

INSTITUTIONALISATION OF JOINT EFFORTS AIMED AT ENSURING THE CROSS-BORDER SECURITY OF POLAND

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ABSTRACT

Cross-border cooperation constitutes one of the most important projects within the European ‘architecture’, and entails an entire system consisting of international public law, European integration, subsidiarity and partnership parameters, decentralisation and regionalisation, as well as international and domestic security parameters. It is one of the priorities of the European neighbourhood and strategic partnership policy. Cross-border cooperation focuses on member states and states utilising the European Neighbourhood and Partnership Instrument. It applies to both land and sea borders. With regard to cooperation aimed at ensuring Polish border security, two levels can be defined:

1. cooperation with the neighbouring states and domestic institutions with regard to the system of managing state border security, focused primarily on actions relating to preventing and counteracting cross-border crime;
2. cooperation benefiting third countries (countries which are not neighbours) which is advisory in nature and entails sharing experience and best practices.

In this paper, I analyse various methods and forms of cross-border cooperation on the international and domestic level.

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INTRODUCTION

Cross-border cooperation is understood to mean all joint efforts aimed at strengthening and further developing contacts between the neighbouring communities and territorial authorities of two or more interested parties, as well as concluding accords, making arrangements and entering into agreements necessary to implement such plans.¹ The main goal of cross-border cooperation is to overcome national borders and plan joint efforts with regard to social and environmental policy, infrastructure, culture, science and education, environmental protection, as well as the security of communities on both sides of the border. That this cooperation is justified is beyond all doubt, considering that we live in an age of environmental issues and in the time of the migration of nations, terrorism, ideas and capital, all of which, together with well-developed trade and global media, render futile all attempts at national isolation.²

With regard to cooperation aimed at ensuring Polish border security, two levels can be defined:

1. cooperation with the neighbouring states and domestic institutions with regard to the system of managing state border security, focused primarily on actions relating to preventing and counteracting cross-border crime;
2. cooperation benefiting third countries (countries which are not neighbours), which is advisory in nature and entails sharing experience and best practices.

This cooperation utilises various methods and assumes numerous forms.

¹ *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, Council of Europe document signed in Madrid on 21 May 1980, Journal of Laws 1993, no. 61, item 287.*

² *Vide: Wawrzusiszyn A., Współpraca transgraniczna na rzecz państw Grupy Wyszehradzkiej [in:] P. Majer, M. Sitek (eds), Jakość w działaniach na rzecz bezpieczeństwa wewnętrznego państw Grupy Wyszehradzkiej z perspektywy europejskiej, Józefów 2011, p. 71–86.*

INTERNATIONAL COOPERATION

The range of efforts aimed at state border protection and traffic control has become increasingly internationalised in today's world. This is because it is impossible to effectively pursue such efforts without partnerships with neighbouring countries. The development of cross-border cooperation in its various forms is a stated goal and priority of countries' state security and development strategies.³ The ongoing cooperation of Polish police and border guard units with the appropriate formations from the neighbouring countries is necessary to ensure the security of the Polish borders and counteract emerging threats. This cooperation takes place on various management and command levels both on the external border of the European Union and on its internal borders, and it is frequently institutionalised.

DIPLOMATIC AND CONSULAR POSTS

Polish diplomatic and consular posts play an important role in cooperating with the neighbouring countries. Diplomatic posts are an important element of foreign policy, pursuing it both in bilateral relations with other countries and in multilateral ones, e.g. at international conferences and organisations. Their functions include:⁴

- representing the sender state in the host state,
- protecting the interests of the sender state in the host state, within the limits prescribed by international law,
- negotiating with the government of the host state,
- gathering information on the situation in the host state and how it develops using all legal means available, as well as relaying this information back to the government of the sender state,
- supporting friendly relations between the sender and host states, as well as developing economic, cultural, military and research ties between them.

One of the numerous consular functions of a consular post is issuing passports and travel documents to sender state citizens, as well as visas or other equivalent documents to those who intend to travel to the sender

³ *Ibidem.*

⁴ *Vienna Convention on Diplomatic Relations signed in Vienna on 18 April 1961, Journal of Laws 1965, no. 37, item 232.* It is an international agreement codifying diplomatic law. It was signed as the conclusion to an international conference attended by 81 states. The convention entered into force on 24 April 1964.

state.⁵ Developing and maintaining cooperation between the Border Guard and Polish diplomatic posts, especially consular offices, entails exchanging information on any detected cases of abuse or illegal visa acquisition, forging of visas or any other documents to be submitted as part of the visa process. The cooperation between the Border Guard and the Polish Office for Foreigners, the latter being the main actor in the visa consultation system, is a factor which impacts the quick issuing of visas. It should be noted that third country citizens who wish to enter Poland are required to acquire a visa. A visa serves as a confirmation that the individual's entering and stay in the country has been approved. It is issued by the diplomatic or consular representatives of the Republic of Poland.

LIAISON OFFICERS

Liaison officers are considered to play an important role in the state border security management system. They represent a given country's public security formations delegated to protect the public order of another state and facilitate direct information exchange and cooperation, in addition to providing support should any crimes involving the countries be detected. Police and Border Guard liaison officers are members of foreign services, have the appropriate rank, immunity and a diplomatic passport – they represent the Republic of Poland. Police and Border Guard liaison officers are appointed and dismissed by the Minister of Foreign Affairs upon the request of the Minister of Interior and Administration.⁶ The most important tasks of liaison officers include:⁷

- remaining in contact with security service representatives in the host country, in particular: organised crime (including cross-border crime) prevention units, criminal units, economic crime units, investigative services, as well as the national Interpol and Europol offices and SIRENE office,

⁵ *Vienna Convention on Consular Relations signed in Vienna on 24 April 1963, Journal of Laws 1982, no. 13, item 98.*

⁶ *Agreement of 31 July 2015 concluded between the Minister of Foreign Affairs and the Minister of Interior on the position of Police and Border guard liaison officers appointed to foreign posts; Agreement of 11 October 2007 concluded between the Chief of Police, Commander-in-Chief of the Polish Border Guard and the Head of the Customs Service on the joint use of Police and Border Guard liaison officers by the Police, Border Guard and Customs Service.*

⁷ Cf. <http://www.info.policja.pl/inf/wspolpraca-miedzynarod/oficerowie-lacznikowi/52161,Oficerowie-lacznikowi-Policji.html> (accessed: 9.12.2017).

- inspiring the preparing of joint enterprises and participating in them, e.g. coordinated operations in border areas of Poland and accredited countries,
- coordinating legal help provided by police/border services of accredited countries to the Polish Police and Border Guard units,
- exchanging information on the functioning of other Police and Border Guard divisions with the aim of strengthening cooperation,
- relaying information on e.g.: terrorist activity and its relation to Poland; the host state's experience with combating organised crime; new trends and methods used by perpetrators and new crime-related phenomena; international crime syndicates operating in the host states and the impact that they have on crime levels in Poland; citizens of Poland, both in their role as victims and perpetrators of crimes.

Constant presence of liaison officers enables direct cooperation and exchanging concrete data on crime; it constitutes a method of mutual learning about the other side's legal systems, best practices and solutions, in addition to constituting an important part of building trust between the services of different countries.

BORDER, POLICE AND CUSTOMS SERVICE COOPERATION CENTRES AND POINTS OF CONTACT

Another example of institutionalised cross-border cooperation entails border, police and customs service cooperation centres and points of contact. These operate based on bilateral agreements concluded between Poland and its neighbours between 2002 and 2006.⁸ The resulting effective combination

⁸ *Agreement concluded between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on the cooperation between the police and border guard in border areas, signed in Berlin on 18 February 2002, Journal of Laws 2005 no. 223, item 1915; Agreement concluded between the Government of the Republic of Poland and the Government of the Republic of Lithuania on combating organised crime and other serious criminal activity, concluded in Warsaw on 4 April 2000, Journal of Laws 2002, no. 22, item 213; Agreement concluded between the Government of the Republic of Poland and the Government of the Republic of Slovakia on combating crime and cooperation in border areas, concluded in Warsaw on 23 March 2004, Journal of Laws 2007, no. 85, item 568; Agreement concluded between the Government of the Republic of Poland and the Government of the Czech Republic on combating crime, upholding public order and cooperation in border areas, concluded in Warsaw on 21 June 2006, Journal of Laws 2007, no. 177, item 1246; Agreement concluded between the Government of the Polish People's Republic and the Government of the Union of Soviet Socialist Republics on the legal relations on the Polish-Soviet state border, cooperation and mutual help in border-related matters, concluded in Moscow on 15 February 1961, Journal of Laws 26.10.1961, no. 47, item 253; Treaty concluded between the Republic of Poland*

of the competences of these services in both countries and streamlined communication procedures lead to faster communication and enable effective coordination of cross-border operations. Such centres are auxiliary in nature, their purpose being to exchange information and offer support to police forces with regard to protecting borders and customs-related actions in border areas. Their basic tasks include:⁹

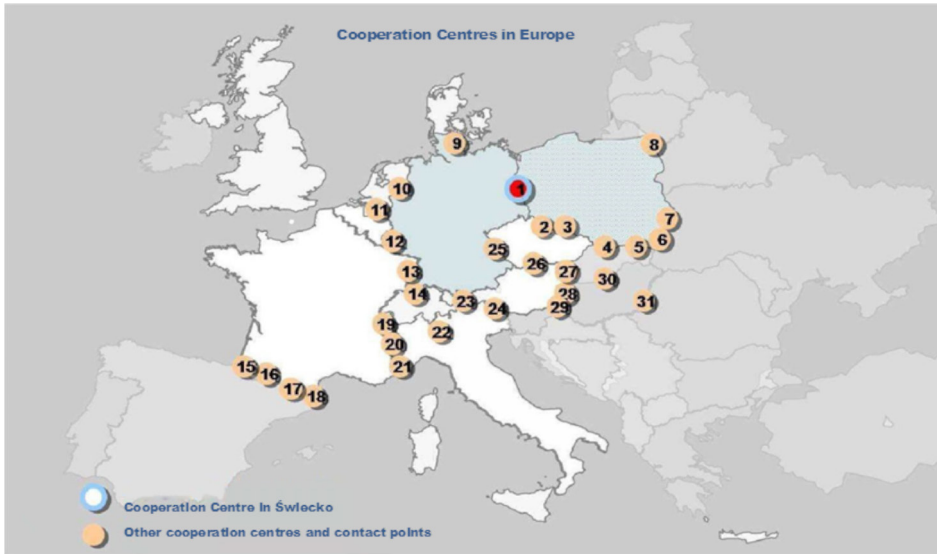
- collecting and exchanging information important from the point of view of ensuring security and public order, detecting crime in border areas; among others, by means of available data bases,
- providing support for operations aimed at finding missing persons and objects,
- acting as an intermediary in relaying applications concerning mutual help in accordance with agreements, including applications concerning the verification of evidence secured on site,
- providing help in contacting authority bodies of both countries,
- conducting analyses, compiling statistics and making assessments based on information acquired as a result of the activities of cooperation centres,
- participating in preparing cross-border police and customs cooperation offers and, optionally, participating in organising and conducting joint training activities,
- providing support with regard to preventing and combating crime in border areas and coordinating joint patrol operations,
- participating in coordinating cross-border pursuit operations,
- supporting cross-border monitoring operations,
- participating in the coordination of actions related to handing over persons,
- participating in organising work groups, appointing consultants, holding work meetings on particular instances of criminal activity.

and the Russian Federation on friendly and neighbourly cooperation, signed on 22 May 1992, Journal of Laws 1993, no. 61, item 29; Agreement concluded between the Government of the Republic of Belarus and the Government of the Republic of Poland on the main principles of cross-border cooperation. Concluded in Warsaw on 24 April 1992. Entered into force on 20 October 1992; Agreement concluded between the Republic of Poland and Ukraine on the legal relations on the Polish-Ukrainian state border, cooperation and mutual help in border-related matters of 12 January 1993, Journal of Laws 1994.63.267.

⁹ More on this topic: <https://www.strazgraniczna.pl/pl/kontakt/punkty-kontaktowe-na-gr/686,Punkty-kontaktowe-na-granicy-wewnetrznej.html> (accessed: 28.12.2017).

The above-mentioned posts constantly exchange information important to the security of border areas. The locations of cooperation centres and contact points can be found in Fig. 1 below.

FIG. 1. COOPERATION CENTRES AND CONTACT POINTS IN POLAND AND OTHER EUROPEAN COUNTRIES



1. Świecko; 2. Kudowa; 3. Chotěbuz; 4. Chyżne; 5. Barwinek; 6. Korczowa; 7. Dorohusk; 8. Budzisko; 9. Padborg; 10. Goch; 11. Tournai; 12. Luxembuorg; 13. Kehl; 14. Basel; 15. Hendaye; 16. Canfranc; 17. Melles; 18. Le Perthus; 19. Genf; 20. Modane; 21. Ventimille; 22. Chiasso; 23. Schaanwald; 24. Thoerl Maglern; 25. Schwandorf; 26. Drasenhofen; 27. Kittssee; 28. Nickelsdorf; 29. Dolga Vas; 30. Rajka; 31. Biharkeresztes.

Source: D. Łazarczyk, *Współpraca międzynarodowa w zakresie wymiany informacji poprzez europejskie centra współpracy*, "Biuletyn COSSG w Koszalinie", 2009, no. 2, p. 88.

CHIEF BORDER DELEGATE AND THE BORDER DELEGATE OF THE REPUBLIC OF POLAND

Pursuant to international agreements specifying the scope of cooperation in combating cross-border crime and upholding public order in border areas, concluded between Poland and the neighbouring countries, officials are appointed as part of the Chief Border Delegate Office and the office of the Border Delegate of the Republic of Poland. The office of the Chief Border Delegate of the Republic of Poland is held by the Commander-in-Chief

of the Polish Border Guard, and the office of the Border Delegate is usually held by a Border Guard unit commander. Regular meetings between these delegates serve to assess and plan cross-border cooperation. Such meetings most frequently concern the following topics:

- clarifying border incidents,
- ongoing exchange of information on protected areas,
- handing over persons apprehended for attempting to illegally cross the border,
- border administration-related efforts,
- exchanging statistical data on border traffic, returns, detected instances of smuggling, etc, as well as
- organising joint operations/exercises between operative and investigative units,
- accepting yearly cooperation plans.¹⁰

JOINT PATROLS

Joint patrols in border areas are an important form of cross-border cooperation. The formal basis for such operations is specified in international and intergovernmental agreements entered into by Poland or in accords concluded between the Commander-in-Chief of the Polish Border Guard and the relevant institutions of the neighbouring countries.

The goal of joint patrols is to prevent and combat crime, uphold public order, among others by combating illegal immigration, effectively use the manpower and resources of the institutions, exchange information and acquire experience, improve cooperation and build trust between both parties. Such patrols are primarily tasked with preventing and detecting crimes and other offences, as well as ensuring road traffic security (checking identity documents, inspecting people and vehicles).

A joint patrol comprises officers from border services and the police. While in the field, such patrols utilise technical and communication equipment available to all services, the selection and use of which is dependent on the situation and tasks at hand. Ground vehicles available to the respective services may be used, as well as aircraft and naval vessels. It is also permissible to use mobile thermal vision equipment and other devices, as

¹⁰ B. Wiśniewski, A. Wawrzusiszyn, *Współpraca transgraniczna Rzeczypospolitej Polskiej z Federacją Rosyjską*, "Gentes & Nationes. Studia z zakresu spraw międzynarodowych", 2011, no. 1, p. 19–31.

well as service dogs, which are necessary to perform certain tasks. Service personnel may also carry firearms and other means of physical coercion, pursuant to the relevant provisions binding on the territory of the country where the patrol is working. Joint patrols are carried out together with the border guard and police units of Slovakia, Czech Republic, Germany, Lithuania and Ukraine.

OPERATIVE AND INVESTIGATIVE COOPERATION

Operative and investigative cooperation between border services, as well as cross-border pursuits and monitoring, also constitute parts of cross-border cooperation. Investigative cells exchange information on organised illegal migration and traffic activities. Cooperation with institutions dealing with combating human trafficking is an example of perfecting best practices and exchanging information on the changes that occur in the perpetration of this type of crime. It is now also a new task of the Polish Border Guard, that was included in the National Human Trafficking Combating Plan for 2009–2010 and subsequent years.

Cross-border pursuit is a type of operation that does not fit traditional norms, which are usually limited to exchanging information or particular data. Only police officers and border guard officers of member states are qualified to conduct cross-border pursuits. Pursuant to Article 41 of the Executive Convention to the Schengen Agreement of 14 June 1985, cross-border pursuit is possible with regard to the perpetrators of: murder, manslaughter, rape, arson, forgery, breaking and entering, assault and robbery, dealing with stolen property, extortion, abduction and holding of hostages, human trafficking, illicit drug trade, violations of legal regulations on weapons and explosives, intentional damage with use of explosives, trafficking of toxic and hazardous waste, hit-and-run resulting in death or grievous bodily harm, as well as crimes subject to extradition. A cross-border pursuit may take place only across land borders.

Cross-border monitoring, similar to cross-border pursuit, is regulated by the Schengen agreement. Article 40 of the Executive Convention to the Schengen Agreement of 14 June 1985 entitles border guard and police officers to continue the surveillance of an individual suspected of committing a crime subject to extradition on the territory of another state-party. The country in which the surveillance is to be continued must consent to such monitoring, however. In urgent cases, officers may cross the border of the other party without prior consent and continue their surveillance of

a person suspected of committing heavy crimes (murder and manslaughter, arson, forgery, theft and dealing in stolen property, extortion, abduction and holding hostages, human trafficking, drug trafficking, violations of legal regulations on weapons and explosives, trafficking of toxic and hazardous waste), provided that the authorities of the country are informed without delay about crossing the border and an application for support is submitted containing the reasons why the border was crossed.

OTHER FORMS OF COOPERATION

Cooperation with Europol and Interpol is an important part of the day-to-day activities of the Polish Border Guard. Endeavours which result in intensifying the cooperation with Europol and Interpol offer tangible benefits related to operations carried out by the Polish Border Guard internationally. For several years, there has been an increase in information flow and the quality of materials shared. As a result, Poland has become a desirable cooperation partner, and Polish Border Guard officers are becoming more involved in operative procedures. As part of these joint endeavours, correspondence is exchanged with regard to criminal cases, i.e. applications (enquiries) to the law enforcement authorities of other countries, processed as part of ongoing operative procedures, as well as planning and executing joint efforts.¹¹

The Polish Border Guard is actively involved in the joint efforts on land, air and marine borders coordinated by Frontex. Other actions are also growing in importance, e.g.: participation in work group meetings, workshops and conferences, exchanging information, joint return operations, contributions of the Border Guard Crime Laboratory to combating document forgery and joint training programmes.

In addition to the above forms of cross-border cooperation, the Polish Border Guard also cooperates with its equivalents from other countries on organising large-scale international events. The largest of these in recent years include: The 2012 UEFA European Championship, the 2016 NATO Summit in Warsaw, the 2016 World Youth Day, as well as several annual music concerts: The Pol'and'Rock Festival in Kostrzyn nad Odrą, the Open'er Festival in Gdynia and other events. The quality of cross-border cooperation

¹¹ *Vide*: the Ministry report on Polish security in 2016, pdf, MSWiA, <https://bip.mswia.gov.pl> (accessed: 10.02.2018).

reflects the current political relations between respective countries and can now be described as positive.

DOMESTIC COOPERATION

Domestic cooperation plays a particularly important role in ensuring the cross-border security of countries. The Commander-in-Chief of the Polish Border Guard, serving as a central administrative body, signs accords with various domestic institutions and other bodies. The Border Guard cooperates with e.g. the National Revenue Administration, the Police, the Armed Forces, the Internal Security Agency, the Road Transport Inspection and the Railroad Guard.

The cooperation between the Polish Border Guard and the National Revenue Administration primarily entails:

- joint efforts aimed at ensuring the proper functioning of border crossings,
- jointly intervening with foreign border services in order to ensure uninterrupted border traffic at border crossings,
- strengthening cooperation in detecting individuals coming from “high-risk countries”,
- joint operations with mobile patrols,
- preventing prohibited goods from entering the Polish customs zone,
- counteracting terrorist threats,
- exchanging information on situations and phenomena which threaten the security of the state.

The cooperation between the Polish Border Guard and the Police is primarily directed at ensuring security and upholding public order, exchanging, analysing and relaying information, providing support during operations, combating domestic and cross-border crime in border areas and beyond,¹² and in particular:

- combating illegal migration,
- preventing drug trafficking, smuggling of cars and other vehicles,
- investigating, by operational and investigative bodies, organised crime groups involved in smuggling, acquiring and distributing contraband from beyond the eastern border and trafficking it, as well as involved in illegal migration.

¹² More in: J.R. Truchan, *Wybrane obszary współdziałania Policji i Straży Granicznej w ochronie granicy Polski – zewnętrznej granicy Unii Europejskiej*, Szczytno 2016.

As regards guarding the state border directly, the cooperation entails preventive measures involving joint patrols along traffic routes leading to the border, as well as the participation of police officers in border operations aimed at apprehending offenders who crossed the border illegally. On traffic routes leading to border crossings, police units participate in technical vehicle inspections and help uphold public order in the immediate vicinity of border checkpoints. Another form of cooperation aimed at combating illegal migration involves joint operations entailing building, marketplace, railway and bus station and hotel searches, as well as the re-inspections of vehicles and persons entering Poland.

The Polish Border Guard works together with the Polish Armed Forces, especially with the Air Force, the Navy¹³ and the Military Police. Its cooperation with the Air Force involves:

- remaining in contact and relaying information concerning: detected aircraft, i.e. airplanes, helicopters, gliders, hang gliders, balloons or probes, crossing the border at altitudes up to 500 m; detected aircraft malfunctions and distress signals; planned aircraft movements at low altitudes in border areas,
- providing help to malfunctioning aircraft in border areas.

The cooperation with the Polish Navy focuses on remaining in contact and relaying information concerning:

- detected crimes against border integrity,
- detected marine vessels which threaten the peace, public order or security in Poland,
- detected foreign naval vessels and aircraft on Polish territorial waters,
- unidentified marine vessels and aircraft detected using equipment or as a result of visual observation,
- detected malfunctioning marine vessels and aircraft and distress signals,
- detected pollution of Polish territorial waters or areas from which the hazard may spread to Polish territory,
- instances of exploitation of Polish territorial waters and violations of the regulations governing these territories by marine vessels,
- planned maritime exercises.

¹³ Article 19 of the *Act of 12 October 1990 on the Border Guard (uniform text)*, Journal of Laws 2016.1643. The specific principles of collaboration are regulated by the *Resolution of the Minister of Interior of 14 October 2013 altering the resolution on the specific principles of collaboration between the Border Guard, the Air Force and the Polish Navy with regard to protecting state borders*, Journal of Laws 2013, item 1217.

The cooperation with the Polish Military Police is centred around preventive measures, i.e. joint patrols, counteracting crime and special operations, operative and recon operations, as well as investigations. It also involves exchanging information, joint training programmes, improving the methodology applied in operations and while on duty, as well as joint efforts in crisis situations.

The Border Guard's cooperation with the Internal Security Agency involves direct contact between officers in the form of bilateral and multilateral meetings. Information is regularly exchanged between the two institutions. In addition, Border Guard officers are appointed as Operative and Emergency Service Operatives of the Anti-terrorist Centre of the Internal Security Agency. They have access to technical and information equipment enabling them direct access to data base systems. Database searches enable the Emergency and Operative Services to quickly verify information on persons and events which directly impact security in Poland and Europe.

The Polish Border Guard and the Road Traffic Inspection carry out joint operations aimed at counteracting and combating violations, in particular by organising joint controls and other actions for the purpose of combating illegal migration and the transporting without the required permits, including across state borders, of e.g.: hazardous materials, waste, harmful chemicals, nuclear and radioactive substances, intoxicants, weapons, ammunition and explosives, as well as other substances which may pose a hazard to road traffic security.

Railroad-related cooperation involves joint efforts of the Border Guard, Military Police and Railway Guard related to ensuring the security of passenger trains, stations and cargo trains, counteracting, identifying and neutralising terrorist threats and preventive actions. These tasks primarily involve:

- identifying and combating instances of crime against travellers,
- exchanging information on threats,
- operating on trains following the most hazardous railway routes and at selected railway stations,
- coordinating patrols organised by Railway Guard, Military Police, Border Guard and Police units,
- implementing measures necessary to improve the security of transported goods, in particular of solid fuels,
- broad preventive actions aimed at improving the quality and security of travelling on passenger trains, etc.

Cooperation with regard to administrative proceedings related to foreigners is yet another form of cooperation. Organisational units and cells dealing with foreigners work together with the following domestic institutions:¹⁴

- voivodeship offices – with regard to administrative proceedings related to legalising the stay of foreigners on the territory of Poland, as well as proceedings resulting in the expulsion of foreigners from our territory; the cooperation also concerns carrying out decisions regarding the expulsion from the territory of Poland of foreigners who previously received a tolerated residence permit or are currently applying for said permit,
- the Office for Foreigners – with regard to refugee procedures, i.e. accepting applications for a refugee status on the territory of Poland and admitting, in specific circumstances, foreigners who submitted such applications to refugee centres and placing them under arrest for the purpose of expulsion; the cooperation also involves executing decisions regarding the expulsion from the territory of Poland of foreigners who previously received a tolerated residence permit or are currently applying for said permit,
- district courts – with regard to detaining foreigners awaiting expulsion (pursuant to a court order) from the territory of Poland in guarded foreigner centres or placing them under arrest for the purpose of expulsion,
- the National Labour Inspectorate – with regard to tasks related to controlling the legality of foreign employees,
- the Air Force Command – with regard to chartering aircraft for the purpose of foreigner expulsion from the territory of Poland.

ACTIONS TO THE BENEFIT OF THIRD COUNTRIES

The other dimension of cross-border cooperation entails actions aimed at eastern European, south Caucasian and southern and eastern Mediterranean countries. The basic form of cooperation consists of projects aimed at ensuring border security via improving actions and procedures related to border management, increasing international logistics chain security,

¹⁴ A. Wawrzusiszyn, *Straż Graniczna w kreowaniu bezpieczeństwa wewnętrznego państwa*, [in:] M. Kubiak, M. Smarzewska (eds), *Perspektywy bezpieczeństwa narodowego XXI wieku*, Biała Podlaska 2014, p. 154–167.

as well as improving border infrastructure and facilities.¹⁵ Project-related cooperation encompasses two categories of programmes concerning:¹⁶

- land borders and sea routes for regions located along important land borders or sea routes – these programmes may involve two or more countries,
- sea basins for regions located along the external borders of the EU – bordering one of the following three sea basins – the Baltic Sea, the Black Sea and the Mediterranean Sea.

The goal of the projects is to develop model solutions for cross-border cooperation between border guard and police forces via joint training programmes and exercises conducted in border areas or at border management centres. They also entail regular meetings of border guard and police representatives on both the local and management level. The results usually include commonly-accepted catalogues of best practices and model solutions on cooperation. Project duration varies, ranging from several weeks to as long as multiple years. The Polish Border Guard has been focused on four groups of projects in recent years:¹⁷

1. projects carried out by the ICMPD,¹⁸ IOM,¹⁹ TAIEX,²⁰

¹⁵ *Vide*: A. Wawrzusiszyn, *Współpraca w ramach projektów realizowanych na rzecz państw trzecich*, [in:] B. Wiśniewski, R. Jakubczak (eds), *System ochrony granicy państwowej Rzeczypospolitej Polskiej. Stan obecny i prognozy na przyszłość*, Szczytano 2015, p. 84–93.

¹⁶ *Commission Regulation (EC) No 951/2007 of 9 August 2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument*, *Journal of Laws* L 210 of 10.8.2007.

¹⁷ Only several of the numerous projects in which the Polish Border Guard actively participated are enumerated here.

¹⁸ The International Centre for Migration Policy Development (ICMPD) is an international organisation based in Vienna, possessing legal personality. Its purpose is to harmonise the migration policies of particular European member states. The means utilised by the Centre include research and actions aimed at facilitating cooperation between European member states for the purpose of developing a uniform policy primarily concerning combating illegal migration. The actions of the ICMPD focus on countries bordering European member states and countries which are politically and economically unstable, which constitute the main sources of migration. According to the organisation's development plan, it is supposed to prevent certain forms of migration from intensifying, including the prevention of crimes related to the phenomenon (smuggling and human trafficking). The ICMPD has served as the administration of the Budapest Group, to which Poland belongs. The Group is a European discussion forum concerned with preventing illegal migrant flows.

2. projects carried out as part of Poland's development aid,
3. twinning projects,
4. other projects (as necessary).

The effects of EU projects are directly related to their goals, and the goals are perfectly aligned with the needs, abilities, equipment and experience of the relevant bodies and the projects' beneficiaries. Other important results

Source: *Agreement concluded between Switzerland and Austria on the establishment and functioning of the International Centre for Migration Policy Development (ICMPD) in Vienna, signed in Vienna on 1 June 1993, amended by the Agreement concluded between Switzerland, Austria and Hungary on 27 March 1996 on modifying and extending the Agreement signed on 1 June 1993 on the creation and functioning of the ICMPD, and the Agreement concluded between Switzerland, Austria and Hungary on 26 April 1996 on modifying the Agreement concluded in Vienna on 1 June 1993 on the establishment and functioning of the ICMPD, Journal of Laws 2005.43.414.*

¹⁹ The International Organisation for Migration (IOM) was established in 1951 as an intergovernmental body dealing with issues faced by expatriates and helping refugees and migrants in Europe. Currently, the IOM is involved in various efforts related to managing migrations worldwide. It is the leading organisation dealing with the subject. It works together with migrant communities and governments for the purpose of providing and implementing solutions to migration-related issues which respect human rights. The International Organisation for Migration follows the principle that legal migration which respects human rights is beneficial to both the migrants and the societies which accept them. Together with other international organisations, the IOM helps overcome the growing operative challenges related to migration, contributes to gaining a better understanding of migration processes, supports social and economic growth via migration and ensures that migrants are treated with dignity and that their needs are being met. The International Organisation for Migration has been active in Poland since 2002.

Source: http://genewa.msz.gov.pl/pl/onz_w_genewie/sprawy_humanitarne/iom/?printMode=true (accessed: 21.07.2014).

²⁰ The Technical Assistance Information Exchange instrument is an advisory institution offering short-term technical help with implementing changes aimed at adapting domestic laws to EU law. The purpose of TAIEX is to help membership candidates to adapt their laws to the law of the European Community. This entails, among others, providing technical help to EC-affiliated countries applying for EU membership in order to facilitate their adaptation to EU requirements, in particular facilitating the adaptation of legal systems with regards to domestic markets. The institution is a catalyst which directs help requests and acts as an intermediary between membership candidates and EU member states with regard to sharing problem-solving experiences. These requests are processed by TAIEX according to the criteria specified by the European Commission.

Source: http://ec.europa.eu/enlargement/taix/what-is-taix/index_en.htm (accessed: 19.08.2014).

include e.g.: maintaining the continuity of projects financed within EU and non-EU funds (considering the fact that to maintain them, new expenses are needed), modernising the state border security structures of beneficiary countries, improving the mobility of border units, modernisation of equipment, effectively combating cross-border crime and increasing discipline and anti-corruption measures.

CONCLUSIONS

Ensuring cross-border security is currently impossible without a well thought-out, planned and effective cooperation, both international and domestic. Actions taken in this regard, including the activities of the Polish Border Guard, facilitate international and domestic cooperation; they also contribute to sharing experiences and introducing innovations aimed at increasing state and EC border security.

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