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Subject: Schengen evaluation of the new Member States

- Reply from Poland to the additional general question presented by
the Commission Services concerning border management

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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SCH-EVAL 13
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NOTE

from : the Polish delegation

to: the Schengen Evaluation Working Party

No. prev. doc. : 5143/06 SCHEVAL 7 COMIX 17

Subject : Schengen evaluation of the new Member States

- Reply from Poland to the additional general question presented by the Commission Services concerning border management

Schengen Evaluation – Border Management

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

The activities relating to management of the Border Guard staff deployed at the Polish borders are performed on the basis of:

- *Strategy for Integrated Border Management for 2003-2005* adopted by the Council of Ministers of the Republic of Poland
- the following documents approved by the Commander-in-Chief of the Border Guard:
 - *Concept of state border surveillance and border traffic control adapted to the standards set out by the Schengen Agreement of 14 June 1985 and the Convention Implementing the Schengen Agreement of 19 June 1990 on the implementation of the Agreement concerning gradual abolishing of border control on the common borders;*

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- Programme and schedule of implementation of tasks set out by the above Programme;
- framework for *Organisational structures of Border Guard Units, Posts and Divisions at the future internal Schengen border* signed on 25 March 2005

Taking into consideration the number of staff deployed to the present Border Guard units performing their tasks at the EU internal border as at 31.12.2005 (Border Guard Posts – approx. 70.69 % of the existing posts filled and Unit Headquarters – about 70.58 %) natural decrease of the number of professional officers (about 150 persons a year) and the planned:

- reduction of the number of officers in border units (Border Guard Posts) at the internal border;
- not filling of new vacancies;
- transferring the unfilled vacancies to the external border,

there will presumably be no need of redeployment of officers from the internal to the external border of the EU. Following the example of other EU Member States there are plans to reduce present number of professional officer positions to about 70 percent. The remaining officers will perform the following tasks:

- carry out border operations and activities (independently or in co-operation with the neighbouring states' services, the Police and other authorities),
- carry out constant and ad hoc surveillance of the area of their unit's operation, with particular attention to the roads running across the border, other important routes, means of transport and other places within the area of the BG unit's/post's operation.
- organise ad hoc mobile control posts/stations for carrying out control activities,
- carry out searches for persons,
- apprehend persons who infringed the law,
- carry out investigation and enquiry activities concerning persons who infringed the law – within the competence of the Border Guard,
- implementation of readmission procedures and initiation of administrative proceedings connected with removal of so called "troublesome" aliens,
- co-operate and exchange of information with the Police, Customs Service, Railway Protection Service, Road Transport Inspection and neighbouring countries' authorities,
- carry out continuous risk analysis and current treat assessment,

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- prepare situation reports concerning the area under the responsibility of the BG post (area of the BG post's operation);
- co-operate with local population of the border region and with local authorities.

Moreover there are plans to extend the tasks of the Border Guard adding protection of transport routes to the BG responsibilities (which is connected with abolishing control at the internal EU borders). Protection of transport routes is to become a part of the activities of Border Guard mobile forces provided for in the Convention Implementing the Schengen Agreement.

The new task should be performed especially in the form of control carried out on roads, at bus stations and in the railway areas due to the fact that the aliens migrating illegally via the territory of the Republic of Poland generally use international transport routes.

The "*Schedule of activities for adapting the organizational structure of the Border Guard Units, Posts and Divisions at the future Schengen border*" approved by the Commander-in-Chief of the Border Guard provides for gradual reduction of the number of Border Guard organizational units performing their tasks at the EU internal border between 2006 and 2007. Therefore about 30 percent of the present staff (including vacancies) of the organizational units located at the internal border will be transferred to the BG Units at the external border in order to:

- a) increase the number of staff working as Flight Securing Forces in all air border BG Posts,
- b) strengthening BG Posts at the EU/Schengen external land border,
- c) maintaining BG Divisions supporting BG Posts,
- d) possible staffing of new planned air border crossings (Modlin and Goleniowo BG Posts).

Apart from the above no additional staffing limits were imposed on the BG organizational units at the internal border of the EU as concerns professional officers.