



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

No. 22/2021

The Permanent Mission of the Republic of Poland to the Organization for Security and Co - operation in Europe presents its compliments to all Missions and Delegations of the participating States to the OSCE and to the Conflict Prevention Centre of the OSCE, and has the honour to transmit herewith the reply to the Questionnaire on the Code of Conduct on Politico- Military Aspects of Security for year 2021.

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

Vienna, 30 June 2021



To:

All Missions and Delegations of the participating States to the OSCE

OSCE Conflict Prevention Centre

Vienna

Exchange of Information on the OSCE Code of Conduct on Politico-Military Aspects of Security POLAND 2020

1. Account of measures to prevent and combat terrorism

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

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

- 25 UN conventions and protocols (Annex);
- 15 Council of Europe conventions and protocols (Annex).

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

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

Polish legislation has been repeatedly updated to fulfill its obligations under the signed and ratified conventions and protocols listed above, and other international agreements concerning identification, prevention and combating terrorism. The most important legislation in this area includes:

- the Act of June 6, 1997, Penal Code, penalizing acts of a terrorist nature (Journal of Laws of 1997, No. 88 Item 553, with later changes);
- the Act of 1 March 2018 on counteracting money laundering and terrorist financing (Journal of Laws of 2018, Item 723 with later changes);
- the Act of April 26, 2007 on crisis management (Journal of Laws of 2013, Item 1166, consolidated text with later changes);
- the Act of June 10, 2016 on the Antiterrorist Activities (Journal of Laws of 2018, Items 452 and 650, with later amendments) ;
- the Act of October 12, 1990 on the protection of the state border (Journal of Laws of 2015, Item 930, consolidated text with later changes);
- the Act of September 4, 2008 on the protection of inland and sea ports (Journal of Laws of 2016, Item 49);
- the Act of August 29, 1997 on the Banking Law (Journal of Laws of 2015, Item 128, consolidated text with later changes);
- the Act of July 3, 2002 on the Air Law (Journal of Laws of 2013, Item 1393);
- the Act of September 16, 2011 on information exchange between law enforcement authorities of the Member States of the European Union (Journal of Laws of 2011, No. 230, Item 1371, with later changes).

In addition, legal regulations governing the recognition, prevention and combating terrorism, and the division of powers in this area between the institutions of governmental and local

administration are included in a series of acts or implementing acts issued by the Council of Ministers. Among others in:

- the Act of April 6, 1990 on the Police (Journal of Laws of 2015, Item 355, consolidated text with later changes);
- the Act of October 12, 1990 on the Border Guard (Journal of Laws of 2014, Item 1402, consolidated text with later changes);
- the Act of May 24, 2002 on the Internal Security Agency and Foreign Intelligence Agency (Journal of Laws of 2015, Item 1929, consolidated text with later changes);
- the Act of December 8, 2017 on the State Protection Service (Journal of Laws of 2018, Item 138, consolidated text with later changes);
- the Act of June 9, 2006 on the Military Counterintelligence Service and the Military Intelligence Service (Journal of Laws of 2014, Item 253, consolidated text with later changes);
- the Act of December 17, 1998 on the principles of use and stay of the Polish Armed Forces abroad (Journal of Laws of 2014, Item 1510);
- the Act of August 24, 2001 on the Military Police and military law enforcement bodies (Journal of Laws of 2016, Item 96, consolidated text with later changes);
- the Act of November 29, 2000 on foreign trade in goods, technologies and services of strategic importance for national security and the maintenance of international peace and security (Journal of Laws of 2013, Item 194, consolidated text);
- the Act of December 12, 2013 on Foreigners (Journal of Laws of 2013, Item 1650, with later changes);
- the Act of June 13, 2003 on granting protection to foreigners within the territory of the Republic of Poland (Journal of Laws of 2012, Item 680, consolidated text with later changes).

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

The Act of June 10, 2016 on the Antiterrorist Activities (further referred to as “the act”/Journal of Laws 2016, Item 904) constitutes one of the most important legislative acts concerning the issue of preventing and combating terrorism. The essential aim of the abovementioned act was to establish a coherent system of cooperation between multiple law enforcement services and other government agencies and institutions. This kind of approach creates a normative framework for effective and rapid response instruments within the field of preventing and combating terrorism as well as reducing the negative effects thereof. Furthermore, it puts in place the analytical instruments allowing for the comprehensive and accurate operational activities. In accordance with Art. 3 of the Act, the Head of the Internal Security Agency (in Polish: *Agencja Bezpieczeństwa Wewnętrznego*, ABW) further referred to as “the Head of the ABW” is responsible for prevention of terrorist incidents, whereas the minister competent for home affairs is responsible for taking control of terrorist incidents by means of coordinated, structured and planned actions, reacting to such incidents and reproducing the necessary resources.

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

- The Head of the ABW coordinates the analytical activities carried out by the intelligence services and the process of the exchange of information on terrorist threats and data on individuals who may be potentially associated with such threats, provided by the Police,

Border Guard, Marshal's Guard¹, State Protection Service, State Fire Service, National Treasury Administration, Military Police and the Government Centre for Security;

- The Head of the ABW shall maintain a list of individuals who may be engaged in the activities carried out on behalf of the terrorist organizations, organizations associated with terrorism or members thereof. Such a list shall comprise as well data on persons wanted for terrorist activities or suspected of having committed a terrorist crime with respect to whom the relevant authorities of the Republic of Poland have issued a detention or search order on other individuals who may be deemed to constitute a terrorist threat;
- The Head of the ABW coordinates the operational activities carried out by intelligence services, the Police, Border Guard, National Treasury Administration, and Military Police with respect to terrorist threats;
- The Head of the ABW may be granted, without any charge, access to information stored in public registers and databases held by intelligence agencies, public administration bodies and other entities (specified in the act) as well as access to the image of events registered by devices placed in public utility buildings, alongside public roads and in other public places.

According to The Act on Antiterrorist Activities of June 10, 2016 and The Act on the Police of April 6, 1990 it is the task of the Police to carry out anti-terrorist and counter-terrorist activities. Counterterrorist activities are carried out against perpetrators and individuals preparing or assisting in preparing terrorist crimes (regulated in Article 115 par. 20 Act of June 6, 1997, Penal Code); conducting of such activities aims at eliminating the direct threat of risk or life of people, health or freedom of persons or property by using specialized forces and measures and special tactics.

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

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

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

Coordination and advisory functions in combating terrorism are performed by the established Interministerial Team for Terrorist Threats working under the Minister of the Interior and Administration. The Team consists i.a. of: the Minister of the Interior and Administration (chairman), the Minister of National Defence (vice-chairman), the Minister of Foreign Affairs, the Minister of Justice, The Minister of Finance (vice-chairmen), the Chief of General Staff and

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

the Commander in Chief of the Military Police, The Police Commander in Chief, Head of the ABW. Among the above-mentioned services the leading role in the recognition of terrorist threats plays the Head of the ABW, and in relation to a counterterrorist activities – the Police.

The bodies participating in the Polish counter-terrorist system are, among others: the Interministerial Team for Terrorist Threats, Ministry of the Interior and Administration, Internal Security Agency, Police, Border Guard, State Protection Service, Foreign Intelligence Agency, Military Intelligence Agency, Military Counterintelligence Agency, National Treasury Administration, National Security Bureau, Government Centre for Security, Ministry of Foreign Affairs, State Fire Service, the General Inspector of Financial Information, General Staff of Polish Armed Forces, Military Police and other institutions which may poses information important for the counterterrorist protection of the country.

In cases when there is a suspicion that a foreign military (and under specified conditions: civil aircraft) aircraft flying in the airspace of the Republic of Poland or a vessel sailing in the Polish waters may be used as agents of a terrorist attack a major the Ministry of National Defence, actions against a vessel are executed following a decision of the Minister of National Defence, whereas in cases when an aircraft is used as means of a terrorist attack, decisions are made by the Operational Commander of the Polish Armed Forces. These issues are governed respectively by the Act of September 4, 2008 on the protection of inland and sea ports and Act October 12,1990 on the protection of the state border.

In the event of an external threat to the State caused by terrorist acts, the President may, at the request of the Council of Ministers, place the state of war either in part or in the entire territory of the State. The President shall present the relevant regulation to the Sejm within 48 hours of signing it. The Armed Forces shall have the right to apply direct coercive measures, the use of arms and other weapons, taking into account the necessity and purpose of carrying out these tasks, in a manner appropriate to the threat and within the limits of the principles laid down in international agreements and international customary law. In this case, the principles of International Humanitarian Law Of Armed Conflict apply.

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

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

Furthermore, involvement of the NSB in initiatives concerning terrorist threats and at the same time regulating the functioning of special services results from the fact that the *Head of the Internal Security Bureau* on the basis of the Act on the Internal Security Agency and the Foreign Intelligence Agency is a member of the Security Services Board. This form of activity of the

Bureau has a consultative and advisory character, inter alia in the field of directions of works of the security services or with reference to legal acts regulating their activities.

The Foreign Intelligence Agency participates in the anti-terrorist system of Poland in connection with the obligation carrying out tasks resulting from the Act of 24 May 2002 on the Internal Security Agency and the Foreign Intelligence Agency. Pursuant to regulations stipulated in the Act, the Foreign Intelligence Agency is in charge of e.g.:

- protecting foreign institutions representing the Republic of Poland and their employees against actions which can be detrimental to interests of Poland;
- identifying international terrorism, extremism and international groups of organized crime;
- identifying international trafficking in arms, ammunition and explosives.

The agency monitors and analyses activities of extremist groups which can be a potential threat for security of Poland and Polish citizens as well as objects abroad.

Tasks of *the Military Intelligence Service* in the field of identifying and countering threats:

1. Gathering information which can have significant influence on:

- security and defence potential of Poland;
- security and combat capacity of the Armed Forces;
- conditions of fulfilment by the Armed Forces of tasks outside the country.

2. Identifying and counteracting:

- military external threats to the defence of Poland;
- International terrorism threats.

3. Identifying:

- international trafficking in arms, ammunition and explosives as well as goods, technologies and services which are strategic for security of the country;
- international trafficking in weapons of mass destruction, proliferation of the weapons and means of their transferring.

4. Identifying and eliminating threats connected with:

- international strains, conflicts and crises which have an influence on defence of the country and combat capacity of the Armed Forces.

The Police is a uniformed and armed formation serving and protecting the society and maintaining public order. The Police comprises the following kinds of services: criminal, investigative, internal affairs, preventive, counterterrorist and supporting Police activities in the field of organization, logistics and technology (logistical). The Police is responsible for carrying out counterterrorist operations. In order to ensure their effectiveness on 5 April 2019 the counterterrorist service was established within the Police. It consists of *Central Counterterrorist Unit* "BOA" and autonomous (regional) counterterrorist Police units. The counterterrorist service is responsible for carrying out counterterrorist actions and supporting other police units in situations when use of special weapons and tactics is required.

The "BOA" conducts tasks of a special intervention unit stipulated in Council Decision 2008/617/JHA of 23 June 2008 *on improving cooperation between special intervention units of the Member States of the European Union in crisis situations*. It is a member of the *Atlas Network* that unites European special intervention units.

Police representatives are part of national and international bodies which deal with an analysis and exchange of information on threats resulting from terrorist and extremist crimes at a strategic level.

The General Inspector of Financial Information (GIFI) and the Department of Financial Information which supports the GIFI in its statutory activities together form a *Polish Financial Intelligence Unit* (FIU). The GIFI major task is to prevent a potential crime of financing terrorism stipulated in Article 165a of the Penal Code. Under provision of the Act on countering money laundering and financing of terrorism (OJ 2020, item 971 with amendments), the GIFI obtains, gathers, processes and analyses information which can be connected e.g. with financing terrorism.

The GIFI exchanges information with its foreign counterparts on the basis of the said Act, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (Warsaw Convention), the bilateral agreements signed by the GIFI with its foreign counterparts and Decision of the Council of the European Union no. 2000/642/JHA of 17 October 2000 on rules of cooperation between financial intelligence units of the member States with reference to an exchange of information. The latter was repealed by Directive (EU) (UE) 2019/1153 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences with effect from 1 August 2021.

The Custom Service is a homogeneous uniformed formation established for the purpose of ensuring protection and security of the customs area of the European Community. The Custom Service is in charge of performing customs policy with the regard to import and export of goods as well as performing other tasks resulting from separate provisions and in particular:

-identification, detection, prevention and combating crimes and offences connected with an infringement of provisions on importing to the territory of Poland and exporting from its territory goods covered by restrictions or bans on marketing due to security and public order or international security, in particular such as chemical substances and preparations, nuclear and radioactive materials, narcotic drugs and psychotropic substances, arms, ammunition, explosives as well as strategic goods and technologies.

Tasks of the Minister of the Interior and Administration include:

- protection of the safety and public order;
- protection of the State's borders, control of cross-border traffic and foreigners;
- civil defense;
- fire protection;
- counteraction of the effects of natural disasters and other similar events which endanger safety of the public.

The Minister both directly and through activities of the services which it supervises (i.e. the Police, the Border Guard, the State Protection Service, the State Fire Service) carries out tasks in the field of counteracting terrorist threats and neutralizing effects of possible attacks.

From the perspective of the coordinating function of the Minister with regard to the system of counteracting and combating terrorism, of special importance is the role of presiding over *the Inter-ministerial Team for Terrorist Threats (ITforTT)*.

Within the Polish anti-terrorist system, the Ministry of Foreign Affairs actively participates in activities aimed at preventing and combating terrorist threats. The Ministry is in charge of providing comprehensive and efficient consular care. It supports actions of Polish military and police units which take part in operations outside country. The Ministry is responsible for

coordinating actions relating to assuring security of Polish institutions and their personnel abroad. All actions within this scope are taken in cooperation with the interested national institutions. Within the competences of the Ministry is also conducting analysis of terrorist acts which have occurred worldwide and preparing political assessment of the effects of the foregoing incidents. The Ministry is in charge of cooperating with other countries and international organizations and also of presenting in international forums Polish positions in the field of counteracting and combating terrorism.

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

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

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

Preventing the financing of terrorism

The main piece of legislation used to counter the financing of terrorism is the act of 1 March 2018 on counteracting money laundering and financing of terrorism. The Act implements i.a. the directive 2015/849 of The European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing.

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

Poland possesses a mature and reliable AML/CFT system. As a member of the MONEYVAL Committee, Poland is subject to evaluation of its domestic system of combating money laundering and terrorism financing conducted according to the framework of MONEYVAL mutual evaluations. A report concerning the last round of evaluation was presented in 2013. The next round based on the new FATF standards is planned for 2020/2021.

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

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

In August 2018, the first session of the Financial Security Committee (working under the new AML/CFT act) was convened. The Committee has a consultative and advisory function with regard to the use of specific restrictive measures against persons, groups and entities, such as freezing of assets in order to combat terrorism and prevent its financing. It is also responsible for providing opinions on the national assessment of the money laundering and terrorist financing risk along with the strategy to mitigate the identified risks.

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

Poland fulfils the recommendations of the Special Committee on the Prevention of Money Laundering - The Financial Action Task Force (FATF) - 40 Recommendations concerning financial crimes and 9 FATF Special Recommendations regarding detecting, preventing and combating the financing of terrorism (9 Special Recommendations on Terrorist Financing).

Border Guard

Border Guard is a unified, uniformed and armed law enforcement formation set up for the purpose of the land and maritime border protection and border traffic control in accordance with national security interest.

Border Guard has a wide scope of powers which have been obtained on the base of Polish legal acts e.g.:

- Act of 12 October 1990 on the Border Guard;
- Act of 12 October 1990 on the state border protection;
- Act of 13 June 2003 on foreigners;
- Act on 3 July 2002 on aviation law;

-Act of 13 June 2002 on the protection of foreigners on the territory of the Republic of Poland.

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

Tasks of the Border Guard stipulated in the Act 1990 on the Border Guard include performance of duties in order to identify and counteract terrorist threats. Activities of Border Guards cells which are specialized in above mentioned field consists of:

- prevention of illegal border crossing by people and vehicles, identification, prevention and detection of crimes and offences as well as prosecution of their perpetrators, in particular crimes connected with crossing the national border;
- counteracting the cross border smuggling of explosives, arms and ammunition, radioactive materials, dangerous chemicals and dual-use goods;
- assurance of security in the international civil aviation communication by executing security controls of passengers, their baggage, postal deliveries, aircrafts on high security flights as well as pyrotechnic control;
- securing major public events and critical infrastructure facilities;
- participation in supervision of security control performed by services of airports' authorities. In March 2013 security control performance duties were transferred to security services subordinated to airport authorities;
- providing security guards on passengers aircrafts (air marshals);
- control of foreign nationals stay legality in Poland including activities related to identification and prevention of terrorist threats;
- execution of operational-investigation activities in the field of identifying and counteracting of terrorist threats;
- cooperating in the field of counteracting terrorist threats with the Internal Security Agency, the Foreign Intelligence Agency, the Police, the Military Counterintelligence and Intelligence Services, the Polish Military Gendarmerie, the General Inspectorate of Financial Information and bodies which protect borders of the neighboring countries.

Representatives of Border Guard are engaged at activities of home interministerial and international entities, which one of the major aim is elaboration of the rules of cooperation in the field of the secure exchange of information, prevention, protection, prosecution and response to terrorism, improvement of collection, processing and analyzing of intelligence data. Such operation aims at developing common procedures for the fight with terrorism at home as well as on international ground with the finest utilization of potential possessed by such entities as EUROPOL, EUROJUST, INTERPOL, FRONTEX.

Protection of radioactive materials

Poland is a member of the International Atomic Energy Agency (International Atomic Energy Agency - IAEA) and the European Atomic Energy Community (European Atomic Energy Community - EURATOM). It implements the documents and regulations of these organizations. Despite the absence of nuclear power plants, Poland has a well-developed legislation and a nuclear safety system, under which supervision operations are exercised involving the use of nuclear materials and sources of ionizing radiation. Technical solutions for nuclear safety involve mainly the monitoring and controlling radioactive contamination and keeping records of nuclear materials and radioactive sources.

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

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

The Border Guard (BG) conducts radiometric control not only at borders but also within the country. All collected information are delivered via a central computer system to the Border Guard Headquarters in Warsaw, where they can be analyzed. The relevant data is regularly made available to the National Atomic Energy Agency and International Atomic Energy Agency's Illicit Trafficking Database (ITDB).

Radiometric control is performed based on detailed internal BG operational procedures. BG officers exchange information and consult National Atomic Energy Agency (NAEA) what was regulated in special agreement. Radiometric control is performed by officers – professional radiometrist trained in BG training center by trainers certified by NAEA.

The radiometric control system is regularly upgraded. Co-operation with US Department of Energy contributed much to the modernization of the system in last several years.

Use of the Internet and other computer networks for terrorist purposes

The Act of June 6, 1997, Penal Code Article 255a penalizes dissemination or public presentation of the content which might facilitate committing a crime of terrorist nature with an intent for such crime to be committed (entered into force on November 14, 2011).

Moreover the 10 June 2016 Act on Antiterrorist Actions amended the 24 May 2002 Act on Internal Security Agency and Foreign Intelligence Agency by introducing measures aimed at countering Internet terrorist propaganda that allow the judicative to ban specified Internet data or services that are used with the intent to cause a terrorist event.

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

Responding to the ongoing challenges arising from cyberspace the government of Poland presented in 2016 a draft of the national cybersecurity strategy.

Prevention of violent extremism and radicalization that lead to terrorism

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

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

2. Stationing of armed forces on foreign territory

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

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

Polish Armed Forces have been participating in international missions since 1953. Over 120,00 soldiers and military personnel have participated in over 89 operations. Currently, involvement in international military operations constitutes, alongside national defence, the main element of the national security strategy. Modern operations are complex matters that have to take into account the significance and effect of various political, military, economic and social factors. To an increasing extent, international operations are a reaction to internal conflicts within states and to situations in which human rights are violated on a mass scale. We are also observing an increase in interventions in relation to repressive countries undertaken in the name of democracy and the rule of law. Today's operations are part of a wider "pro-development" activity as part of which military and civilian instruments are applied in parallel at each stage of restoring and maintaining peace and security as well as prevention and post-conflict operations.

In 2020 Poland have been participating in 17 international operations carried out under the auspices of the UN, NATO and the EU. About 1940 soldiers and military personnel are participating in them.

Islamic Republic of Afghanistan – PMC AFGHANISTAN (Resolute Support Mission); advisory, without engagement in military activities; the military contingent counts up to 400 soldiers and civilian personnel;

Kosovo – NATO KFOR International Force (Kosovo Forces); the military contingent counts up to 300 soldiers and civilian personnel;

PMC EUFOR ALTHEA - Polish soldiers have been present in Bosnia and Herzegovina for almost 25 years. Our involvement began with participation in the international mission IFOR in 1995. Polish 16th airborne battalion was a part of the Nordic-Polish Brigade (NORDPOLBDE). Currently, soldiers of the Polish Military Contingent train, advise and build

selected combat capabilities of the BiH Armed Forces in accordance with NATO and EU standards. They are also monitoring compliance with international agreements and treaties in the assigned area of responsibility. In addition, the PMC implements a number of projects related to supporting local authorities in maintaining safe conditions for the implementation of the arrangements contained in peace agreements. Apart from strictly training activities, PMC supports and organizes humanitarian aid, as well as provides mine awareness education. The Polish Military Contingent EUFOR / MTT in Bosnia and Herzegovina amounts up to 50 soldiers and civilian personnel.

PMC EUTM RCA mission is part of the broader European Union commitment (political, economic, development aid and security) in response to the crisis in the Central African Republic. The military contingent counts 2 soldiers.

PMC OIR IRAQ - Republic of Iraq, Kingdom of Jordan, State of Qatar and State of Kuwait; operation *Inherent Resolve* within the framework of the Global Coalition against Daesh; the military contingent counts up to 350 soldiers and civilian personnel.

PMC ORLIK 9 - Baltic Air Policing Mission- the Polish Armed Forces regularly devotes its jet fighters to NATO's Baltic Air Policing Mission. The main objective of the Air Policing mission, conducted in the airspace of Lithuania, Latvia and Estonia, is to patrol and prevent the violation of the airspace of the respective countries and to provide assistance to military and civilian aircraft in emergency situations occurring during the flight. The military contingent counts up to 140 soldiers and civilian personnel;

PMC Latvia - the decision to launch the enhanced Forward Presence (eFP) was made during the NATO Summit in Warsaw in 2016. The deployment of multinational battle groups to Estonia, Latvia, Lithuania and Poland was aimed at increasing the defense and deterrence potential of NATO in the eastern flank of the North Atlantic Alliance. The multinational battle group formed by Canada includes units from Albania, Italy, Poland, Slovenia and Spain. In total, more than 1,000 soldiers are stationed in Latvia under the NATO flag. The military contingent counts up to 200 soldiers and civilian personnel (4 F-16 fighter aircrafts).

PMC Romania and Bulgaria - the decision to launch the tailored Forward Presence (tFP) was made during the NATO Summit in Warsaw in 2016. The deployment of multinational battle group to Romania was aimed at increasing the defense and deterrence potential of NATO in the south-eastern flank of the North Atlantic Alliance. Poland declared deployment to Romania of the military unit as part of NATO's tailored Forward Presence. The multinational brigade was created on the basis of the Romanian brigade and the headquarters of the Multinational Division South-East. The military contingent counts up to 250 soldiers and civilian personnel.

EUNAVFOR IRINI - since April 1, 2020, Poland has continued its commitment to the security of the European Union and takes part in the new EU operation EUNAVFOR MED IRINI, which focuses on enforcing the arms embargo on Libya. In addition, we delegate officers to the headquarters of EUNAVFOR Atalanta, a naval operation to combat piracy off the coast of the Horn of Africa. The military contingent counts up to 80 soldiers and civilian personnel.

PMC Lebanon (UNIFIL) - the Polish Military Contingent in Lebanon carries out tasks within the United Nations Temporary Forces in the Republic of Lebanon. After 10 years of absence, the Polish Armed Forces returned to the mission in Lebanon as part of the UN mandate as the United Nations Interim Force in Lebanon (UNIFIL). The main tasks of the contingent comprise: protection of civilians, monitoring the demarcation zone, the so-called "Blue line" and the support of the Lebanese government in maintaining peace and security, in accordance with the

United Nations Security Council Resolution no. 1701 adopted on August 11, 2006. The military contingent counts up to 250 soldiers and civilian personnel.

PMC Turkey - NATO's Tailored Assurance Measures mission in Turkey. This is the first mission of the Polish Armed Forces in Turkey. The contingent counts up to 80 soldiers and civilian personnel.

Georgia - EU Monitoring Mission to Georgia/EUMM Georgia; 4 monitors;
Democratic Republic of the Congo/MONUSCO-The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo/MONUSCO; 1 monitor;
Islamic Republic of Afghanistan/UNAMA-The UN Assistance Mission in Afghanistan; 1 monitor;
Kosovo/UNMIK-United Nations Interim Administration Mission in Kosovo/UNMIK; 1 monitor;
Western Sahara/MINURSO-The United Nations Mission for the Referendum in Western Sahara/MINURSO – 1 monitor;
South Sudan/The United Nations Mission in the Republic of South Sudan/UNMISS – 1 monitor.

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

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

Poland is committed to the UN developed concept of arms control, disarmament and nonproliferation of weapons of mass destruction, and confidence and security-building through its active engagement in multilateral organizations that work on global security such as UN, NATO, OSCE. We recognize that the compliance with the principle of transparency, reciprocity and equivalence of the fulfilment of obligations ensures international security at the lowest possible level of military arsenals.

Poland puts into effect, implements, provides transparency, predictability and reliable verification of treaties and agreements in the field of arms control, disarmament and nonproliferation existing on both global and regional level - in the OSCE area.

Poland is a party to the vast majority of multilateral treaties, conventions and agreements, including:

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

- The Convention on the Prohibition of the Use, Storage, Production and Transfer of Antipersonnel Mines and on Their Destruction;
- The Arms Trade Treaty.

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

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

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

- The Nuclear Suppliers Group (NSG);
- The Zangger Committee/the Nuclear Exporters Committee;
- The Australia Group (AG);
- The Missile Technology Control Regime (MTCR);
- The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA);
- The Arms Trade Treaty (ATT).

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

Poland has been involved in the field of arms control, among others pursuing verification activities under the CFE, VD'11 and TOS as well as bilateral agreements on additional confidence and security building measures.

Poland supported promotion of the comprehensive “Joint Proposal” of modernization of the Vienna Document co-sponsored by 34 participating States. In 2018-2020 Poland also offered additional voluntary transparency in the OSCE by presenting briefings at the FSC on exercises “Anakonda 18”, “Dragon 19”, “Defender 20” and sending a voluntary notification on “Saber Strike 17” exercise, “Defender Europe 20 plus” and “Brilliant Jump 20”.

Polish arms control policy is also focused on international cooperation to prevent the proliferation of weapons of mass destruction and the means of their delivery. We are active participants in the control regimes. We follow the guidelines of the EU Strategy on the Weapons of Mass Destruction (The EU's WMD Strategy). Poland volunteered to chair in 2018 the II Preparatory Committee for the 2020 Non-Proliferation of Nuclear Weapons (NPT) Review Conference. Poland also actively participates in the meetings of the G8 Global Partnership against the Proliferation of WMD, the Proliferation Security Initiative and the International Partnership for Nuclear Disarmament Verification.

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

Poland had a significant contribution *inter alia* in EU civilian crisis management missions in the OSCE area. Polish representatives took part in missions in Georgia (EUMM), Kosovo (EULEX), Bosnia-Herzegovina (EUFOR).

Section II: Intra-State elements

1. National planning and decision-making process

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

Defence expenditures

The legal basis for defence planning is enshrined in the of Act of May 25, 2001 on reconstruction, technical modernization and financing of the Armed Forces of the Republic of Poland. The act legislates that annual military expenditures from the state budget should be of not less than:

- a) 2,1% of GDP in 2020;
- b) 2,2% of GDP in 2021-2023;
- c) 2,3% of GDP in 2024-2025;
- d) 2,4% of GDP in 2026-2029;
- e) 2,5% of GDP in 2030 and afterwards.

In addition to the minimum level of defense expenditure, the law sets the selected categories within the framework of defense expenditure. Capital investment expenditure (modernization of the army, hardware purchase and infrastructure maintenance) must account for at least 20% of total defense budget, and the expenditure allocated to research and development must amount to not less than 2.5% of defense expenditure.

Defense tasks are carried out not only by the Minister of National Defense, but also to varying degrees by other authorities of the State, which may therefore participate in the defense expenditure budget.

The Fund For The Modernization Of The Armed Forces

Art. 11. of the Act of 25 May 2001 on the reconstruction and technical modernization and funding of the Armed Forces of the Republic of Poland creates a state earmarked fund - The Fund For The Modernization Of The Armed Forces. The Fund is a non-budgetary source of financing for defense needs. The Fund shall be used to achieve the objectives set out in *The Armed Forces Development Program*. The resources of this Fund shall not expire at the end of the financial year and may be used in subsequent years. The Fund is administered by the Minister of National Defense.

The main sources of revenue of the Fund are:

- revenue for support to foreign troops and renting military polygons;
- revenue for specialized military services;
- damages or contractual penalties received in the course of the performance of certain contractors;

- donations, legacies;
- funds for the settlement of NATO's security Investment Program.

Budget planning and implementation

In view of the importance of public finances for the smooth functioning of the State, the basic principles and procedures for the budget are laid down in the Polish Constitution of 2 April 1997. Details of the rules and procedures for drawing up the draft State budget are laid down in *the Law of 27 August 2009 on public finances*.

The basis for the planning and defence programming are the political and strategic decisions in the field of state's defence policy made by the supreme legislative and executive powers. The Parliament, as the supreme legislative body, deals with defence-related issues primarily in the course of its law-making work and when defining basic state policy. Those issues are also addressed during the elaboration of fiscal plans and normative acts relating to the state budget.

The Parliament and its committees (the Senate and the Parliamentary Committee on National Defence) also exercise control functions. The President is the supreme head of the Polish Armed Forces. His advisory body in the field of internal and external security is the National Security Council. According to the Constitution of the Republic of Poland, managing national security in time of peace is exercised by the Council of Ministers, working with the President of the Republic of Poland as part of their domestic and foreign policies. The Council of Ministers is responsible for the internal and foreign policy of the Republic of Poland, ensuring its internal and external security and exercising general control in the field of defence. The implementation of the policy of the Council of Ministers in the field of defence is ensured by the Prime Minister, who also specifies the ways of its implementation. Matters of particular importance in the field of defence may be examined by the Cabinet Council, which shall be convened and chaired by the President of the Republic of Poland.

The tasks of the Council of Ministers involve *inter alia* the development of national security strategy drafts and the planning and implementation of state defence preparations, including planning the development and the potential of the Armed Forces.

The Act of February 22, 2013 on restructuring, modernization and financing of the Polish Armed Forces regulates directions of the development of the Polish Armed Forces, including defining the rules for planning the development of the Polish Armed Forces, sources of financing defence preparations and the size of defence spending. Issues of planning and programming the development of the Armed Forces and defence system are regulated *inter alia* by the Act of November 21, 1967 on the common duty to defend the Republic of Poland (Journal of Laws of 2002, No. 21, Item 205, as amended). According to it, the President of the Republic of Poland, in the area of sovereignty over the Polish Armed Forces determines, at the request of the Minister of National Defence, the main directions of development of the Armed Forces and their preparations for the defence of state.

Currently, the long-term Armed Forces development planning is governed by the rules of defence planning of the North Atlantic Treaty Organization. Plans are drawn up in a ten-year planning horizon and updated every two years. The substantive grounds for the development of the Development Program of the Polish Armed Forces are: The Development Strategy of the National Security System and the main directions of development of the Armed Forces and

their preparation for the defence of the state established by the President of the Republic of Poland. The detailed directions of reconstruction and modernization of the Armed Forces determined by the Council of Ministers and the guidelines of the Council of Ministers for the programming of Polish defence preparations.

Within the framework of the long-term defence planning, based on the ten-year planning horizon, are drawn up:

- Development of the Polish Armed Forces Program;
- Economy Mobilization Program;
- Non-military Defence Preparations Program.

The following financial plans are prepared:

- the State's Multiannual Financial Plan (part of the budget – national defence) containing the four-year planning horizon. It provides a basis for the preparation of the budget bill for the next financial year. The Minister of Finance presents to the Council of Ministers a draft State's Multiannual Financial Plan;
- the annual budget of the Ministry of National Defence (with a two-year forecast). The Minister of National Defence issues appropriate decision;
- the Modernization of the Armed Forces Fund's financial plan (including the two-year forecast). It is approved by the Minister of National Defence.

The defence budget shall be approved annually by the Parliament during the general works on the state budget for the next year. The budget draft law, after being approved by the Council of Ministers, is submitted to the Parliament at least three months before the start of the financial year in order to adopt it in a form of an act. Then, in up to four months the Parliament passes the act and presents it to the President of the Republic of Poland, who signs the budget act within seven days.

The control of military expenditure is realized by public and social institutions - the Ministry of National Defence, the Parliament and the Senate and its Commissions of National Defence, the Highest Chamber of Control, the mass-media.

The organs controlling the exchequer are the minister of finances, the General Inspector of Treasury Controls, and the Department of Control of the Ministry of the National Defence. The realization of the budget is examined by, among others, the Highest Chamber of Control and is covered by parliamentary analysis in formulating the national budget.

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

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

As a member of the European Union and NATO, Poland belongs to the group of countries that share common democratic values and a common goal of building a zone of stability and security. It is a part of these activities, and promotes them. This is accomplished through political dialogue, crisis response, and close co-operation with neighboring countries. Poland is developing strong cooperation and friendly relations with all its neighbors, as well as cooperation with other countries of Central and Eastern Europe, seeing it as a chance to strengthen the zone of stability and security in this part of the continent. Poland aims to strengthen the cooperation within the Weimar Triangle, Bucharest Nine and the Visegrad Group, and supports the development of other sub-regional institutions, contributing to greater security and stability.

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

2. Existing structures and procedures

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

All forces and services listed above are subject to civil and democratic control in accordance with the Constitution of the Republic of Poland. The Polish Armed forces remain neutral in political matters and are subject to civil and democratic control pursuant to Article 26(2) of the Constitution of the Republic of Poland.

Democratic control is ensured by constitutional bodies of the legislative and executive powers - Parliament, President, Council of Ministers, Prime Minister and Minister of National Defense.

The President of the Republic of Poland as the Commander-in-Chief of the Armed Forces of the Republic of Poland:

The powers of the President of the Republic of Poland in the scope of State security and national defence result from the provisions of the Constitution of the Republic of Poland of 2 April 1997.

The provision of Art. 126 clause 2 of the Constitution provides that “the President shall ensure the proper observance of the Constitution, safeguard the sovereignty and security of the State, as well as the inviolability and integrity of its territory”.

Furthermore, pursuant to the provisions of Art. 133 of the Constitution, “the President shall be the State representative in foreign affairs”.

The general constitutional norm related to the issue of safeguarding the State sovereignty and security as well as the inviolability and integrity of its territory was expanded on in the Act of 21 November 1967 on universal obligation to defend the Republic of Poland (Journal of Laws of 2004 No. 241, Item 2416 as amended).

Pursuant to Art. 4a, clause 1 of the Act, the President shall:

- approve, on the application of the Prime Minister, the national security strategy;
- issue, on the application of the Prime Minister, by decision, the Political and Strategic Defence Directive of the Republic of Poland and other executive documents for the national security strategy;
- approve, on the application of the Council of Ministers, plans for the national trainings related to defence system and be in charge of their course;
- make decision, on the application of the Prime Minister, concerning the introduction or change of a particular defence readiness of the State;
- may address all public, governmental and self-governmental administration entities, entrepreneurs, heads of other organizational units and social organizations to obtain information important to state's security and defences;
- initiate and provide patronage for the ventures directed at developing patriotic and defence attitudes in the society.

The documents approved and issued by the President constitute the basis for the implementation of the undertakings and planning of the intentions in the field of State security policy, as well as with respect to taking decisions aiming at the improvement the State defence system.

The general competences within the scope of safeguarding the State sovereignty and security and the inviolability and integrity of its territory oblige the President to analyze and assess any threats and activate the actions permissible by law with a view to counteracting the said threats.

Depending on the nature and degree of external threat to the State, the President may order, at the request of the Prime Minister, common or partial mobilization and use of the armed forces to defend the Republic of Poland (Art. 136).

Another important prerogative of the head of State is described in Art. 234 of the Constitution which reads as follows: "If during the Martial Law period, the Sejm cannot convene its meeting, the President of the Republic of Poland shall, on the application of the Council of Ministers, issue statutory instruments within the scope and limits prescribed by Art. 228 clauses 3-5. The said decrees shall be approved by the Sejm during the forthcoming meeting".

The constitutional norm provides special powers to the President, at his sole disposal in a specific situation in the country and within the specific time, by the rights which can be exercised both by the legislative and the executive authorities. It should be emphasized that the President is the only person who is granted such competences, which proves his key role in the State security system.

Furthermore, on the basis of the provisions of the Constitution of the Republic of Poland, the President, with respect to the State security, shall:

- award, at the request of the Minister of National Defence, the military ranks defined in the appropriate acts (Art. 134 clause 5);
- in the event of any threat to the State from the outside, armed attack on the territory of Poland or where the international agreements prescribe common defence against aggression, at the request of the Council of Ministers, may introduce the martial law on the part or whole territory of the State (Art. 229);
- in the event of any threat to the State constitutional system, the security of its citizens or public law and order, at the request of the Council of Ministers, may introduce, for a limited period of

time no longer than 90 days, the state of emergency on any part or on the whole of the State territory (Art.230 clause 1).

It should be stressed that pursuant to Art. 11 clause 1 of the Act of 21 June 2002 on the state of emergency, the President of the Republic of Poland, during such state, at the request of the Prime Minister, may elect to use contingents and detachments of the Polish Armed Forces to restore normal law and order and operation of the State if the forces and means used thus far have been exhausted.

The competences of the President of the Republic of Poland in the security and defence of the State are also defined in the Act on the universal obligation to defend the Republic of Poland. They concern mainly exercising supervision over the Armed Forces:

The President of the Republic of Poland, as the Commander-In-Chief of the Polish Armed Forces shall, at the request of the Minister of National Defence, determine the key directions of the development of the Armed Forces and their preparation to defend the State (Art. 5 clause 1), as well as may take part in the briefing of the executives of the Ministry of National Defence and the Armed Forces of the Republic of Poland (Art. 5 clause 2).

Furthermore, the President shall, on the application of the Council of Ministers or the Prime Minister, decide about the deployment of the Armed Forces outside the territory of Poland. The above shall take place in the event of use of the Armed Forces of the Republic of Poland outside the state borders in order to take part in:

- military conflict or to reinforce the forces of the state or of the allied countries;
- peace mission;
- actions aiming at preventing the acts of terror or the results thereof.

War period and the resulting specific nature of management of the State and its defence require the acceptance of the rule of unilateral command and bearing one-person responsibility. The constitutional provisions mentioned before pertaining to the President's powers in this respect, including acting as the supreme commander-in-chief of the Armed Forces, taking decision on the common mobilization and use of the armed forces to the Republic of Poland, appointing for the time of war the Commander-In-Chief of the Polish Armed Forces, issuing decrees during the period of martial law, predispose the President to manage the State defence during the period of any threat to the State security and during periods of war. However, in this case the component of cooperation between two centers of the executive authority is maintained. The above is regulated by Art. 10 of the Act referred to above on the martial law, which reads as follows: "Where it is necessary to defend the State during the martial law period, the defence shall be managed by the President of the Republic of Poland in collaboration with the Council of Ministers".

The President of the Republic of Poland, during the martial law period, shall in particular:

- elect, at the request of the Council of Ministers, to assign the public authorities the specific positions;
- decide, at the request of the Council of Ministers, about the state of military readiness of the Republic of Poland, hereinafter referred to as the Armed Forces;
- determine, at the request of the Council of Ministers, the responsibilities of the Armed Forces during the period of martial law;
- may appoint, on the application of the Prime Minister, the Commander-In-Chief of the Armed Forces;

- approve, at the request of the Commander-In-Chief of the Armed Forces, the operational plans of the use of the Armed Forces;
- designate, at the request of the Commander-In-Chief of the Armed Forces, the specific areas of the Republic of Poland as the areas of direct warfare”.

While analyzing the legal instruments that are in the possession of the President, one cannot overlook the powers related to the assurance of State’s internal security. Where the use of the armed contingents and squads of police turns out to be insufficient, the President may decide, at the request of the Prime Minister, to use the contingents and detachments of the Armed Forces of the Republic of Poland to assist the Police.

In view of the wide competences granted to the president, particularly those pertaining to the exercising the position of the guardian of the security and sovereignty of the State as well as the inviolability and integrity of its territory, the Constitution sets up the National Security Council as the counselling authority of the President in respect of the internal and external security of the State.

In order to ensure the forum of collaboration in respect of the executive power, the Constitution establishes one more authority in the shape of the Cabinet Council which, however, does not hold any such executive competences.

Pursuant to the Act on the universal obligation to defend the State, the President of the Republic of Poland carries out his responsibilities within the scope of security and defence of the state with assistance from the National Security Council. In the absence of the proper strategic centre at the State level, the body is also responsible for monitoring the undertakings that have an impact on the security and defence of the State.

The President, holding the competences as described above, forms the key link in the security system of our country creating the integrated structure which incorporates all forces and measures of the State provided for the implementation of the security tasks.

The Council of Ministers:

1. The tasks of the Council of Ministers in the field of external State security and general government in the field of national defence shall be in particular:

- developing draft national security strategies;
- planning and implementing defense preparations for states ensuring its functioning in the event of an external threat to security and during the war, including planning of economic and defense projects and tasks for the armed forces and allied forces;
- preparing a system for the management of national security, including defense of the state, and public authorities to function in command positions;
- maintaining a state’s defence readiness at all time, requesting the President of the Republic of Poland to increase it in the event of an external threat to security and during the war and to reduce it in line with the reduction of the threat;
- the identification of facilities of particular importance for the security of the state, including defense, and the preparation of their specific protection;
- the preparation for national defense purposes and the continued readiness of uniform observation, measurement, analysis, forecasting and notification systems;
- the preparation of the permanent emergency system during the external threat to state security and war;

- the establishment of rules for the use of the state's health and technical infrastructure for defense purposes, in this way, the protection of airspace and territorial waters in the event of an external threat to security and during the war;
- ensuring the functioning of the national defense training system;
- conducting state control of defense preparations in the state.

2. The Council of Ministers shall determine, by regulation, the modalities for the implementation of the tasks referred to in paragraph 1, in particular:

- the conditions and modalities for planning and financing the tasks performed in the framework of the defense preparations of the state by the government authorities and local authorities, the manner in which they are imposed and the competence of the authorities in these matters, including operational planning and defense programs;
- the organization and preparation of the national security management system, including the defense of the state, and the conditions for the functioning of the public authorities in the management posts;
- state defense readiness, their types, entry conditions, tasks related to the upgrading of the state's defense readiness and the modalities for its implementation, the organization and tasks of setting up a permanent standby system for enhancing the state's defense readiness and the competence of the authorities in these matters;
- facilities of particular importance for the security and defense of the state, their categories, their specific security tasks and the competence of the authorities in these matters;
- the organization and conditions of the preparation and operation of observation, measurement, analysis, forecasting and notification system of contamination in the territory of Poland and the competence of the authorities in these matters;
- the conditions and manner in which maritime, rail, automotive, air, inland waterway and road and rail transport is prepared and used for the defense of the state and their protection during the war and the competence of the authorities in these matters;
- the conditions and manner in which the competence of the authorities in these matters are to prepare and use the communication systems for the defense of the state;
- the conditions and manner in which medicinal entities are prepared and used within the meaning of the state's defense laws and the competence of the authorities in those matters;
- the organization of national defense training, the entities covered by that training, the planning and implementation tasks of defense training and the competence of the authorities in those matters;
- scope and manner in which the authorities of the government and local government control over the execution of defense tasks performed by business units and entrepreneurs.

The Prime Minister

Pursuant to Article 11(2) of the Act of 29 August 2002 on the state of war and the competence of the Supreme Commander of the Armed Forces if, during the period of martial law, the Council of Ministers cannot meet for the meeting, the constitutional powers of the Council of Ministers shall be exercised by the Prime Minister.

At the time of the introduction of the State of Emergency, the Prime Minister may request the President to use the Armed Forces to restore the normal functioning of the State if the forces and measures used so far have been exhausted.

The Minister of Defence

The Constitution gives the Minister of National Defence the right to realize the President's entitles to the supremacy over the Armed Forces during peace time. The Minister of National

Defence manages the activities of the Ministry of Defence and of the Armed Forces directly and with the assistance of the Chief of the General Staff of the Polish Armed Forces, the Secretary or Secretaries of State, and the Undersecretaries of State. The Minister of National Defence has all disciplinary powers in relation to all persons in active military service; he cannot transfer these powers to any other person. In relation to persons on active military service, the Minister's decisions have the power of a military order.

The Parliament

The Parliamentary Commission for Special Services operates in accordance with the provisions stipulated in the Procedures of the Polish Parliament. The scope of the Commission's powers includes giving opinions on bills, regulations, decrees and other legal acts concerning activities of special services, including examination of the annual reports of heads of special services. Another important task of the Commission is issuing opinions on budget drafts of special services, including annual reports on the implementation of the budgets and other financial information gathered from special services. The Commission evaluates candidates for heads of special services and their deputies.

Special services are obliged to provide the Commission with information about particularly important events in the course of their activities, including suspicion of irregularities in the activities of special services and suspected violations of law. Special services are also obliged to provide access to information, documents and materials which are obtained as a result of fulfilling their statutory tasks.

3. The Judiciary

3.1 Intelligence activities *Special Services*

In the course of performing intelligence operations undertaken by the Internal Security Agency, when other measures have proved ineffective or there is a high probability that they would be ineffective or useless, the court of law may, upon a written request by the Head of the Internal Security Agency submitted upon a written approval of the Prosecutor General, order operational control (Article 27 of the Internal Security Agency and Foreign Intelligence Agency Act of May 24, 2002). Operational control is to be performed in secrecy and may involve the control of the contents of written correspondence, control of the contents of postal parcels and application of technical measures enabling a secret collection and recording of information and evidence, especially the contents of telephone conversations and other information transmitted via telecommunication networks.

The court decision regarding operational control is made by the District Court in Warsaw. In cases of urgency where a delay might result in the loss of information or obliteration or destruction of the evidence of crime, the Head of the Internal Security Agency may order operational control upon a written approval from the Prosecutor General, while simultaneously submitting a request to the court of law for a decision in this matter.

According to par. 1 (1) of the Regulation of the Prime Minister of November 18, 2015 with respect to the detailed scope of duties of the Minister – Member of the Council of Ministers, Mr. Mariusz Kamiński – Coordinator of Intelligence Services and controls the activities carried out by intelligence services. Thus a more direct and efficient oversight mechanism over the intelligence community has been implemented into the Polish legal system.

3.2 Special operations

In criminal cases referred to in Article 5 paragraph 1, subparagraph 2 of the Internal Security Agency and Foreign Intelligence Agency Act, operational activities carried out in order to verify previously obtained credible information about crime, or to establish its perpetrators and to obtain evidence of crime, may consist in a secret acquisition or interception of objects obtained by crime, objects which are subject to forfeiture or objects whose production, possession, transportation or trade in are prohibited. Such operational activities may also consist in accepting or handing in a material profit. Such actions may be ordered by the Head of the Internal Security Agency, for a specified period of time upon prior obtaining a written approval from the Prosecutor General. Then the Head of the Internal Security Agency informs the Prosecutor General on an ongoing basis about the course of those actions and their result. Should the information on the commitment of crime specified in Article 5 paragraph 1, subparagraph 2 be confirmed, the Head of the Internal Security Agency forwards to the Prosecutor General materials collected in the course of the operational activities with a request to initiate a criminal procedure. (Article 29 of the Internal Security Agency and Foreign Intelligence Agency Act of May 24, 2002).

Another form of operational work is set out in Article 30 of the Internal Security Agency and Foreign Intelligence Agency Act of May 24, 2002. In criminal cases referred to in Article 5 paragraph 1, subparagraph 2, within the frames of operational activities carried out in order to record such crimes, to establish the identity of the perpetrators, or to intercept the objects of crime, the Head of the Internal Security Agency may, prior to the initiation of the criminal procedure, order a secret surveillance of the production, transfer, storage and trade in objects of crime, on condition that it would not endanger the life or health of any person. The Head of the Internal Security Agency immediately notifies the Prosecutor General of the ordering, course and results of actions undertaken according to the procedure provided for in paragraph 1, and the Prosecutor General may order that such operational activity be discontinued. Should the information on the commitment of crime be confirmed, the Head of the Internal Security Agency forwards to the Prosecutor General the materials acquired as the result of the operational activity with a request to order the initiation of criminal proceedings.

3.3 Criminal proceedings

The Internal Security Agency may also perform tasks ordered by a court or a public prosecutor to the extent defined in the Criminal Code. All investigative activities of the officers of the Internal Security Agency are subject to judicial supervision.

The Border Guard

According to the Act on the Council of Ministers and the Act on the Border Guard, the control over the activities of the Border Guard exercise both the Prime Minister and Minister of Interior and Administration, who directs, supervises and controls the activity of the organs of the Border Guard.

In particular, the Prime Minister appoints and dismisses the commanders in chief of the Border Guard at the request of the Minister of Interior and Administration. At the same time Minister of Interior and Administration has the right to appoint and dismiss the deputy commanders in chief and regional units commanders of the Border Guard. In addition, the Minister of Interior

and Administration, by regulation, establishes and liquidates the regional units of the Border Guard.

The Border Guard is responsible for protecting the state border on land and at sea and border traffic control, as a separate, unitary, uniformed and armed police-type service.

Under the Act of October 12, 1990 on the Border Guard, the following tasks of formation were defined and performed mainly:

- state border protection;
- fighting border crime and prosecuting perpetrators;
- organization and execution of border traffic control;
- fight against illegal migration;
- execution of international agreements regarding legal relations on the state border;
- supervision of the exploitation of Polish maritime areas and the obeying of regulations valid in these areas by ships,;
- providing law and order within the border crossing as well as in the border zone;
- preventing transportation of drugs, psychotropic and chemical substances, harmful wastes, ammunition and explosives without proper permit required by separate regulations.

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

General leadership in this area is exercised by the President of the Republic of Poland. The implementation of procedures is ensured by the Council of Ministers and its members – the Ministers, who control individual departments.

The Parliament as the supreme legislative authority deals with the defence issues mainly in the course of legislative work and in the course of determining the main activities of the state. These issues also appear in the preparation of financial plans and regulations that affect the state budget. In addition, due to the performed functions, the Parliament:

- regulates all the basic issues of defence by means of enacted laws, and thus directly affects the functioning of the Minister of National Defence and his Ministry;
- affects the appointment of a civilian, being a member of a democratically chosen Council of Ministers, to the position of the Minister of National Defence and enforces his/her responsibility for the implementation of the state policy in the field of defence.

The Parliament and its committees (the Senate and the Parliamentary Committee on National Defence) also exercise control functions.

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

The task of the Polish Armed Forces is:

- ensuring the defence of the state and opposing aggression;
- participation in the process of stabilization of the international situation and in crisis response and humanitarian operations;
- supporting homeland security and providing aid to the public.

To ensure the ability of the state to defend itself and resist aggression within the framework of the allied commitments, the Polish Armed Forces maintain their readiness to carry out the tasks

related to the defence and protection of the inviolability of the borders of the Republic of Poland, by participating in anti-terrorist operations in the country and abroad, by participating in solving local or regional armed conflicts within the NATO's area of responsibility or outside it, by participating in defence operations outside the country according to the alliance commitments, by conducting a strategic defence operation in Poland.

The co-participation in the stabilization of the international situation and in crisis response and humanitarian operations requires the Polish Armed Forces to maintain the strength and ability to: participate in peacekeeping and crisis response operations led by the NATO, the EU, the UN and other operations resulting from international agreements; participate in humanitarian operations conducted by international organizations, governments and others; enable military cooperation in the development and application of confidence and security building measures.

The head of the Polish Armed Forces is the President. In times of peace he exercises authority over the Armed Forces through the Minister of National Defence, who, pursuant to the Article 134 (1) and (2) of the Polish Constitution, is the supreme body of state administration in the field of defence. Consent to the use of military force in the country and abroad is given by the President of the Republic of Poland, the request of the Council of Ministers. The scope of activities of the Minister of National Defence is determined by the Council of Ministers Ordinance of July 9, 1996 on the detailed scope of activities of the Minister of National Defence.

3. Procedures related to the personnel of various forces

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

Regulations concerning the appointment of the professional army personnel are contained in the pragmatic military law - the Act of September 11, 2003 on the professional military service (consolidated text: Journal of Laws of 2018, item 173) and the Regulation of the Minister of National Defence of March 9, 2010 on recruiting to professional military service (Journal of Laws, 2015, item 1299).

Professional military service can be carried out in two ways: permanent and contract. Appointment for permanent service is binding for an indefinite period of time, while for contractual service for a limited time specified in the contract. According to present law there is no limitation of the contractual service duration. This enables to stabilize the military service and to keep the personnel in the Armed Forces.

Candidates for professional soldiers are trained in military schools (in particular cases non-military school with cooperation of military collage) – career officers. There are schools for non-commissioned career officers.

Act of November 16, 2016 of the Act of the Common Duty to defend the Republic of Poland and other acts introduced a new branch of the Armed Forces in Poland – Territorial Defence Forces (TDF; up to 27,000 in 2020), led by the Commander of TDF.

This is a new kind of active military service in Poland. The military service in TDF can last from one year to six years. This is a rotational service: soldiers serve at least once a month for

2 days (in time off from working) and as service at disposal. The military service will be performed in a specialized unit. Soldiers of TDF remain ready for service in designated timeframe.

The tasks of TDF encompass among others fighting with natural disasters and alleviating their consequences, supporting protection, rescue actions and protection of health and human life, participation in crisis management tasks and cooperation with other institutions responsible for national defence.

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

Poland does not have compulsory military service and, therefore, alternatives to military service have not been foreseen.

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

Polish Armed Forces personnel enjoy all the constitutional rights of citizens, with the exception of the right to combine the duties of a professional soldier with the function of a Member of Parliament, including the European Parliament, a Senator, executive positions filled on the basis of election, positions in local governments and the right to associate in political parties and trade unions.

In the event of violation of rights stemming from military service, members of the Forces have the right of administrative appeal, provided for in relevant legislation relating to pragmatics of military service. The rights and obligations of professional soldiers are specified in detail in the fourth chapter of the Act of September 11, 2003 on professional military service (Journal of Laws of 2010 No. 90, Item 593 consolidated text). Among other things, the soldier is entitled to reimbursement of expenses incurred for legal assistance if the preliminary inquiry initiated against him for an offense committed in connection with the performance of his duties will be concluded by a final decision on redemption. Disciplinary matters are regulated by the Act of October 9, 2009 on military discipline (Journal of Laws of 2009 No. 190, Item 1474), which aside from establishing the provision of efficient disciplinary response, emphasizes also the constitutional powers of the soldier.

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

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

In 2020 knowledge of International Humanitarian Law and the Law of Armed Conflicts continued to be disseminated through the system of training and professional development of the entire personnel of the Armed Forces of the Republic of Poland. This issue is addressed within the framework of educational and professional development programs as well as international seminars and training programs organized by the International Committee of Red Cross, International Institute of Humanitarian Law and International Association on Military and War of Law. As a result, standards of education raised in practical trainings for soldiers, intensification for military commanders and staff and for preparing instructors.

The issues of International Humanitarian Law of Armed Conflicts were addressed in accordance with the methodology of the civic education of soldiers in active military service and on the basis of the Decision of the Minister of National Defense of 27.11.2020 on tasks and coordination of training in the field of international humanitarian law of armed conflicts. The topic 'Issues of International Humanitarian Law of Armed Conflicts' is taught in the military schools as a separate subject (candidates for professional soldiers; advanced vocational training for professional soldiers).

Within the system of professional development of the soldiers of the Polish Armed Forces special courses on international humanitarian law were carried out: in the War Studies University (established on May 20, 2016), the Polish Naval Academy, the Military Centre of Civic Education, Training Centers of the Army, the Navy, the Military Police. Issues of International Humanitarian Law of Armed Conflict were addressed in all personal corps of the Polish Army during lessons on civic education.

The scope of knowledge transferred in the course of education, was supplemented, on a regular basis, with information on international agreements – including the new ones – to which Poland is a party, as well as experience gained by participating in peace missions and stabilizing operations. The instructors were supported by legal advisors.

Transferring knowledge, in particular, the importance to abide by the basic principles of the laws of war was emphasized, such as: prohibition of the use of specific methods and means of warfare, the protection of civilian persons (including humanitarian personnel) and the principles of treatment of prisoners and detainees. Teaching was conducted with the use of interactive methods which require participants' involvement, carrying out analysis and solving out special cases.

The above issues were integrated into the conducted exercises. Their main objective was to develop the attitudes and habits of soldiers, which will allow for a proper behavior in extreme combat conditions that is inconsistent with the norms of international law. All the soldiers and civil employees deployed on international missions receive specific pre-deployment training that is tailored to cultural sensitivities for the country in which they are being deployed. Pre-deployment training also includes topics related to international humanitarian law, codes of conduct, human rights, human trafficking, protection of civilians in armed conflicts. The Chief of General Staff of the Polish Army is responsible for coordinating the functioning of the education system in this field.

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

Information on this topic was partially included in Section 4.1 above. In addition, this issue in was included into specialized courses for officers and noncommissioned officers, carried out in the War Studies University, the Naval Academy, Aeronautical Military Academy, the Military Centre for Civic Education, the Navy Training Center, the Land Forces Training Centre and the Training Centre for Peacekeeping.

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

Acting in accordance with the purposes and principles of the UN Charter and the Universal Declaration of Human Rights, Poland has taken responsibility for respecting human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief. Membership in the Polish Armed Forces is open to all qualified Polish citizens regardless of gender, religion, culture, race.

Information on this topic has also been partially included in Section 2.1 above.

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

The information was included in Chapter II, Section 2.1 and 3.3

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

Information was partially included in Chapter II, Section 2.1. Poland supports the strengthening of international cooperation and international law and strictly adheres to accepted international obligations. The adoption of international obligations is automatically incorporated into the national legal system, which ensures its compatibility with international law.

Doctrinal and strategic documents and laws need to be compatible with the ratified international agreements. The study of this compliance, in accordance with Article 188 of the Polish Constitution falls under the jurisdiction of the Constitutional Court, which decides, among others, on the conformity of laws with the ratified international agreements, whose ratification required prior consent granted by statute and on the conformity of legal provisions, issued by central State organs, with Constitution, ratified international agreements and statutes. Polish strategic documents are consistent with the doctrinal documents of NATO and the European Union.

The Government of Poland has dedicated legal services that provide advice in the field of international law and policy, both within the Ministry of Defence, the Armed Forces, the Ministry of Foreign Affairs, and Ministry of Justice. Lawyers for these legal services are involved in developing defence policy and doctrine and providing legal advice to ensure compliance with Poland's international legal obligations.

Section III: Public access and contact information

1. Public access

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

This information is available on the websites of the Ministry of Foreign Affairs (www.gov.pl/web/diplomacy) and the Ministry of National Defence (www.gov.pl/web/national-defence).

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

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

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

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

Public access to information on the Polish Armed Forces is ensured by the implementation of the information policy of the government and the Ministry of National Defence. It is regulated by Directive No. 27 of October 4, 2016 issued by the Ministry of National Defence. The institution implementing information policy is the Public Information Section in the Operational Center of the Minister of National Defence.

The Ministry of National Defence pursues the information policy through a range of modern tools. Providing current information for the public and the personnel of the Armed Forces takes place through the official websites (in the form of press releases, information, reports, as well as photo and video galleries). The main sources of information include the official web site of the Ministry of National Defence www.mon.gov.pl and the www.wojsko-polskie.pl.

Profiles of the Ministry of National Defence are maintained on Facebook (main profile, a profile with ZOOM photos and a profile for veterans), Twitter (main profile in Polish and English and a profile for veterans), Google and YouTube.

The public is also kept informed by the Military Publishing House in Warsaw. The main activities of the Institute in 2019 was issuing of online media products, including:

- a) online journal-portal (www.polska-zbrojna.pl);
- b) magazine "Armed Poland";
- c) "The Armed Forces Review"
- d) "The Veteran Courier"
- e) "Armed Poland – History"
- f) scientific quarterly "Quarterly Bellona".

2. Contact information

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

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

Section IV

Additional information on the implementation of the Security Council Resolution No. 1325 concerning women, peace and security, submitted pursuant to the provisions of the OSCE Action Plan for the promotion of gender equality, in accordance with the Ministerial Decision No. 14/04, as well as No. 14/5 on Women In Conflict Prevention, Crisis Management and Post Conflict Rehabilitation.

These issues were carried out during training and courses for professional soldiers and civil employees (among others - special trainings which included following topics: international humanitarian law, protection of human rights in the situation of an armed conflict, implementation of international human law during an armed conflict). Training on "Integration and command in the military environment - rights of guarantee of equal status for men and women" took place in 2020.

Supplementary trainings for professional soldiers were continued in 2020. They included courses on gender equality in military service, UNSCR No. 1325, prevention of aggression, violence and discrimination. The physical exams are diversified accordingly to sex, but training in military service remains identical. There is no limit in number of women serving in the armed forces.

Before deployment to missions soldiers received training courses on the Resolution No. 1325 as well as medical and psychological support. Needs of women were accordingly included in the projects carried out by the Armed Forces of the Republic of Poland.

The female soldiers' representative body in the Ministry of Defense is the Women's Council. Its tasks are to present the Ministry with opinions and analysis in the range of women's army service and providing help in pertinent matters.

The Council is elected democratically by women serving in the Polish Armed Forces and it consists of the Defense Ministry, the General Command of the Armed Forces, and Military Gendarmerie representatives.

On the basis of the decision of the Minister of National Defence regarding the functioning of the Women's Council in the Ministry of National Defence, the Council's position was strengthened by subordinating its chairman directly to the Minister. This is to enable a faster and direct response to all situations requiring urgent intervention involving the service of female soldiers. On the basis of this decision, supernumerary plenipotentiaries for the military service of women in military units at the level of independent battalions (and equivalent units) and above were also appointed. In the case of a violation of interpersonal relations in which a female soldier is one of the parties, the representative is obliged to immediately inform the Council, so that the body is available to review the reported case.

In 2020 there were further changes introduced in the development of the professional military service of women. First of all, an increase in the number of women in the military and their

appointment to positions in all branches of the Armed Forces and personnel corps was apparent. Women's interest in the military service was a result of appropriate information about the possibilities of pursuing a career in the Polish Armed Forces. In addition to serving as part of the medical service and other logistics services, women were increasingly taking command positions.

Women have been serving in the Polish army for more than 30 years. The universities and military academies have continued to be the main source of recruitment of women (up to 1000 students in 2020). There are around 7915 female soldiers in the Polish Army (3500 in Territorial Defense Forces), what constitutes nearly 7,50 percent of all professional soldiers in service. The number is on a systematic rise.

Around 1,000 female soldiers serve in the General Staff, over 500 are team, platoon, company, medical evacuation units or the commanders of other formations.

The participation of women in peacekeeping and stabilization operations.

In support of the UNSC Resolution No. 1325, 225 woman (176 professional soldiers and 47 civil employees) were deployed to foreign missions in 2020:

- in the PMC KFOR – 26 (11 soldiers and 15 civil employees);
- in the PMC OIR IRAK – 30 (20 soldiers and 10 civil employees);
- in the PMC AFGHANISTAN RSM – 22 (17 soldiers and 5 civil employees);
- in the PMC EUFOR – 9 (6 soldiers and 3 civil employees);
- in the PMC LATVIA – 13 (9 soldiers and 4 civil employees);
- in the PMC ROMANIA – 28 (23 soldiers and 5 civil employees);
- in the PMC ORLIK – 3 (2 soldiers and 1 civil employees);
- in the PMC SOPHIA – 3;
- in the PMC UNIFIL – 32 (29 soldiers and 3 civil employees).

ANNEX – List of international agreements and arrangements

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

	Name of the treaty	Party by: ratification P(R), accession P(a), succession P(s), acceptance P(A), approval P(AA), or Not party	Law and date of ratification, accession, succession, acceptance or approval
Universal legal instruments			
1	Convention on Offences and Certain Others Acts Committed on Board Aircraft (1963)	PL (R)	09.01.1971
2	Nuclear Non-Proliferation Treaty (1968)	PL (R)	03.05.1969
3	Convention for the Suppression of Unlawful Seizure of Aircraft (1970)	PL (R)	20.04.1972
4	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971)	PL (R)	14.11.1974
5	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1972)	PL (R)	11.12.1972
6	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons (1973)	PL (R)	12.10.1982
7	International Convention against the Taking of Hostages (1979)	PL (R)	13.03.2000
8	Convention on the Physical Protection of Nuclear Materials (1979)	PL (R)	08.09.1983
9	Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or Have Indiscriminate Effects (1980)	PL (R)	24.02.1983
10	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988)	PL (R)	31.05.2004
11	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)	PL (R)	08.04.1991
12	Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988)	PL (R)	08.04.1991
13	Convention on the Marking of Plastic Explosives for the Purpose of Identification (1991)	PL (R)	07.07.2006

14	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (1993)	PL (R)	27.07.1995
15	International Convention for the Suppression of Terrorist Bombings (1997)	PL (R)	31.12.2003
16	International Convention for the Suppression of the Financing of Terrorism (1999)	PL (R)	10.07.2003
17	United Nations Convention against Transnational Organized Crime (2000)	PL (R)	02.10.2001
18	Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (2001)	PL (R)	21.02.2005
19	Protocol on Explosive Remnants of War to Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (2003)	PL (R)	01.07. 2011
20	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	PL (R)	14.12.2012
21	International Convention for the Suppression of Acts of Nuclear Terrorism (2005)	PL (R)	22.03.2010
22	Amendment to the Convention on the Physical Protection of Nuclear Material (2005)	PL(R)	08.05.2006
23	Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005)		
24	Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixes Platforms Located on the Continental Shelf (2005)		
25	Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation (2010)		
26	Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (2010)		
The Council of Europe legal instruments			
27	European Convention on the Suppression of Terrorism (1957)	PL (R)	30.04.1993
28	European Convention on the Suppression of Terrorism (1977)	PL (R)	13.12.1995
29	European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990)	PL (R)	10.01.2000
30	Convention on Cybercrime (2001)	PL (R)	29.01.2015
31	Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (2003)	PL (R)	29.01.2015
32	Protocol amending the European Convention on the Suppression of Terrorism (2003)	PL (R)	25.10.2004
33	Council of Europe Convention on the Prevention of Terrorism (2005)	PL (R)	03.03.2008

34	Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005)	PL (R)	30.05.2007
35	European Convention on Extradition (1957)	PL (R)	30.04.1993
36	Additional Protocol to the European Convention on Extradition (1975)	PL (R)	30.04.1993
37	Second Additional Protocol to the European Convention on Extradition (1978)	PL (R)	30.04.1993
38	European Convention on Mutual Legal Assistance in Criminal Matters (1959)	PL (R)	09.01.1996
39	Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (1978)	PL (R)	09.01.1996
40	Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (2001)	PL (R)	08.09.2003
41	European Parliament and EU Council Directive of May 11, 2016 on establishing European Police Office (Europol)		

Export control regimes			
42	The Nuclear Suppliers Group	PL (R)	1978
43	The Australian Group	PL (R)	1985
44	The Wassenaar Arrangement	PL (A)	19.11.1996
45	The Zangger Committee		2006
46	The Arms Trade Treaty	PL (R)	15.12.2014

Please list below any other regional, sub-regional, or bilateral agreements or arrangements relevant to preventing and combating terrorism and related co-operation in criminal matters, to which your country is a party.

47	Agreement between the Government of the Republic of Poland and the Government of the Republic of Hungary on cooperation in combating terrorism, illegal trafficking in drugs and organized crime (1996)	PL (A)	05.12.1996
48	Agreement between the Government of the Republic of Poland and the Government of the Republic of Slovenia on cooperation in combating terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors (1996)	PL (A)	02.12.1996
49	Agreement between the Government of the Republic of Poland and the Government of the French Republic on cooperation in internal affairs (1996)	PL (A)	02.12.1996
50	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Spain on cooperation in combating organized crime and other serious crimes (2000)	PL (R)	14.10.2003
51	Agreement between the Government of the Republic of Poland and the Government of Romania on cooperation in combating organized crime, terrorism and other types of crimes (2001)	PL (R)	05.05.2003
52	Agreement between the Government of the Republic of Poland and the Government of the Republic of Ireland on cooperation in combating organized crime and other serious crimes (2001)	PL (R)	14.10.2003
53	Agreement between the Government of the Republic of Poland and the Government of the Republic of Bulgaria on cooperation in combating crime (2002)	PL (R)	14.10.2003
54	Agreement between the Government of the Republic of Poland and the Government of the United Mexican States on cooperation in combating organized crime and other types crimes (2002)	PL (R)	14.10.2003
55	Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation of police, border guard and custom forces (2014)	PL (R)	30.03.2015
56	Agreement between the Government of the Republic of Poland and the Government of the Republic of Kazakhstan on cooperation in combating organized crime and other types of crimes (2002)	PL (R)	24.04.2003
57	Agreement between the Government of the Republic of Poland and the Government of the Republic of Tajikistan on cooperation in combating crime (2002)	PL (R)	21.01.2004

	the Government of the Socialist Republic of Vietnam on cooperation in combating organized crime (2003)		
62	Agreement between the Government of the Republic of Poland and the Government of the Republic of Moldova on cooperation in combating organized crime and other types of crimes (2003)	PL (R)	09.06.2004
63	Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on cooperation in combating crime (2003)	PL (R)	20.09.2004
64	Agreement between the Government of the Republic of Poland and the Government of the Republic of Armenia on cooperation in combating crime (2004)	PL (R)	14.02.2005
65	Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on cooperation in combating crime and joint actions in border regions (2004)	PL (R)	26.06.2006
66	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Sweden on cooperation in combating serious crime (2005)	PL (R)	17.09.2005
67	Agreement between the Government of the Republic of Poland and the Government of the Republic of Chile on cooperation in combating organized crime (2006)	PL (R)	19.07.2007
68	Agreement between the Government of the Republic of Poland and the Government of the Republic of Macedonia on cooperation in combating organized crime and other types of crimes (2008)	PL (R)	28.11.2008
69	Agreement between the Minister of National Defence of the Republic of Poland and the Ministry of National Defence of the Republic of Lithuania concerning cooperation in the field of defence (2010)	PL (A)	24.08.2011
70	Amendment to the Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on cooperation in combating crime and joint actions in border regions signed in 2005 (2010)	PL (R)	31.01.2011
71	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Saudi Arabia on cooperation in the fight against crime (2007)	PL (R)	07.02.2008
72	Agreement between the Government of the Republic of Poland and the Government of the Republic of Austria on cooperation in preventing and combating crime (2002)	PL (R)	12.09.2003
73	Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Belgium on cooperation in combating organized crime (2000)	PL (R)	22.09.2003
74	Agreement between the Government of the Republic of Poland and the Government of the Republic of Cyprus on cooperation in combating organized and other forms of crime (2005)	PL (R)	26.09.2005
75	Agreement between the Government of the Republic of Poland and the Government of the Czech Republic on cooperation in combating crime, protection of public order and collaboration in border regions (2006)	PL (R)	06.03.2007
76	Agreement between the Government of the Republic of Poland and the Government of the Republic of Finland on co-operation in prevention of and combating against organized crime and other crimes (1999)	PL (R)	22.09.2003

77	Agreement between the Government of the Republic of Poland and the Government of Georgia on the cooperation in the fight against organized crime and other types of crime (2007)	PL (R)	19.03.2008
78	Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on cooperation of police and border guard forces in border regions and in combating crime (2006)	PL (R)	26.02.2007
79	Agreement between the Government of the Republic of Poland and the Government of the Republic of Ukraine on the cooperation in combating organized crime (1999)	PL (R)	03.06.2003
80	Agreement between the Government of the Republic of Poland and the Government of the Uzbek Republic on the cooperation in combating organized crime (2002)	PL (R)	07.10.2003
81	Agreement between the Government of the Republic of Poland and the Government of the Republic of Italy on the cooperation in combating organized crime (2007)	PL (R)	07.02.2008
82	Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Brazil on cooperation in combating organized crime and other crime, signed on October 9, 2006.	PL (R)	15.07.2008
83	Agreement between the Government of the Republic of Poland and the Government of the Republic of Croatia on cooperation in the fight crime, signed on July 9, 2010.	PL (R)	05.12.2014
84	Agreement between the Government of the Republic of Poland and the Government of the Republic of Azerbaijan on cooperation in combating international terrorism, organized crime and other forms of crime, signed on June 4, 2008.	PL (R)	15.12.2008
85	Agreement between the Government of the Republic of Poland and the Government of the Republic of Serbia in cooperation on combating organized crime and other forms of crime, signed on November 7, 2011.	PL (R)	21.07.2015
86	Agreement between the Government of the Republic of Poland and the Government of the Republic of Indonesia in cooperation on combating organized crime and other forms of crime, signed on July 2, 2005.	PL (R)	30.01.2006
87	Agreement between the Government of the Republic of Poland and the Government of the Arab Republic of Egypt on security matters (1996)	PL (A)	25.02.1997