



POLAND

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NATIONAL POLICY

Terrorism still poses a considerable threat to international peace and security. In many cases, terrorist activities have a transnational dimension and are linked to internal and interstate tensions and regional instability. No country can tackle terrorism alone. Poland underlines the importance of strengthening international co-operation at global, regional and bilateral level, of continuously implementing 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 counterterrorism system while engaging in international co-operation.

At present, the most pressing terrorist threat is related to the outbreak of the war in Ukraine on 24 February 2022. Poland's role as a logistical base for military and humanitarian aid sent by European countries and the United States to Ukraine has led to an increase in the activity of Russian-inspired groups and individuals who may conduct activities aimed at carrying out sabotage, diversion, or terrorist attacks. Due to the current geopolitical situation, the second alert level (BRAVO and BRAVO CRP) is currently in force in Poland. The second alert level also applies to Polish energy infrastructure located outside Poland.

LEGAL FRAMEWORK

General information

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.

Criminal law

The Act of 6 June 1997 – Penal Code – defines the so-called “terrorist crime” (or a threat of committing such crime). Pursuant to Article 115(20), a terrorist crime is as a prohibited act, punishable by imprisonment with the upper limit of at least five years, committed with the aim of:

- 1) seriously intimidating many people;
- 2) compelling a public authority of the Republic of Poland or of another state or an international organisation to undertake or refrain from specific actions; or
- 3) causing serious disturbance to the political system or economy of the Republic of Poland, another State or an international organisation.

In addition to the above, the Penal Code penalises:

- financing of a terrorist crime (art 165a);
- dissemination or public presentation of content that may facilitate committing a terrorist crime (art 225a (1));
- participation in training that may enable committing a terrorist crime (art 255a (2));
- setting up or participating in an organised group aimed at committing a terrorist crime (art 258 (2) and (4));
- crossing the border of the Republic of Poland in order to commit a terrorist crime on the territory of another State (art 259a).

Procedural Rules

Although in Poland there are no different rules of procedure which apply to persons accused of committing a terrorist offences and in those cases, the provisions of the Code of Criminal Procedure shall apply, special provisions regarding preparatory proceedings introduced by The Act of 10 June 2016 on anti-terrorist activities are worth noting. Pursuant to Article 25 of this Act, the prosecutor may order a search and detention of a suspect, and these actions may be carried out at any time of the day. In the event of a suspected terrorist offense, if the interests of the pre-trial proceedings so require, a decision to

file charges may be made based on information obtained from operational and investigative activities (Article 26). In such cases the court, at the prosecutor's request, may order pretrial detention for a period not exceeding 30 days. A sufficient ground for applying pretrial detention is the likelihood of committing, attempting to commit, or preparing to commit a terrorist offense. Pretrial detention may be extended under the terms specified Code of Criminal Procedure 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 and witness protection programmes.

Other relevant legislation

The most important national acts governing counter-terrorism activities in the territory of the Republic of Poland are listed below.

The Act of 10 June 2016 on anti-terrorist activities introduces the operational co-ordination mechanisms of the services and institutions forming the Polish counter-terrorism system, clarifies the roles of each services and bodies as well as the rules of co-operation among them, provides response mechanisms appropriate to the nature of occurring threats by introducing a system of alert levels and adjusts penal regulations to new types of terrorist threats.

The second alert level (BRAVO and BRAVO-CRP) is activated as a preventive measure when an increased and expected threat of a terrorist event may appear, but the specific target of the attack has not been identified. It is periodically extended at the request of the Internal Security Agency (ABW) and after approval by the Minister of the Interior and Administration.

In practice, State authorities and security services perform the following additional tasks to ensure safety and security:

- Police, Border Guard or Military Police conduct increased control of large population centres;
- all public facilities which could become potential targets of terrorist attacks are under closer surveillance by the security services;
- officers of those services and military personnel directly performing the tasks related to securing these

places and facilities must be equipped with long weapons and bulletproof vests;

- staff of the public institutions responsible for implementing crisis response procedures are on standby in the emergency mode;
- the other staff is warned about possible threats on an ongoing basis;
- cars and people entering public buildings are checked in detail. There are additional checks to the regular ones;
- the public means of transport and similar infrastructure are under reinforced protection;
- there is a ban on entry to kindergartens and schools for unauthorised persons.

In addition, the BRAVO-CRP alert level triggers enhanced monitoring of the administration's IT systems and critical infrastructure. Staff operating electronic services are also constantly alerted to any potential threat and must be ready to respond in the event of an incident. Administrators of key IT infrastructure, who play a decisive role in IT systems security must be on duty 24 hours a day.

Recently, the Act on anti-terrorist activities has been amended. The amendment of 18 October 2024 introduced into the Act a new set of provisions regulating the fight against the dissemination of terrorist content online. Based on these provisions, the terrorist content is removed (or if the removal is impossible, the access to such content is disabled) by the hosting service providers within one hour after receiving the removal order from the ABW. This applies to online platforms offering services in Poland as well as in other Member States of the EU. It means that the removal orders issued by the ABW are cross-border and remain in force also when the headquarters of the hosting service provider are outside Polish territory. The provisions also regulate the situation of the hosting service providers who are particularly exposed to terrorist content. A hosting service provider is exposed to terrorist content when it has received two or more removal decisions during a period of 12 months. In such a case, the hosting service provider must take specific measures to reinforce its services protection system against the dissemination to the public of terrorist content.

Generally, due to the amendment of 2024, ABW is competent to issue removal orders, check removal orders issued by counterpart authorities from other EU Member States, oversee the implementation of

specific measures taken by the hosting service provider exposed to terrorist content and impose penalties for infringements of these provisions.

At the same time, the provisions establish strong safeguards to guarantee that freedom of expression and information are fully protected. Hosting service providers that have received a removal order issued or content providers whose content has been removed or access to which has been disabled following a removal order have the right to challenge this removal order in court.

The Act of 1 March 2018 on preventing money laundering and terrorist financing governs the operations of the Financial Investigation Unit (FIU), regulates the duties of financial sector entities and establishes co-operation principles for national entities dealing with money laundering and terrorist financing.

The Act of 26 April 2007 on crisis management specifies the competent authorities in the field of crisis management as well as their tasks and defines principles of co-operation in this field.

The following acts define the competence of individual services and institutions included in the Polish counter-terrorism system:

- The Act of 24 May 2002 on the Internal Security Agency and the Foreign Intelligence Agency;
- The Act of 9 June 2006 on the Military Counterintelligence Service and the Military Intelligence Service;
- The Act of 6 April 1990 on the Police;
- The Act of 12 October 1990 on the Border Guard;
- The Act of 24 August 2001 on the Military Police and military security forces;
- The Act of 8 December 2017 on the State Protection Service;
- The Act of 24 August 1991 on the State Fire Service.

Moreover, the relevant legal framework includes:

- The Act of 13 June 2003 on aliens setting out, *inter alia*, the rules governing the stay of foreign nationals on the territory of the Republic of Poland, including the refusal to grant a residence permit and deportation;

- The Act on 21 May 1999 on arms and munitions regulating, *inter alia*, the issuance of permits to possess firearms and ammunition;
- The Act of 13 April 2016 on the safety of trading in explosives' precursors relating to the supervision and control of the trade in substances which may be used for the illicit manufacture of explosives;
- The Act of 9 May 2018 on the processing and transfer of passenger name records, which transposes into the Polish legal order the provisions of Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime;
- The Act of 4 September 2008 on the Protection of Shipping and Sea Ports specifying the principles for the protection of shipping and seaports, including critical maritime infrastructure. In 2023, the Act was amended twice. As part of these amendments a provision was introduced, creating the possibility for the *voivode* (provincial governor) to introduce a ban on entering the territory up to 200 m from the property where the liquefied natural gas regasification terminal in Świnoujście is located. Pursuant to the Act, this ban can be introduced in order to prevent, limit or eliminate a serious danger, including the terrorist event threatening this terminal.
- Given the current geopolitical situation, the *voivode*, at the request of the Border Guard and having the positive opinion of ABW, ordered the ban, which has been in force since 13 April 2023.
- The amendment also significantly expanded the protection including elements of offshore energy infrastructure, as well as offshore wind farms, submarine power networks, pipelines, and related infrastructure. At the same time the application of the Act on anti-terrorist activities was extended to the part of the Baltic Sea which belongs to the Polish exclusive economic zone.
- The Order of the Minister of the Interior and Administration of 22 July 2016 on the register of terrorist incidents

establishes a closed list of 112 incidents organised thematically into 15 even groups and creates clear rules for information flows, including their processing, analysis and dissemination according to the relevance and location of the different participants in the national counter-terrorism system.

INSTITUTIONAL FRAMEWORK

Co-ordination of the Polish counter-terrorism system is carried out on three levels: strategic, operational and tactical.

- Strategic level

As part of the strategic level, the Prime Minister and the Council of Ministers take key systemic actions in the area of counter-terrorism.

The body in charge of the preparation, response and reconstruction phase in the context of terrorist threats is the Minister of the Interior and Administration, which is the body responsible for safeguarding security and public policy, state border surveillance, border traffic and aliens' control, co-ordination of actions related to the country's migration policy, as well as crisis management, rescue and civil protection. In emergency cases, the Minister of the Interior and Administration is responsible for crisis management in the country, replacing 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 State Fire Service, and in co-operation with other bodies, services and institutions. When it comes to co-ordination within the counter-terrorism system, the Minister of the Interior and Administration also chairs the Interministerial Team for Terrorist Threats.

The Interministerial Team for Terrorist Threats, an auxiliary organ 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 Order No. 162 of the Prime Minister of 25 October 2006. The Team is composed of the Minister of Foreign Affairs, Minister of Finance, Minister of National Defence, Minister of Justice and their deputies, as well as a minister-member of the Council of Ministers in charge of co-ordinating intelligence agencies (Minister Co-ordinator of Special Services), if appointed by the Prime Minister. The Team also includes: the Secretary or Undersecretary

of State in the Ministry of the Interior and Administration, the Secretary of the Committee for Intelligence Agencies, the Chief of National Civil Defence, the Head of the Internal Security Agency, the Head of the Foreign Intelligence Agency, the Commander-in-Chief of the Police, the Commander-in-Chief of the Border Guard, the Commander-in-Chief of the State Fire Service, the Commander-in-Chief of the State Protection Service, the Head of the Military Intelligence Service, the Head of the Military Counterintelligence Service, the Head of the Military Police, the Head of the General Staff of the Polish Armed Forces, the Operations Commander of Armed Forces, the Head of the National Revenue Administration, the General Inspector of Financial Information and the Director of the Government Centre for Security. The Head of the National Security Bureau and a representative of the General Prosecutor's Office are also invited to attend meetings. The tasks of the Team include, *inter alia*, the monitoring, analysis and evaluation of terrorist threats, as well as the submission of opinions and conclusions to the Council of Ministers. An important task of the Team is also to initiate, co-ordinate and monitor the actions taken by competent State administration authorities for the identification, prevention and suppression of terrorism. As part of its tasks, it also submits proposals aimed at streamlining the methods and forms of preventing terrorist threats, and is empowered to request that competent authorities undertake 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 co-ordinating activities related to crisis management. The Team is responsible, *inter alia*, for drawing proposals to use the capabilities and resources necessary to restore control over crisis situations and offering advice on the co-ordination of activities by government administration agencies, State institutions and services during crises, and issuing opinions on the needs related to reconstructing or restoring infrastructure. The Government Crisis Management Team is composed of the Prime Minister as the chairperson, the Minister of National Defence, the Minister of the Interior and Administration, the Minister of Foreign Affairs, the Minister Co-ordinator of Special Services (if appointed) and other State administration authorities, depending on whether it is necessary.

- Operational level

At the operational level, tasks to co-ordinate the exchange of information between the different services and institutions within the Polish counter-terrorism system, and to monitor and analyse terrorist threats on an ongoing basis belong to the Counter-Terrorism Centre functioning within the structures of the Internal Security Agency (CAT ABW). CAT ABW operates 24 hours a day, 7 days a week. In addition to the officers of ABW, it also employs seconded officers, military personnel and employees of other competent units. Co-ordination of the exchange of information between the different bodies within the Polish counter-terrorism system is at the heart of CAT ABW. CAT ABW enables the implementation of common procedures for responding to terrorist threats and constant, prompt and brief notification of the State government about any terrorist threats and the relevant actions taken by the competent services and institutions.

- Tactical level

Tactical level activities are implemented by the services within the Polish counter-terrorism system that carry out counter-terrorism activities.

The leading body in preventing terrorist threats is the Internal Security Agency (ABW), which is empowered to conduct operational and inquiry activities, analytical and information activities, and investigative activities for the identification, prevention and detection of terrorist offences and prosecution of the offenders. Via the Counter-Terrorism Centre (CAT), ABW co-ordinates the exchange of information between the different bodies within the counter-terrorism system, which enables the implementation of common response procedures once information is received about a possible terrorist threat.

The Head of ABW is responsible for preventing terrorist incidents, while the Minister of the Interior and Administration (MSWiA) is responsible for the preparation, response and reconstruction phase in the context of terrorist attacks.

The Minister is entitled to:

- submit the request for the use of units of the Armed Forces to provide support to the Police, Border Guard or the State Protection Service;

- prohibit carrying any or some kinds of weapons 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 alert level).

The Internal Security Agency (ABW) is statutorily obliged to identify terrorist threats and prevent terrorist acts. The Head of the Internal Security Agency was designated as the central government entity responsible for the overall process of preventing and combating terrorist incidents.

Pursuant to the Act on anti-terrorist activities, the Head of ABW:

- co-ordinates the analytical activities carried out by the intelligence services and the process of the exchange of information on terrorist threats, provided by the Police, Border Guard, Marshal's Guard, State Protection Service, State Fire Service, National Revenue Administration, Military Police and the Government Centre for Security;
- maintains a list of individuals who may be engaged in activities carried out on behalf of terrorist organisations, organisations associated with terrorism or members thereof. Such a list shall also comprise 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 or other individuals who may be deemed to constitute a terrorist threat;
- co-ordinates the operational activities carried out by intelligence services, the Police, Border Guard, National Revenue Administration and Military Police with respect to terrorist threats;
- can access information stored in public registers and databases held by intelligence agencies, public administration bodies and other entities (specified in the Act) as well as images of events registered by devices installed in public utility buildings, alongside public roads and in other public places;
- may request a court order (after obtaining the written consent of the First Deputy Prosecutor General – National Prosecutor) blocking the access in the ICT system to IT data or ICT services related to a terrorist incident. In urgent cases, the Head of the Internal Security Agency is entitled to block or request the

administrator of the ICT system to block access to the IT data or ICT services directly.

The Counter-Terrorism Centre (CAT ABW), established within the Agency's structures, carries out tasks aimed at identifying terrorist threats at operational level in the framework of the Polish counter-terrorism system. It continuously monitors and verifies indications of possible terrorist threats and co-ordinates the information flow in this respect. Moreover the duties of the CAT ABW include: assisting decision-makers in case of real threat of a terrorist attack; carrying out and co-ordinating analytical-intelligence and operational-reconnaissance tasks as far as terrorist threats are concerned; participating in the process of creation and amendment of response procedures; providing analytical and informative assistance to services and institutions carrying post-attack tasks in Poland; ensuring international co-operation in the scope of countering and fighting terrorism.

Additionally, CAT ABW is responsible for the prevention of terrorism. Its main aim is to disseminate knowledge on the means of preventing terrorist incidents. The Centre organises trainings for the officers and employees of special services, public administration bodies and other entities.

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, counter-terrorism, combating cybercrime and support. The Police is responsible for carrying out counter-terrorism operations. In order to ensure their effectiveness, on 5 April 2019 a counter-terrorism service was established within the Police. It consists of a Central Counter-terrorism Unit "BOA" and autonomous (regional) counter-terrorism Police units. The counter-terrorism service is responsible for carrying out counter-terrorism actions and supporting other police units in situations when use of special weapons and tactics is required.

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

- order the evacuation of persons or property from the place of a terrorist incident and its surroundings;
- implement various traffic restrictions, including prohibiting any presence of third parties;
- request the suspension of public transport;
- request the suspension of air traffic (if the airport is being the place of a terrorist incident).

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

If the Police does not have the capacity effectively to protect the security of people and public order, the Polish Armed Forces may provide assistance (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 the Interior and Administration, specifying the scope and form of the said assistance and immediately informing the Prime Minister and the President of the Republic of Poland of the measures taken. The President validates the decision or revokes it.

Additionally, the Act on Antiterrorist Actions of 10 June 2016 introduced a simplified procedure for obtaining the support of the Armed Forces, the application of which is however limited to situations when the third or the fourth alert level has been triggered.

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

The Act of 26 April 2007 on Crisis Management defines the Armed Forces' tasks in preventing and combating terrorism. Pursuant to Art. 25 of the Act, where the use of other forces or means is not possible or might be insufficient, the Minister of National Defence, at the request of the *voivode*) may delegate certain units of Armed Forces to carry out crisis management tasks under the governor's command.

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 the 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 undertake counter-terrorism actions. 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 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. It may carry out activities within the country only if these activities are related to those carried out abroad.

The Military Police (**ŻW**), which functions as an internal police within the Armed Forces, also plays an important role in counter-terrorism and crisis management activities. Its mandate covers, *inter alia*, ensuring the protection of public premises and buildings of military facilities, and 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 conduct investigations and prosecutions as well as operations and inquiries aimed, *inter alia*, at identifying and combating terrorist threats. Moreover, at the request of the Minister of the Interior and Administration and in agreement 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.

Co-operation with other bodies and services on identifying and countering terrorist threats is also the statutory responsibility of the Border Guard (SG). 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 of such offences. The Border 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 foreign groups and communities remains an important task. Apart from that the Border Guard is responsible for the processing of Passenger Name Records (PNR). Therefore, a 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 Guard (SG) – 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 State Fire Service (PSP) 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 State 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 the event of a terrorist threat are focused with priority on saving lives and protecting health and on actions aimed to minimise the consequences of a particular incident.

An important role in the context of crisis management measures is played by the Government Centre for Security (RCB), which is responsible for implementing preventive measures, and countering and eliminating the effects of terrorist incidents in co-operation with the Head of ABW. It performs tasks related *inter alia* to providing substantive and organisational support for the Government Crisis Management Team, drawing up government documents, providing opinions on crisis management plans to ministers, voivodes and heads of central offices and co-ordinating the planning processes relating to the protection of national and European critical infrastructure. It is also competent in matters relating to the preparation for launching crisis management procedures – in the event of an emergency – and to ensure information policy co-ordination between public administration during a crisis situation. The Government Centre for Security is also responsible for co-operating with NATO and European Union structures and other international organisations in the field of crisis management and protection of critical infrastructure. Organising, conducting and co-ordinating crisis management training and drills, including international exercises, remains just as important.

Another relevant public institution is the National Security Bureau (BBN), which assists and supports the President of the Republic of Poland in carrying out and implementing his or her tasks in the field of security and protection. These tasks 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 the 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 and upholds the sovereignty of the State's security as well as the inviolability and indivisibility of Polish territory.

Regulations related to countering, identifying and combating terrorist threats do not directly refer to the BBN. Its activity in the above-mentioned field results,

however, indirectly from regulations included in the Act of 11 March 2022 on the defence of the Fatherland. The consequence of these regulations was the determination by the President of the Republic of Poland of the scope of action 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 areas of interest to the Bureau, which acts within the structures of the President's Chancellery.

Furthermore, the BBN's involvement in initiatives concerning terrorist threats and, at the same time, in regulating the functioning of special services results from the fact that the Head of the National Security Bureau, under 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 guidelines for the work of the security services or with regard 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 the Polish Financial Intelligence Unit (FIU). One of the GIFI's major tasks is to prevent the crime of terrorism financing stipulated in Article 165a of the Penal Code. Under the provisions of the Act on countering money laundering and financing of terrorism, the GIFI obtains, gathers, processes and analyses information which may be connected for example, with financing terrorism, and take relevant measures, such as co-operating with Financial Investigation Units (FIUs) of other countries. Based on the examination of the course of transactions, the GIFI may suspend those transactions or block the accounts used for carrying them out. The freezing of assets by obliged institutions is an important instrument for combating terrorism financing.

The Polish counter-terrorism system includes also the Customs and Fiscal Office operating under the National Revenue Administration (KAS) and responsible for activities such as investigating, detecting, preventing and combating crimes and offences that consist in violating regulations on importing to or exporting from Poland goods subject to restrictions or bans on trade for reasons of public safety and order or international security, especially goods such as waste, chemical substances and

preparations, nuclear and radioactive materials, narcotic drugs and psychotropic substances, arms, ammunition, explosives and goods and technologies of strategic significance.

Additionally, in connection with the adoption of the Act of 13 April 2022 on special solutions for counteracting support for aggression against Ukraine and for protecting national security (the Sanctions Act), which entered into force on 16 April 2022, KAS is also responsible for verifying compliance with EU and national restrictive measures. KAS may impose a fine for failure to comply with these measures of up to PLN 20,000,000. The Sanctions Act is the Polish answer to the unlawful aggression of Ukraine by the Russian Federation and the involvement of Belarus in those military operations. Based on selected legal instruments contained in the EU regulations, Poland has created a separate national list of persons and entities to whom selected restrictive measures specified in these regulations apply. KAS enforces these restrictive measures and ensures that there has been no circumvention of those measures.

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 assistance. It supports actions of Polish military and police units which take part in operations outside the country. The Ministry is responsible for co-ordinating actions relating to assuring security of Polish institutions and their personnel abroad. All actions within this area are taken in co-operation with the interested national institutions. The Ministry is also conducting an analysis of terrorist attacks that have occurred worldwide and preparing a political assessment of the effects of those incidents. The Ministry is in charge of co-operating with other countries and international organisations and also of presenting Polish positions in the field of counteracting and combating terrorism in international fora.

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 regarding 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.

On 12 December 2024 the Council of the European Union approved future priorities for strengthening the joint counterterrorism efforts of the European Union and its Member States. To further enhance counterterrorism measures, on 16 December 2024 the Council approved conclusions on reinforcing external-internal connections in the fight against terrorism and violent extremism. The fight against terrorism was one of the priorities during the Polish Presidency in the Council of the EU in 2011 and 2025 (e.g. chairing three working groups: the Working Party on Terrorism (internal aspects) – WPT the Terrorism Working Group (international aspects) – COTER and Working Party on restrictive measures to combat terrorism -COMET).

In addition, Poland actively participates in the implementation of the provisions of the United Nations Global Counter-Terrorism Strategy as well as the EU Internal Security Strategy, Counter-Terrorism Agenda, Strategic Orientations 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 the 40 Recommendations on money laundering, terrorist financing and proliferation financing of the Financial Action Task Force (FATF). The latest evaluation of Poland's level of implementation of these Recommendations was conducted in 2021.

Poland closely monitors the activities undertaken by the FATF and regularly participates in initiatives organised by the FATF, aimed at countering the financing of terrorism. The Polish Financial Intelligence Unit (FIU), operating within the Ministry of Finance, actively promotes FATF initiatives at the national level, for example by informing Polish obliged institutions about FATF activities and publishing statements, reports and documents on best practices in anti-money laundering (AML) and combating the financing of terrorism (CFT). Poland also actively engages in the work of other international forums dedicated to AML/CFT, including MONEYVAL and the Egmont Group. Additionally, Poland regularly participates in meetings of the Counter ISIL Financing Group (CIFG).

Poland has implemented several relevant EU Directives, including Directive (EU) 2018/843 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and partially Directive (EU) 2018/1673 on combating money laundering by criminal law, and has also transposed the revised Directive (EU) 2015/2366 on payment services in the internal market (PSD2). Currently, Poland is also working on the implementation of the new EU AML legislative package adopted in 2024, which includes the AML Regulation, the AML Directive, the Regulation establishing the EU Anti-Money Laundering Authority (AMLA) and the Regulation on information accompanying transfers of funds and certain crypto-assets (TFR).

Given the international dimension of financial crime, the Polish FIU shares information about suspicious transactions or activities with its foreign counterparts. The Polish FIU can exchange information based on bilateral Memoranda of Understanding (MoUs) concerning co-operation in the exchange of financial intelligence related to money laundering and terrorist financing. So far, Poland has signed 92 such MoUs. In addition, pursuant to the AML/CFT Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing, the Polish FIU provides information to financial intelligence units from EU Member States and other countries on the basis of reciprocity.

The counter-terrorism tasks accomplished so far in Poland are carried out in full compliance with human rights and fundamental freedoms, principles which are 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.

Mutual assistance in criminal matters and extradition

From Poland's point of view, the fostering of legal co-operation between States is crucial. Therefore, Poland is a party to approximately 75 bilateral agreements concerning extradition, mutual assistance and countering organised crime. Poland is also a party to a number of multilateral treaties devoted to these subjects.

Measures at international level

Relevant Council of Europe conventions – Poland	Signed	Ratified
Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism [CETS No. 198]	16/05/05	08/08/07
Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]	16/05/05	03/04/08
Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism [CETS No. 217]	22/10/15	
Convention on Cybercrime [ETS No. 185]	23/11/01	20/02/15
Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems [ETS No. 189]	21/07/03	20/02/15
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime [ETS No. 141]	05/11/98	20/12/00
European Convention on the Compensation of Victims of Violent Crimes [ETS No. 116]		
European Convention on the Suppression of Terrorism [ETS No. 90]	13/09/95	30/01/96
Protocol amending the European Convention on the Suppression of Terrorism [ETS No. 190]	15/05/03	10/11/04

European Convention on the Transfer of Proceedings in Criminal Matters [ETS No. 73]		
European Convention on Mutual Assistance in Criminal Matters [ETS No. 30]	09/05/94	19/03/96
Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters [ETS No. 99]	09/05/94	19/03/96
Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters [ETS No. 182]	11/09/02	09/10/03
European Convention on Extradition [ETS No. 24]	19/02/93	15/06/93
Additional Protocol to the European Convention on Extradition [ETS No. 86]	19/02/93	15/06/93
Second Additional Protocol to the European Convention on Extradition [ETS No. 98]	19/02/93	15/06/93
Third Additional Protocol to the European Convention on Extradition [CETS No. 209]	07/10/11	
Fourth Additional Protocol to the European Convention on Extradition [CETS No. 212]	20/09/12	
Relevant United Nations conventions – Poland	Signed	Ratified
Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 1963)		09/01/1971 19/06/1971*
Convention for the Suppression of Unlawful Seizure of Aircraft (the Hague, 1970)		12/02/1972 20/04/1972*
Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 1971)	23/09/ 1971	28/01/ 1975 27/02/1075*
Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 1988)	31/05/1988	12/08/2004 11.09.2004*
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 1973)	12/10/1982	13/01/1983
International Convention against the Taking of Hostages (New York, 1979)	25/05/2000	24/06/2000
Convention on the Physical Protection of Nuclear Material (Vienna, 1979)	08/09/1983	08/02/1987
Amendment to the Convention on the Physical Protection of Nuclear Material (Vienna, 2005)		20/04/2007 08/05/2016*
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 1988)	08/04/1991	01/03/1992
2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (London, 2005)	-	-
Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 1988)	08/04/1991	01/03/1992
2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (London, 2005)	-	-
Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1991)	07/07/2006	25/11/2006
International Convention for the Suppression of Terrorist Bombings (New York, 1997)	14/06/1999	03/02/2004 02/03/2004*
International Convention for the Suppression of the Financing of Terrorism (New York, 1999)	04/10/2001	10/07/2003 26/10/2003*
International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 2005)	14/09/2005	22/03/2010