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Subject: Schengen evaluation of the new Member States
- Reply from Poland to the additional questions presented by the
Commission Services concerning drugs

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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COUNCIL OF
THE EUROPEAN UNION

Brussels, 17 February 2006

6051/1/06
REV 1

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SCH-EVAL 14
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NOTE

from : the Polish delegation

to: the Schengen Evaluation Working Party

No. prev. doc. : 5144/06 SCHEVAL 8 COMIX 18

Subject : Schengen evaluation of the new Member States

- Reply from Poland to the additional questions presented by the Commission Services concerning drugs

Schengen Evaluation – Drugs

Polish answers to the questions after an examination of the replies to the questionnaire

GENERAL QUESTIONS

Please indicate whether Poland has a current national Drugs Strategy and/or Action Plan.

Polish National Programme on Counteracting Drug Addiction 2002 – 2005 has been finished. The new one: “The National Programme on Counteracting Drug Addiction 2006 – 2010”, at this moment is in the phase of the interministerial discussion, after that it will be adopted. Taking account the diversity among countries it should be noted the Polish National Programme on Counteracting Drug Addiction (former and current one) includes national drugs strategy and action plan together. This solution is similar to approaches representing by other Member States (Spain, Portugal, Ireland, Finland and the Czech Republic);

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Please indicate the number of personnel in the Polish police and Customs Administration involved in combating drug production and trafficking.

Number of the police officer in the Central Bureau of Investigation involved in combating drug production and trafficking: 360

Please provide details of the roles of the Polish police, customs service and internal security agency in combating drug production and trafficking. Please indicate the basis for co-operation between them and provide details of the successes of their joint investigations and operations including with the Border Guard since 1 January 2003.

The Polish Police is the main law enforcement agency involved in combating drug production, trafficking and drug related crimes and only one operating in so large scope. In this context completely fulfils obligations (penal provisions) included in the Law on counteracting drug addiction on 1997 (last amended 2005). Other (i.e. Customs Service) after drug confiscations hand over cases to Police in order to conduct investigations. Special agency in the frame of Polish Police responsible for combat the all form of organized criminality (including drug production and trafficking) is the Central Bureau of Investigation. The scope of intelligence and investigation activities of the CBI is focus on:

- smuggling of drugs (large scale);
- smuggling of arms, explosives, alcohol and tobacco;
- smuggling of human beings;
- activity of organized criminal groups (national, international and ethnic);
- acts of criminal terror;
- financial and corruption offences;
- undercover operations;
- protection of crown witnesses (special program).
- others.

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General base for co-operation between Police and others law enforcement administration is the Act of Police. Furthermore, the following law enforcement agencies concluded a number of cooperation agreements, such as:

- Agreement between the Minister of Finance and the Police Commander-in-Chief on Customs Service and Police cooperation 06.11.2003;
- Agreement between the Border Guard Commander-in-Chief and the Police Commander-in-Chief on Border Guard and Police cooperation 17.06.2004;
- Agreement between the Police Commander-in-Chief and the Inspector General for Fiscal Control on Police and Fiscal Control Services cooperation 11.01.2005;

Outcome of co-operation in combating drug-related crime (concerning only those joint activities which resulted in seizure of drugs or apprehension of persons):

Year	Number of activities	Co-operating authorities	Number of apprehended persons.	Amounts of substances seized under the Act on Counteracting Drug Addiction
2003	144	Police, Customs Service	125	Psychedelic mushrooms – 569 g Marihuana – 3559.276 g Amphetamine – 1416.263 g. i 5 portions. Hashish – 125.767 g Cocaine – 1.145 g Ecstasy – 99 pills Durabolin – 19 ampoules Testosteron – 22 ampoules Anabolic steroids (anabolics) – 12 items Cannabis – 7.5 g. Cannabis seedlings – 13 items Cannabis seeds – 163 items Heroin – 7 g

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2004	214	Police, Customs Service	226	<p>Cannabis seedlings – 2178 items Marihuana – 11477.981 g. Amphetamine – 1203.1 g i 110 portions. Hashish – 242.4 g Cocaine – 13 g Ecstasy – 5635 pills Anabolic steroids (anabolics) – 3400 items Methadone – 0.2 ml Primobolan (Methenolone Enanthate) – 7 ampoules Cannabis seeds – 128 items “Polish heroin” – 20 l. LSD – 3 ml. Poppy straw – 3800 g Morphine – 3 ampoules. Psychedelic mushrooms – 5204 items Heroin – 6.8 ml and 9.2 g</p>
2005	210	Police, Customs Service, Internal Security Agency	233	<p>Amphetamine – 15049.254 g. Metamphetamine – 203.12 g Ecstasy – 1101 pills LSD – 71 pills Marihuana – 11777.078 g. Cocaine – 4 kg Hashish – 205.21 g Anabolic steroids (anabolics) – 20 000 items Psychedelic mushrooms – 421 items Cannabis seedlings – 11 items Heroin – 0.5 g “Polish heroin” – 350 l.</p>

Question 126 (d)

Please provide brief details of any protocol or agreements concluded by the polish law enforcement agencies with international carriers which relate to combating drug production and trafficking.

There are no specific protocols or agreements concluded by the polish law enforcement agencies with international carries which relate to combating drug production and trafficking. The base for general co-operation is included in the provision of the Act of Police on 1990 (last amended 2005).

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Question 126 (f)

For the 49 controlled deliveries please indicate which were national and which were international. Please indicate the foreign law enforcement agencies involved in these deliveries.

All of 49 CD indicated in the last paper had the international aspect. Most of them have been carried out together with Bundeskriminalamt (BKA) and HM Customs & Excise – NIS (co-operation have been held through their liaisons officers established in Poland).

Question 127 (f)

Please indicate whether any polish law enforcement agency has equipment for analysing urine to detect the presence of drugs concealed inside the human body.

Analyses of urine of presence of drugs are performed by the following law enforcement agency:

- Central Forensic Laboratory of the Polish Police (immunoenzymatic detection followed by chemical confirming analysis);
- Institute of Forensic Research of Ministry of Justice;
- Institute of Forensic Medicine;
- as well as toxicology laboratories at larger hospitals (immunoenzymatic detection).

Question 128 (d)

Please provide brief details of the co-operation between the polish law enforcement agencies and Europol and Interpol in relation to combating drug production and trafficking.

Please provide brief details of any joint investigations and operations in relation to combating drug production and trafficking between Polish law enforcement agencies and foreign law enforcement agencies since 2003.

Central Forensic Laboratory of the Polish Police participates in “Synergy” project, consisting in providing detailed data about evidence recovered from close-down clandestine drug producing laboratories to the Europol “Synthetic Drug Production Equipment” Database.

Furthermore the Central Bureau of Investigation is actively co-operates with Drugs Unit of Europol in the frame of AWF SYNERGY regarding the synthetic drugs and precursors.

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Examples of regional cooperation are:

1. **Project SIGISMUND, SIGISMUND-BIS, EAGLE**

On September 2000 Polish Police in cooperation with Swedish authorities established in order to fight against organized crime and international drug trafficking project SIGISMUND. For that time it was a very successful operation in the field of combating the drugs trafficking, so both parties decided to prolong this project as Sigismund-bis.

Sigismund-bis officially finished in 2003.

Many criminals were arrested in both countries. Police, customs, border police and other authorities have seized lots of kilograms smuggled drugs. The following results were achieved:

- 65 operational actions,
 - discovery of 14 transfer channels,
 - liquidation of 1 laboratory producing amphetamine,
 - apprehension of 153 persons,
 - detection/discovery of:
 - 256 kg of amphetamine,
 - 30 kg of hashish,
 - 2,5 kg of cocaine,
- 12 150 ecstasy pills.

In 2004 Sweden and Poland started the project EAGLE.

The aim of subproject is to focus enforcement agencies involved in drug activities, diversion of chemical precursors used into illegal production drugs and other drug-related crimes.

Coordinative authorities in Sweden are:

National Criminal Intelligence Service and Swedish Customs

In Poland, responsible institution is Central Bureau of Investigation Polish National Police.

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Results of EAGLE 2005/2006:

- 3 extraditions
- 53 persons arrested
- 87 kg of amphetamine seized ,2005
- 1,5 kg of heroine seized, 2005
- 10,3 kg of cocaine seized, 2005
- 135 kg of hashish
- 15 kg of marihuana
- 50 l bmk
- 3 illegal labs dismantled
- 4 drugs and precursors channels disclosed

This project until the end of 2005 was very successful so both sides decided to continue this platform of co-operation as an EAGLE - 2 .All participants decide to invite up from 2006 Polish Border Police and Polish Customs to the cooperation. Project is very active, for beginning 2006 we work in app. 10 ongoing international operations, against over 40 targets, in few different international criminal groups.

2. Operation TRAP III - LITHUANIAN AND POLISH POLICE OPERATION

Polish and Lithuanian Police have decided to take following steps preventing organized cross-border criminality in the region:

- Joint actions against the criminal groups involved in trafficking and producing synthetic drugs and precursors; (covering other types of drugs is possible according to the circumstances);
- Initially, the aim of the Trap III operation in both participating countries are actions against international, organized, criminal groups, engaged in drug smuggling activity;
- Next, if necessary, cooperation in fighting other criminal groups may start between law enforcement agencies of the participating countries.

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Each country has decided which law enforcement institutions take part in this operation and nominated contact persons.

Lithuania and Poland provides information about the movements of suspicious persons across the state border.

Drug Experts Group of Operative Committee of Task Force on Organized Crime in the Baltic Sea Region is regularly informed about the results of operation „TRAP III”.

Question 129

Please indicate the number of illicit laboratories producing amphetamine, methamphetamine or other amphetamine type stimulants dismantled in Poland since 2003.

Since 2003 – 51 clandestine laboratories of synthetic drugs have been dismantled in Poland:

2003 – 10 clandestine laboratories of amphetamine,

2004 – 20 clandestine laboratories (18 amphetamine, 2 BMK),

2005 – 21 clandestine laboratories (18 clandestine laboratories of amphetamine, 2 BMK and 1 GHB).