trainings, conferences, workshops and other forms of experience exchange on the national and international forum in the field of women's military service;
- 3) constant cooperation with the Coordinator for Equal Treatment in the Ministry of National Defence in the scope of tasks specified in § 7 point 5 and the Chairman of the Presidium of Representative Bodies of Professional Soldiers in the scope of tasks performed by the Council;
- 4) representing female soldiers before the Minister of National Defence, other public authorities and non-governmental organizations;
- 5) assessing the state of observance of the rights of female soldiers;
- 6) analysis and collection of data on the situation of female soldiers in the service environment;
- 7) giving opinions on draft legal acts concerning the military service of female soldiers;
- 8) cooperation with state and international institutions and their specialized agencies in matters arising from the performance of military service by female soldiers;
- 9) disseminating and coordinating in the Ministry of National Defence tasks resulting from national and international regulations concerning the military service of women;
- 10) promotional activities for women's military service.

In addition, the Chairwoman of the Council for Women's Affairs is the coordinator on behalf of the Ministry of National Defense for the implementation of the National Action Plan for the implementation of the WPS Agenda and a member of the inter-ministerial team creating the National Action Plan of the WPS. The objectives of the National Action Plan include the tasks of the Council and its Chairperson, which are implemented on an ongoing basis and supplemented with knowledge in the field of Resolution 1325 on Women, Peace and Security and other resolutions.

Moreover, the Ministry of National Defense has a Coordinator for Equal Treatment, whose area of activity includes both female and male soldiers and civilian employees of the Ministry of National Defence. The coordinator focuses on counteracting discrimination, pathological actions, mobbing and promoting equality.

ANNEX – List of international agreements and arrangements

Please indicate if your State is party to the following universal and regional legal instruments relevant to preventing and combating terrorism and related co-operation in criminal matters. If your State is not a party to a treaty, but considers becoming a party, kindly indicate at which stage is such consideration (e.g. undergoing inter-ministerial coordination, approved by government and sent to parliament, approved by parliament and awaiting enactment by president, etc.).

	Name of the treaty	Party by: ratification (R), accession PL (a), succession PL (S), acceptance (A), approval (AA), lub not party	Date of ratification by the President or approval	Data of the exchange of documents	Data of the entry in life for Poland	Comments
Uniwersalne instrumenty prawne						
1	Convention on Offences and Certain Others Acts Committed on Board Aircraft (1963)	PL (R)	09.01.1971	19.03.1971	17.06.1971-	
2	Nuclear Non-Proliferation Treaty (1968)	PL (R)	03.05.1969	12.06.1969	05.03.1970	
3	Convention for the Suppression of Unlawful Seizure of Aircraft (1970)	PL (R)	12.02.1972	21.03.1972	20.04.1972	
4	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971)	PL (R)	14.11.1974	28.01.1975-	27.02.1975	

5	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1972)	PL (R)	11.12.1972	25.01.1973	26.03.1975	
6	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons (1973)	PL (R)	12.10.1982	14.12.1982	13.01.1983	
7	International Convention against the Taking of Hostages (1979)	PL (R)	13.09.2000	25.05.2000	24.06.2000	
8	Convention on the Physical Protection of Nuclear Materials (1979)	PL (R)	08.09.1983	05.10.1983	08.02.1987	
9	Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or Have Indiscriminate Effects (1980)	PL (R)	24.02.1983	02.06.1983	02.12.1983	
10	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988)	PL (R)	31.05.2004	12.08.2004	11.09.2004	
11	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)	PL (R)	08.04.1991	25.06.1991	01.03.1992	
12	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988)	PL (R)	08.04.1991	25.06.1991	01.03.1992	
13	Convention on the Marking of Plastic Explosives for the Purpose of Identification (1991)	PL (R)	07.07.2006	26.09.2006	25.11.2006	

14	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (1993)	PL (R)	27.07.1995	23.08.1995	29.04.1997	
15	International Convention for the Suppression of Terrorist Bombings (1997)	PL (R)	31.12.2003	03.02.2004	04.03.2004	
16	International Convention for the Suppression of the Financing of Terrorism (1999)	PL (R)	10.07.2003	26.09.2003	26.10.2003	
17	United Nations Convention against Transnational Organized Crime (2000)	PL (R)	02.10.2001	12.11.2001	29.09.2003	
18	Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (2001)	PL (R)	21.02.2005	04.04.2005	03.07.2005	
19	Protocol on Explosive Remnants of War to Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (1980)	PL (R)	24.02.1983	02.06.1983	02.12.1983	Poland ratified together with the Convention.
20	Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as Amended on 3 May 1996 to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have indiscriminate effects (1996)	PL (R)	23.07.2003	14.10.2003	15.04.2004	
21	Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons to the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons	PL (R)	24.02.1983	02.06.1983	02.12.1983	Poland ratified together with the Convention.

	which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (1980)					
22	Protocol on dazzle laser weapons to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (1995)	PL (R)	31.07.2004	23.09.2004	23.03.2005	
23	Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (2003)	PL (R)	01.07.2011	26.09.2011 –	26.03.2012	
24	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	PL (R)	14.12.2012.	27.12.2012	01.06.2013	
25	International Convention for the Suppression of Acts of Nuclear Terrorism (2005)	PL (R)	22.03.2010	08.04.2010	08.05.2010	
26	Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	PL (R)	20.04.2007	01.06.2007	08.05.2016	
27	Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005)					
28	Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixes Platforms Located on the Continental Shelf (2005)					
29	Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation (2010)					

30	Convention on the Cluster Munitions (2010)					
31	Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (2010)					
The Council of Europe legal instruments						
32	European Convention on the Suppression of Terrorism (1957)	PL (R)	06.07.1994			
33	European Convention on the Suppression of Terrorism (1977)	PL (R)	13.12.1955	30.01.1996	01.05.1996	
34	European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990)	PL (R)	10.11.2000	20.12.2000	01.04.2001	
35	Convention on Cybercrime (2001)	PL (R)	29.01.2015	20.02.2015	01.06.2015	
36	Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (2003)	PL (R)	29.01.2015	20.02.2015	01.06.2015	
37	Protocol amending the European Convention on the Suppression of Terrorism (2003)	PL (R)	25.10.2004	10.11.2004		
38	Council of Europe Convention on the Prevention of Terrorism (2005)	PL (R)	03.03.2008	03.04.2008	01.08.2008	
39	Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005)	PL (R)	30.05.2007	08.08.2007	01.05.2008	

40	European Convention on Extradition (1957)	PL (R)	30.04.1993	15.06.1993	13.09.1993	
41	Additional Protocol to the European Convention on Extradition (1975)	PL (R)	30.04.1993	15.06.1993	13.09.1993	
42	Second Additional Protocol to the European Convention on Extradition (1978)	PL (R)	30.04.1993	15.06.1993	13.09.1993	
43	European Convention on Mutual Legal Assistance in Criminal Matters (1959)	PL (R)	17.06.1996			
44	Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (1978)	PL (R)	17.06.1996			
45	Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (2001)	PL (R)	01.02.2004			
46	European Parliament and EU Council Decision of May 11, 2016 on establishing European Police Office (Europol)	PL (R)	01.01.2010			
Export control regimes						
47	The Nuclear Suppliers Group	PL (R)	1978			
48	The Australian Group	PL (R)	1985			
49	The Wassenaar Arrangement	PL (Z)	19.11.1996		12.07.1996	
50	The Zangger Committee		2006			
51	The Arms Trade Treaty	PL (R)	15.12.2014	17.12.2014	24.12.2014	

Please list below any other regional, sub-regional, or bilateral agreements or arrangements relevant to preventing and combating terrorism and related co-operation in criminal matters, to which your country is a party.						
52	Agreement between the Government of the Republic of Poland and the Government of the Republic of Hungary on cooperation in combating terrorism, illegal trafficking in drugs and organized crime (1996)	PL (Z)	05.12.1996		14.05.1998	
53	Agreement between the Government of the Republic of Poland and the Government of the Republic of Slovenia on cooperation in combating terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors (1996)	PL (Z)	02.12.1996		06.04.1998	
54	Agreement between the Government of the Republic of Poland and the Government of the French Republic on cooperation in internal affairs (1996)	PL (Z)	02.12.1996		01.03.1998	
55	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Spain on cooperation in combating organized crime and other serious crimes (2000)	PL (R)	14.10.2003		26.11.2003	
56	Agreement between the Government of the Republic of Poland and the Government of Romania on cooperation in combating organized crime, terrorism and other types of crimes (2001)	PL (R)	05.05.2003		27.08.2003	
57	Agreement between the Government of the Republic of Poland and the Government of the Republic of Ireland on cooperation in combating organized crime and other serious crimes (2001)	PL (R)	14.10.2003		18.03.2006	

58	Agreement between the Government of the Republic of Poland and the Government of the Republic of Bulgaria on cooperation in combating crime (2002)	PL (R)	14.10.2003		28.11.2003	
59	Agreement between the Government of the Republic of Poland and the Government of the United Mexican States on cooperation in combating organized crime and other types crimes (2002)	PL (R)	14.10.2003		27.11.2003	
60	Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation of police, border guard and custom forces (2014)	PL (R)	29.08.2003		18.09.2004	The agreement expired on 09.07.2015 It was replaced by the bilateral agreement on cooperation of police, border guard and custom forces signed in Zgorzelec on 15.05.2014, ratified by the President on 30.03.2015 and entry into force on 09.07.2015)
61	Agreement between the Government of the Republic of Poland and the Government of the Republic of Kazakhstan on cooperation in combating organized crime and other types of crimes (2002)	PL (R)	24.04.2003		30.03.2005	
62	Agreement between the Government of the Republic of Poland and the Government of the Republic of Tajikistan on cooperation in combating crime (2003)	PL (R)	21.01.2004		02.04.2004	
63	Agreement between the Government of the Republic of Poland and the Government of the Republic of India on cooperation in combating organized crime and international terrorism (2003)	PL (R)	28.02.2004		09.12.2004	
64	Agreement between the Government of the Republic of Poland and the Government of the Republic of Turkey	PL (R)	08.12.2003		25.07.2004	

	on cooperation in combating terrorism, organized crime and other types of crimes (2003)					
65	Agreement between the Government of the Republic of Poland and the Government of the Republic of Estonia on cooperation in combating organized crime and other types of crimes (2003)	PL (R)	08.12.2003		07.02.2004	
66	Agreement between the Government of the Republic of Poland and the Government of the Socialist Republic of Vietnam on cooperation in combating organized crime (2003)	PL (R)	31.12.2003		26.04.2004	
67	Agreement between the Government of the Republic of Poland and the Government of the Republic of Moldova on cooperation in combating organized crime and other types of crimes (2003)	PL (R)	09.06.2004		26.07.2004	
68	Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on cooperation in combating crime (2003)	PL (R)	20.09.2004		05.03.2005	
69	Agreement between the Government of the Republic of Poland and the Government of the Republic of Armenia on cooperation in combating crime (2004)	PL (R)	14.02.2005		07.04.2005	
70	Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on cooperation in combating crime and joint actions in border regions (2004)	PL (R)	26.06.2006	20.09.2006	18.12.2006	
71	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Sweden on cooperation in combating serious crime (2005)	PL (R)	17.09.2005		04.11.2005	

72	Agreement between the Government of the Republic of Poland and the Government of the Republic of Chile on cooperation in combating organized crime (2006)	PL (R)	19.07.2007		12.09.2007	
73	Agreement between the Government of the Republic of Poland and the Government of the Republic of Macedonia on cooperation in combating organized crime and other types of crimes (2008)	PL (R)	28.11.2008		21.02.2009	
74	Agreement between the Government of Poland and the Government of the Republic of Lithuania concerning cooperation in the field of defence (2001)	PL (Z)	20.09.2001		04.11.2001	
75	Amendment to the Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on cooperation in combating crime and joint actions in border regions, signed in Warsaw on 23 March, 2004 (2010)	PL (R)	31.01.2011	30.06.2011	31.07.2011	
76	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Saudi Arabia on cooperation in the fight against crime (2007)	PL (R)	07.02.2008	09.07.2008	09.08.2008	
77	Agreement between the Government of the Republic of Poland and the Government of the Republic of Austria on cooperation in preventing and combating crime (2002)	PL (R)	12.09.2003		01.12.2003	
78	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Belgium on cooperation in combating organized crime (2000)	PL (R)	22.09.2003		01.01.2004	
79	Agreement between the Government of the Republic of Poland and the Government of the Republic of Cyprus on cooperation in combating organized and other forms of crime (2005)	PL (R)	29.09.2005		17.02.2006	

80	Agreement between the Government of the Republic of Poland and the Government of the Czech Republic on cooperation in combating crime, protection of public order and collaboration in border regions (2006)	PL (R)	06.03.2007	03.07.2007	02.08.2007	
81	Agreement between the Government of the Republic of Poland and the Government of the Republic of Finland on co-operation in prevention of and combating against organized crime and other crimes (1999)	PL (R)	22.09.2003		20.11.2003	
82	Agreement between the Government of the Republic of Poland and the Government of Georgia on the co-operation in the fight against organized crime and other types of crime (2007)	PL (R)	19.03.2008		03.05.2008	
83	Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on cooperation of police and border guard forces in border regions and in combating crime (2006)	PL (R)	26.02.2007		08.07.2007	
84	Agreement between the Government of the Republic of Poland and the Government of the Republic of Ukraine on the cooperation in combating organized crime (1999)	PL (R)	03.06.2003		24.08.2003	
85	Agreement between the Government of the Republic of Poland and the Government of the Uzbek Republic on the cooperation in combating organized crime (2002)	PL (R)	07.10.2003		22.11.2003	
86	Agreement between the Government of the Republic of Poland and the Government of the Republic of Italy on the cooperation in combating organized crime (2007)	PL (R)	07.02.2008		25.06.2009	
87	Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of	PL (R)	15.07.2008		23.07.2016	

	Brazil on cooperation in combating organized crime and other crime, signed on October 9, 2006.					
88	Agreement between the Government of the Republic of Poland and the Government of the Republic of Croatia on cooperation in the fight crime, signed on July 9, 2010.	PL (R)	05.12.2014		27.01.2015	
89	Agreement between the Government of the Republic of Poland and the Government of the Republic of Azerbaijan on cooperation in combating international terrorism, organized crime and other forms of crime, signed on June 4, 2008.	PL (R)	15.12.2008		22.05.2015	
90	Agreement between the Government of the Republic of Poland and the Government of the Republic of Serbia in cooperation on combating organized crime and other forms of crime, signed on November 7, 2011.	PL (R)	21.07.2015		15.07.2017	
91	Agreement between the Government of the Republic of Poland and the Government of the Republic of Indonesia in cooperation on combating organized crime and other forms of crime, signed on July 2, 2005.	PL (R)	30.01.2006		08.10.2016	
92	Agreement between the Government of the Republic of Poland and the Government of the Arab Republic of Egypt on security matters (1996)	PL (Z)	25.02.1997		31.12.1998	

