



POLAND

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NATIONAL POLICY

National Policy

Terrorism still poses a considerable threat to international peace and security. Terrorist activities have in many cases a transnational dimension and are linked to internal and interstate tensions and regional instability. No country is able to tackle terrorism alone. Poland underlines the importance of strengthening international co-operation at global, regional and bilateral level, of continuous implementation of the United Nations Global Counter-terrorism Strategy and of addressing the conditions conducive to terrorism and violent extremism while respecting human rights and fundamental freedoms. Poland has taken several steps aimed at developing and improving the national counter-terrorism system while engaging in international cooperation.

Terrorism threat level

The threat of terrorist attacks in Poland remains at a relatively low level. The occurrence of acts of terror in Poland is mainly related to committing crimes or taking revenge by organised criminal groups or individuals with the use of arms, explosive devices and materials, not terrorist organisations.

Poland's membership of the European Union connected with accession to the Schengen zone and participation of Polish troops in the NATO/ISAF operation in Afghanistan have attracted terrorists' attention. Due to the increased terrorist threat towards the countries that are engaged in international anti-terrorist co-operation, including several NATO and EU member states, there is a potential risk of terrorist attacks in Poland or against Polish citizens abroad. There is also a possibility that terrorist and criminal groups use the Polish financial system to transfer illegal funds with the intention that they may be used to support terrorist acts or organisations elsewhere.

It should also be noted that Polish society is relatively ethnically and religiously homogeneous, and the integration of foreigners into this society

is not a significant social or political problem. The activity of domestic extremist groups in Poland is relatively low, mainly focusing on street protests and actions of a hooligan nature. This is due to the lack of an extensive political background for this kind of movement, low social support and the dispersion of these groups and their members over the country. However, access to the internet enables them to establish contacts and to co-operate with their foreign counterparts, which may result in an increased risk in the future.

Prevention policy

Taking into account Article 3 of the Council of Europe Convention on the prevention of terrorism opened for signature in Warsaw on 16 May 2005 (CETS No. 196) Poland undertakes a number of systemic projects aimed at improving and adapting the Polish effective mechanisms of prevention and combating terrorist threats to international standards, as well as neutralizing the effects of possible attacks.

The UN Global Counter-Terrorism Strategy (GCTS) indicates the need to take action to address the conditions conducive to the spread of terrorism. In this context it should be noted that the Polish Inter-ministerial Team for Terrorist Threats, has prepared a draft of the comprehensive national antiterrorism strategy - the National Anti-terrorist Programme for the years 2012-2016. This document is focused on the prevention of radicalization and recruitment to terrorist organisations along with protection from, pursuing, responding to and removing the effects of terrorist attacks as well as international co-operation.

Among the priority tasks for the Polish government institutions responsible for identifying, preventing and combating terrorist threats, is the creation of an effective communication platform within society aimed at ensuring public safety and order. According to the National Programme, a model for a comprehensive anti-terrorist information policy is to be developed. Such a policy will include both preventive aspects and response in case of terrorist acts.

An important initiative in this direction is a web-portal "antyterroryzm.gov.pl", launched by the Inter-ministerial Team for Terrorist Threats in 2011. The website includes guides on how to behave in case of terrorist attack, information on the Polish anti-terrorism system, the tasks of services and institutions, as well as the current level of terrorist threat in Poland and emergency phone numbers. The site is continuously updated. Several steps have been taken towards its connectivity by links with similar pages in other EU countries and the USA.

The Polish participation in the initiative of the European Commission "*Radicalization Awareness Network (RAN)*", which gathers key groups of people involved in countering violent radicalization across the EU is also noteworthy. The RAN's objectives include among others: exchange of good practices in the prevention of radicalization that could lead to terrorism, as well as the implementation of programmes and projects aimed at preventing radicalization and recruitment to terrorist groups.

LEGAL FRAMEWORK

Rules for preparatory proceedings, litigation, and penalties regarding terrorist crimes are the same as for other types of crime. Amendments made to Polish law in recent years have helped to adapt national legislation to European standards. The actions of institutions and services are based on the principle of proportionality. The use of anti-terrorist measures and methods depends on the level of terrorist threat; the principle of minimising possible restrictions on human rights should be respected.

Penal law

The Act of 6 June 1997 - Penal Code penalises individual terrorist acts on the basis of general criminal provisions (i.e. crimes against peace, humanity and war crimes, crimes against the Republic of Poland, crimes against defence, crimes against life and health, crimes against public security, crimes against safety of transportation, crimes against public order etc.) Certain legal provisions prohibit any such action, and sanctions reflecting the seriousness of these acts are envisaged.

Article 115 (20) of the Penal Code contains the definition of an offence of a terrorist nature:

Art. 115 § 20 An offence of a terrorist nature is a prohibited act, subject to imprisonment with

the upper limit of at least five years, committed in order to:

- 1) seriously intimidate many persons;
- 2) to compel the public authority of the Republic of Poland or of the other state or of the international organisation to undertake or abandon specific actions;
- 3) cause serious disturbance to the constitutional system or to the economy of the Republic of Poland, of the other state or international organisation and a threat to commit such an act.

The above-mentioned definition provides for the possibility of introducing more severe sanctions for the perpetrator of an offence of a terrorist nature (Article 65 (1) of the Penal Code) and of applying the Polish Penal Code to aliens who have committed an offence abroad which is against the interests of the Republic of Poland, Polish citizens, Polish legal persons and entities not having legal status as well as to aliens who have committed an offence of a terrorist character abroad (Article 110 (1) of the Penal Code).

Article 258 of the Act of 6 June 1997 - Penal Code penalizes the establishment, management and participation in an organised criminal group or association aimed at committing terrorist offence. It stipulates that whoever participates in an organisation of which the objective is to commit an offence of a terrorist nature, shall be punished with between 6 months' and 8 years' imprisonment. Whoever forms or leads such an organisation is subject to a minimum of 3 years' imprisonment.

In October 2009 the Act of 6 June 1997 - Penal Code was additionally supplemented with Article 165a concerning fighting the financing of terrorism. On the basis of this article the Inspector General of Financial Information may demand the obligated institutions to suspend the transaction or to block the account.

The Act of 6 June 1997 - Penal Code also contains provisions allowing the prosecution to provoke others to commit a crime, including a terrorist act leading to this end, training or seeking to recruit for terrorist organisations (Article 255).

On 14 November 2011 the Act of 6 June 1997 - Penal Code was changed by adding the provision which penalizes the public presentation and dissemination of content constituting an instruction for persons committing offences of a terrorist nature with up to 5 years' imprisonment.

The Article 255a specifies:

"Article 255a. Whoever disseminates or publicly presents content that could facilitate the commitment of an offence of a terrorist nature is punishable by 3 months' to 5 years' imprisonment."

This regulation is based on the respective provisions of the Council of Europe Convention on the prevention of terrorism opened for signature in Warsaw on 16 May 2005 (CETS No 196). This change is also one of the elements in adapting Polish law to the regulations binding in the EU.

According to the Council Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism each Member State shall take the necessary measures to ensure that offences linked to terrorist activities include the following intentional acts:

- a) public provocation to commit a terrorist offence;
- b) recruitment for terrorism;
- c) training for terrorism.

Procedural rules

In Poland there are no different procedural rules which apply to persons accused of committing terrorist offences. In those cases the provisions of the **Code of Criminal Procedure** shall apply. In the fight against organised crime and terrorism there are number of special legal instruments that are successfully applied, i.e. special investigating teams, special investigating methods, the use of undercover agents, sting operations, key witness procedures, incognito witnesses, witness protection programmes.

Other relevant legislation

With regard to the prevention of terrorism financing, **the Act of 16 November 2000** on counteracting money laundering and the financing of terrorism sets forth the standards for the procedure of combating money laundering and the financing of terrorism in Poland. On the basis of this regulation, an Inspector General of Financial Information has been nominated and the Department of Financial Information within the structures of the Ministry of Finance has been created as the Polish Financial Intelligence Unit - in accordance with Article 12 of the Council of Europe Convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism, opened for

signature in Warsaw on 16 May 2005 (CETS No 198).

Pursuant to the Act, the following institutions are obliged to combat the financing of terrorism:

- banks, foreign bank branches,
- brokerage houses,
- banks carrying out brokerage activities and other non-banking entities engaged in brokerage activities,
- entities conducting activities involving games of chance, mutual betting and automatic machine games,
- insurance companies,
- main branches of foreign insurance companies,
- investment funds, investment funds societies,
- co-operative savings and credit banks,
- state public utility enterprises - Polish Postal Service,
- notaries public (for the procedures concerning property deals),
- residents engaged in currency exchanges,
- entrepreneurs running auction houses or antique shops; conducting leasing and factoring activities, activities involving trade in precious and semi-precious metals and stones, commission sales; giving loans on pawn (pawnshops); and real estate agents.

The Inspector General of Financial Information collects information about natural and legal persons who are suspected of the offence of financing terrorism. A database with a list of these persons and entities is regularly updated. On the basis of this information the Inspector General of Financial Information informs the designated institutions if there is a well-grounded suspicion that they are linked to the financing of terrorism. The designated institution shall inform the Inspector General of Financial Information immediately about transactions involving the suspected person or entity and about accounts kept on behalf of them.

The Inspector General of Financial Information is entitled to perform transaction suspension procedures, i.e. temporary (period not exceeding 48 hours following notification) restrictions on the disposition and use of material assets, consisting in preventing the performance of a specific transaction by a designated institution and account-blocking procedures, i.e. temporary (period not exceeding 48 hours following notification) prevention of the disposition and use of all material assets accumulated in an account, including by a designated institution.

The public prosecutor may, by a decision, suspend transactions or block accounts for a definite period, however not exceeding three months following receipt of the Inspector General's notification.

Pursuant to **Chapter V of the Act of 6 June 1997 - Penal Code**, the court may order the forfeit of items directly derived from the offence, which have been used or are suspected of having been used in committing the crime. **The Act of 9 September 2000 amending the Code of Criminal Procedure** provides for forfeit and constitutes the legal basis for incoming and outgoing requests in this respect.

Under Article 44 of **the Act of 6 June 1997 - Penal Code**, the court shall order the forfeit of items directly derived from an offence, unless they are to be returned to the aggrieved person or to another entity. The court may decide on the forfeit of items which served or were intended for committing the offence unless they are to be returned to another entity. The forfeit described above shall not be applied if it would not be commensurate with the severity of the offence committed. In such a situation the court may impose a supplementary payment to the State Treasury. The court may impose the obligation to pay a pecuniary equivalent of their value in the event the perpetrator has intentionally prevented the possibility of imposing the forfeit of the items specified above. If the court concludes that a conviction pertains to the offence of violating a prohibition of the production, possession or transporting of or dealing in specific items, it may decide on the forfeit thereof. Property subject to forfeit shall be transferred to the ownership of the State Treasury at the time the sentence becomes final and valid.

The Act of 29 November 2000 on external trade in goods, technologies and services of strategic importance, both for state security and for maintenance of international peace and security, applies to the issue of the supply of weapons to terrorists, the mechanisms and procedures for controlling the trade in strategic goods, technologies and services relevant to national security, as well as to the maintenance of international peace and security. Poland is a party to the Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and their destruction, concluded in Paris on 13 January 1993.

Procedures for denying safe haven to terrorists is regulated by **the Act of 13 June 2003 on aliens**. This Act stipulates that an alien may be

refused a visa or entry to the territory of the Republic of Poland if there is reasonable suspicion that the alien engages in terrorist activity, participates in such an activity, organises or is member of a terrorist organisation. Additionally, the Act of 13 June 2003 on aliens stipulates that an alien may be also refused a visa and entry, if there is a reasonable suspicion that he or she is transporting arms, munitions, explosive materials, radioactive materials or drugs or psychotropic substances across the border without the required authorisation, or that he or she participates in or organises such an activity, or is a member of an organisation engaged in such an activity.

An alien may be denied entry to Poland if his or her entry or stay is undesired due to the obligations resulting from the provisions of ratified international treaties to which Poland is a party or if it is undesired due to another threat to national security and defence or due to the need to protect public order. The Head of the Office for Repatriation and Aliens is, on the basis of this Act, the competent authority to maintain the list of undesired persons. The list, which is updated on a regular basis, is forwarded to the diplomatic missions and consular offices of Poland abroad. Every visa application is verified against the list and undesired persons will be denied visas or entry permits. Co-operation between the competent authorities ensures the strict implementation of the requirements of international law binding Poland in this matter. For the same reasons, on the basis of Article 88 of this Act, an alien may be expelled from the territory of Poland, on the basis of an administrative decision issued by the competent authority.

The Act of 21 May 1999 on arms and munitions determines detailed principles relating to the issuance and withdrawal of permits for arms; acquisition, storage, disposal and deposition of arms and munitions; transport through national territory; import and export of arms and munitions and principles governing the possession of arms and munitions by aliens. The acquisition and possession of firearms is subject to a special permit issued by the competent police unit. The Act specifies cases where permits may not be issued to persons who do not meet specific requirements or have infringed the conditions and obligations set forth in the Act. The same conditions apply to the withdrawal of permits.

Firearms should be registered and the owner must have a special document confirming possession of arms. The provisions of the Act apply to aliens accordingly. There are specific

provisions in the Act related to the possession of arms and munitions by the members of diplomatic missions and consular offices, or other persons with equal status, who can possess arms and munitions on the basis of international agreements or on the principle of mutuality. In this case the possession of arms is subject to a temporary permit issued by the competent police body. The Act contains penal sanctions and provisions on seizure of arms and munitions.

There are executive regulations in the Act which relate, *inter alia*, to: types of especially dangerous arms and munitions for which a permit may be issued; the medical and psychological examination of persons who apply for or possess a permit; model declarations of importation of arms and munitions from abroad and the procedure for transmission to the police of information on the importation of arms and munitions by customs services; the procedure and conditions for the issuing of arms permits to the members of diplomatic missions and consular offices and persons having equal status; detailed principles on the deposition of arms and munitions; models of required documents, etc.

The Act of 21 June 2002 on explosives for civilian use determines principles related to the issuing and withdrawal of permits for acquisition and storage of explosives; the basic requirements in relation to explosives intended for trade; principles governing the transport of explosives and its control; procedures for assessing conformity and marking of explosives. A permit is required for the acquisition and storage of explosives for civilian use. This permit is issued by chief of provincial administration (the representative of the Government in the province), who is competent for the registered office of the requesting person. The Act specifies the information required for the issuing of a permit, the conditions to be met by persons wishing to obtain a permit, as well as cases where the permit should be denied or withdrawn. The transport and transit of explosives requires the consent of the Minister for Economy.

There are executive regulations in the Act which determine, *inter alia*: requirements for the training and examination of persons who have access to explosives; model registers for explosives, model permit requests. There are separate legal provisions relating to the possession and use of firearms and explosives by state bodies and their officers who are responsible for maintaining national security and public order, as well as the armed forces.

The provisions concerning the principles of economic activity relating to the manufacturing of and trade in explosives, arms, munitions and products and technologies for military and police purposes are also contained in this Act. The executive regulations of this Act specify: the conditions of sale; the scope and means of verifying compliance with these requirements; quality assessment requirements; registration of these sensitive materials and the principles of management in terms of environmental protection and protection of human life and health.

The Act of 26 April 2007 on crisis management defines the system of crisis management and specifies the competent institutions in this realm. The Act envisages:

a) the establishment of "Plans of crisis response" and "Plans of critical infrastructure protection", which constitute key components of the crisis management system. The plans will aim: to identify any threats to and weak points in the system of state security; to designate the competent institutions and specify the rules of their co-operation; and to determine areas of activity in order to eliminate or contain the threats, which prominently include the terrorist threat;

b) in the institutional area, the Act envisages the establishment of:

- Crisis Management Teams: at the level of the cabinet, central institutions (ministries and their subordinate or supervised units) and at descending levels of state administration – from the voivodship down to the commune. The teams will be tasked with preparing these institutions to provide effective crisis responses, including the institution of 24-hour duty shifts to ensure continuous flows of information for the needs of crisis management and co-ordination with the entities assigned specific tasks, in order to prevent threats and respond to any crises, or even war;

- Crisis Management Centres: at the level of ministries and central organs of state administration competent in matters of state security, which will be tasked with co-ordination in the event of crisis situations, including 24-hour duty shifts to ensure continuous flows of information for the needs of crisis management;

- Government Security Centre, which will be a permanent organ of the Council of Ministers, tasked with its crisis management support, including provision of analysis on current threats

and preparation of crisis management procedures, supervision of the validity of crisis response plans and co-ordination of the institutions and services competent in matters of crisis management;

c) introduction in the entire country of a graded crisis-threat alert, also in the event of a terrorist threat, which specifies the factual basis (degree of probability defined on the basis of information concerning threats to the territory of the Polish state or its immediate neighbourhood) for the introduction by the Prime Minister of successive alert levels, leading to the activation of corresponding crisis management procedures.

On 23 March 2011 **the Act of 5 January 2011 on the protection of the state's border** took effect. The Act amended Article 18b the Act of 12 October 1990 on the protection of the state's border by introducing the conditions enabling the destruction of:

a) a foreign military aircraft, which crosses the state border or flies within the airspace of the Republic of Poland without permission - in the case where it is used for an attack of a terrorist nature;

b) a foreign civil aircraft, which crosses the state border (without conforming to the Act of 3 July 2002 Aviation Law or other international agreements, which are binding in Poland) and does not carry any persons on board or carries exclusively persons, who plan to use the aircraft for an attack of a terrorist nature.

The aforementioned Act also defines the decision-making procedure for destroying the foreign aircraft and the proper institution responsible for the decision, namely the Commander of the Polish Operations' Command.

Simultaneously, it should be said that the above-mentioned Act introduced the definition of the term "attack of a terrorist nature" interpreting it as an offence committed in order to:

- 1) seriously intimidate many persons;
- 2) force government institutions of the Republic of Poland or any other country or international organisations to take up or abandon specific activities;
- 3) trigger serious disruptions in the system or the economy of the Republic of Poland, another country or international organisation - including the threat of committing such an offence.

On 1 July 2011 **the Act on the preparation and execution of the investments in the field of constructing nuclear power facilities and additional investments** took effect. This Act defines the rules and conditions for preparing

and executing investments in the field of constructing nuclear power facilities and additional investments, the appropriate bodies responsible and the distribution of benefits between local authorities from the building of nuclear power plants. The aforementioned Act includes a chapter regulating the tasks of the investor in terms of ensuring the security of the building of nuclear power plants and in particular countering terrorist threats. According to Articles 45-47 of the Act the investor is obliged to gather data from the contractors and workers employed at the building site of the nuclear power plant and to make the data available to bodies and services responsible for identifying and countering offences including terrorism. The investor is also obliged to organise an effective system for controlling access to the building site of the nuclear power plant. The Head of the Internal Security Agency constitutes an important link in the protection of the aforementioned investments. According to Article 49 of the Act, upon receipt of information on the possibility of a crisis stemming from an attack of a terrorist nature, which threatens the execution of the investment in the field of constructing nuclear power facilities, the Head of the Internal Security Agency can give recommendations to the investor, whose investment is threatened by such events and relay the necessary information to the investor to counter the threats. The Head of the Internal Security Agency informs the Director of the Government Security Centre about the activities undertaken.

The Act of 13 May 2011 amending the Atomic Law increased the competences of the institution responsible for countering terrorism, namely the Head of the Internal Security Agency in the area of physical protection of nuclear power plants. According to Article 41m the Head of the Internal Security Agency gives his opinion on the physical protection system of the nuclear power plant and the officers of this Agency have the right to carry out inspections at nuclear power plants.

On 18 September 2011 the Act of 30 June 2011 amending the Act of 3 July 2002 - **Aviation Law** took effect. It introduced in Article 2 the definition of the term "act of unlawful intervention in civil aviation" meaning the unlawful and intentional act consisting of hijacking an aircraft with or without its crew and passengers including the use of the aircraft for an attack of a terrorist character.

Moreover, due to the fact that the 2012 UEFA European Football Championship will be held in Poland, the Internal Security Agency together

with other domestic services and institutions responsible for state security and public order is undertaking a range of activities for the protection of this event against terrorist threats for example. Therefore, by **Order no. 33 of the Prime Minister of 12 May 2010**, a Committee on the Security of the 2012 UEFA European Football Championship was formed. The aforementioned body constitutes a platform for consultations and co-operation between domestic services and institutions involved in the protection of the 2012 UEFA European Football Championship. On 6 September 2011 the Committee adopted **Resolution no. 1 on the Integrated Protection Concept of the 2012 UEFA European Football Championship in Poland**. The concept defines the fundamental tasks in terms of ensuring the protection of the participants in the championship, the main contractors according to the commitment adopted by the Government of the Republic of Poland. The task, for which the Internal Security Agency was selected as the leading institution, is countering terrorism. Moreover, the Committee is divided into teams, which are responsible for:

- risk analysis connected with the 2012 UEFA European Football Championship;
- organisational and infrastructure security of stadiums used during the Championship;
- strengthening the Aviation Protection System of Poland during the Championship;
- CBRN threats;
- working out and executing the communication policy of the 2012 UEFA European Football Championship Security Programme in Poland;
- the use of Special Forces in the protection of the Championship.

INSTITUTIONAL FRAMEWORK

Preventing and combating terrorist threats in Poland is carried out on three levels:

- **on a strategic level** – by the Inter-ministerial Team for Terrorist Threats, chaired by the Minister of Internal Affairs,
- **on an operational level** – by the Counter-Terrorism Centre functioning within the structures of the Internal Security Agency,
- **on a tactical level** - by the various institutions performing their statutory tasks, in particular by the Internal Security Agency, the police, the Border Guard, the Inspector General of Financial Information.

The Inter-ministerial Team for Terrorist Threats was established by Regulation No. 162 of the Prime Minister of 26 October 2006 as an auxiliary organ of the Council of Ministers. The Regulation sets out the tasks, composition and procedures of the team which integrates the activities carried out by various government institutions including: the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, the Internal Security Agency, the Intelligence Agency, the Government Protection Bureau, the police, the Border Guards, the Military Intelligence Service, the Counter-Intelligence Military Service, the Government Security Centre, the Inspector General of Financial Information and the Customs Service. The team is responsible for co-ordinating activities aimed at the identification of terrorist threats, prevention and combating terrorism at government administration level. The basic tasks of the team include:

- monitoring of terrorist threats, their analysis and evaluation and the submission of opinions to the Prime Minister;
- elaboration of counter-terrorism standards and procedures, with special reference to the threats assessment;
- initiating, co-ordinating and monitoring the activity of the competent state administration authorities, paying particular attention to the follow-up of information and the identification, prevention and suppression of terrorism;
- submission of proposals to the competent ministries concerning legislative initiatives aimed at upgrading the methods of combating terrorism;
- organisation of training courses and conferences on combating terrorism.

The Internal Security Agency is a government institution responsible for the state's internal security. The Agency is empowered to deal with the crimes of espionage, terrorism, international scale. The Agency has also investigation powers allowing it to carry out various legal procedures.

The Counter – Terrorism Centre was established by Regulation No 102 of the Prime Minister of 19 September 2008. The Centre gathers officers of all services and state institutions relevant in the fight against terrorism and operates in 24-hour mode. The main task is to co-ordinate the activities carried out by national institutions relating to the exchange of information regarding terrorist threats and co-operation with the relevant institutions at an international level.

The Counter-Terrorism Department was established at the Agency of Internal Security on 19 September 2005, following the amendment of the Regulation 73 of the Prime Minister of 26 June 2002 concerning the institution of the charter of the Agency of Internal Security. The Department is tasked with detection, prevention and countering terrorist threats and other threats to the state's internal security and constitutional order stemming from the activity of organisations and persons whose programmes invoke the totalitarian methods and practices of Nazism, fascism and communism, and also those whose programmes or activities envisage racial and ethnic hatred, the use of violence to gain power or influence state policy, or envisage clandestine structures or membership.

The police, who are generally responsible for public order, have within their structure the Central Bureau of Investigation, which deals with the most serious crimes and the Bureau of Counter-Terrorist Operations (anti-terrorism task force).

The Inspector General of Financial Information is the main institution dealing with counteracting terrorist financing according to the Act of 16 November 2000 on counteracting money laundering and terrorist financing. The tasks of the Inspector General encompass, in particular:

- co-operation with the domestic institutions in charge of the prevention of money laundering and the financing of terrorism,
- co-operation with domestic and international institutions and organisations associated with the Polish financial system,
- administration of the data received from designated institutions,
- analysing information on controls carried out by institutions indicated in the act ,
- drafting of relevant legal acts,
- drafting of periodical reports on the General Inspector of Financial Information's activities, the suspension of bank transactions or the freezing of bank accounts in relation to the financing of terrorism,
- the transmission of information about entities reasonably suspected of having connections with terrorist acts to the designated institution.

Obligated institutions (e.g. banks, financial institutions, legal professions, non-profit organisations) and co-operating units (e.g. central administration, local government, the National Bank of Poland) inform the Polish Financial Intelligence Unit (FIU) supervised by the General Inspector of Financial Information about suspicious transactions or suspicious activity. The Polish FIU i.e. the Department of Financial Information operating within the Ministry of Finance verifies the reported suspected cases of money laundering and financing of terrorism, collects the evidence and informs the Prosecutor's Office which in co-operation with the law enforcement authorities take the necessary steps aiming at completing the indictment against the suspects. The authorised entities, mainly the Prosecutor's Office and the law enforcement agencies, use the Polish Financial Intelligence Unit's data about the transactions.

On 22 October 2009 the **Inter-Ministerial Committee of Financial Security** was established at the office of the Inspector General for Financial Information, as an advisory body within the scope of applying specific measures to countering terrorist financing.

Other government institutions involved in anti-terrorist activities are the following:

- **the Foreign Intelligence Agency,**
- **the Military Intelligence Service,**
- **the Military Counterintelligence Service,**
- **the Military Police,**
- **the Border Guard,**
- **the Government Protection Bureau,**
- **the Customs Service,**
- **the State Fire Service.**

There are other important public institutions not belonging to government administration:

- **the National Security Council** is an advisory body to the President of the Republic of Poland and is responsible for determining general plans and objectives concerning security, international relations and armed forces and
- **the National Security Bureau** provides technical support to the National Security Council and acts as a think-tank. The Bureau acts within the structures of the President's Chancellery.

INTERNATIONAL CO-OPERATION

Poland remains committed to the activities conducted in the field of combating terrorism in the international arena, underlying the importance of the measures on international co-operation

foreseen in Article 4 of the Council of Europe Convention on the prevention of terrorism adopted in Warsaw on 16 May 2005 (CETS No 196). Poland is involved in co-operation in the framework of the UN, NATO and the EU, and on a bilateral basis - with the United States of America, the EU member states and other partner countries. The fight against terrorism was one of the priorities during the Polish Presidency in the Council of the EU in 2011 (e.g. chairing two working groups: the Working Party on Terrorism (internal aspects) – WPT and the Terrorism Working Group (international aspects) – COTER; adopting the Council Conclusions on Counter-Terrorism on 12 September 2011).

In addition, it should be also noted that Poland actively participates in the implementation of the provisions of the United Nations Global Counter-terrorism Strategy as well as the EU Declaration on Combating Terrorism (2004), the EU Strategy for Combating Terrorism and the Plan of Action on Combating Terrorism (2005), the EU Strategy for Combating Radicalisation and Recruitment to Terrorism (2005), the Revised Strategy on Terrorist Financing (2008), the Internal Security Strategy for the EU (2010) and other international documents related to the fight against terrorism.

Poland has signed and ratified 14 of the 16 UN conventions and protocols related to the prevention and combating international terrorism. Polish law has been harmonised with European legal standards, which are mainly based on existing international agreements developed by the UN and its specialised agencies.

Poland has implemented 40 recommendations on money laundering and 9 special recommendations

against terrorist financing of the Financial Action Task Force (FATF) and participates in the work of this group through MONEYVAL. Poland effectively implemented Directive 2005/60/EC on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing and the Directive 2007/64/EC on payment services in the internal market (PSD Directive). Due to the international dimension of the financial crimes, the Polish Financial Intelligence Unit operating within the Ministry of Finance shares information about suspicious transactions or activities with foreign counterparts (members of the Egmont Group) on the basis of 60 bilateral co-operation agreements. Additionally, a EU-GCC seminar on countering terrorist financing was organised by the Ministry of Finance and the Ministry of Foreign Affairs (Warsaw, 22-23 November 2011).

From Poland's point of view, the fostering of legal co-operation between states is crucial. Therefore, Poland is a party to 42 bilateral agreements concerning extradition, mutual assistance and countering organised crime. Poland is also a party to a number of multilateral treaties devoted to that subject.

The counter-terrorism tasks accomplished so far in Poland are carried out in full compliance with human rights and fundamental freedoms, principles enshrined in the Constitution of the Republic of Poland, the Universal Declaration of Human Rights, the European Convention on Human Rights, the International Covenant on Civil and Political Rights and other relevant international documents.

Relevant Council of Europe conventions - Poland	Signed	Ratified
European Convention on the Suppression of Terrorism (ETS 90)	13/09/95	30/01/96
Amending Protocol (ETS 190)	15/05/03	
European Convention on Extradition (ETS 24)	19/02/93	15/06/93
First Additional Protocol (ETS 86)	19/02/93	15/06/93
Second Additional Protocol (ETS 98)	19/02/93	15/06/93
Third Additional Protocol (CETS 209)	07/10/11	
European Convention on Mutual Assistance in Criminal Matters (ETS 30)	09/05/94	19/03/96
First Additional Protocol (ETS 99)	09/05/94	19/03/96
Second Additional Protocol (ETS 182)	11/09/02	09/10/03
European Convention on the Transfer of Proceedings in Criminal Matters (ETS 73)		
European Convention on the Compensation of Victims of Violent Crimes (ETS 116)		
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS 141)	05/11/98	20/12/00
Convention on Cybercrime (ETS 185)	23/11/01	
Additional Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS 189)	21/07/03	
Additional Protocol to the Criminal Law Convention on Corruption (CETS 191)	07/10/11	
Council of Europe Convention on the Prevention of Terrorism (CETS 196)	16/05/05	03/04/08
Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198)	16/05/05	08/08/07