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SCH-EVAL 72  
COMIX 378

## DECLASSIFICATION

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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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# RESTREINT UE



COUNCIL OF  
THE EUROPEAN UNION

Brussels, 28 April 2006

8442/06

RESTREINT UE

SCH-EVAL 72  
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## NOTE

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from :	the Polish delegation
to :	the Schengen evaluation Working Party
No. prev. doc. :	7053/06 SCH-EVAL 36 COMIX 227
Subject :	Schengen evaluation of the new Member States - Questionnaire - Additional questions presented by the French delegation - Reply from POLAND

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### **1. Please provide a forward plan for the redeployment of staff working at the western border**

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

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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,
- 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.

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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 Regional Units 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 Regional Units 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.

**2. *Are there plans to acquire equipment with a view to modernising the border control services at both an operational and a logistical level? If so, please provide details.***

According to Guidelines No 6 of June 30, 2004 of the Border Guard Commander-in-Chief on organisation of public procurement in the Border Guard Headquarters, a public procurement plan is being drawn up at the Border Guard Headquarters for a given budgetary year.

The plan specifies the purchases of services, equipment and outfit as demanded by the Border Guard organisational units.

In the scope of multi-annual planning, programs are drawn up of the utilisation of financial resources in the framework of the Schengen Fund and the Norwegian Financial Mechanism.



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Based upon annual financial plans of expenditures of proceeds from sale of the Border Guard's redundant assets through the Military Property Agency, the Border Guard's organisational units are provided with supplies.

Moreover, a plan of fitting the formations with equipment and infrastructure necessary to ensure border activities' effectiveness was drawn up as a draft act on the state services' modernisation in 2007-2009.

In addition, equipment purchase and exchange is carried out according to the implementation timetable of tasks provided for in the „Programme of the Border Guard' actions necessary for implementation of the Concept of the state border protection and cross-border traffic control adjusted to the Schengen Agreement and the Convention implementing the Schengen Agreement on gradual abolition of control on the common borders”.

### *3. Please provide details of the numbers of border control staff at individual airports*

<b>Border Guard Regional Units</b>	<b>Airport</b>	<b>Staff</b>	<b>% of posts filled</b>
Morski Regional Unit	Gdańsk – Rębiechowo	121	99.2 %
Bieszczadzki Regional Unit	Rzeszów – Jesionka	38	74.5 %
Nadwiślański Regional Unit	Warszawa – Okęcie	729	86.1 %
	Bydgoszcz	34	81.0 %
	Łódź	34	79.1 %
	Kielce	18	78.3 %
	Poznań - Ławica	116	82.9 %
Karpacki Regional Unit	Kraków – Balice	179	60.3 %
Śląski Regional Unit	Katowice – Pyrzowice	161	94.2 %
Sudecki Regional Unit	Wrocław – Strachowice	98	92.5 %

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## 4. *With regard to the continuing training of border control staff:*

### a) *What activities have taken place over the past four years: how many courses have been organised, on what subjects, for how many officials, how long did they last and what form did they take?*

In 2002 the „new” training scheme was launched. The changes then effected had originated in the need to adjust the training model in place at the Border Guard to the service’s real needs, including needs relating to appropriate training of border control personnel, needs to meet requirements relative to so called „best practices” commonly applied to training schemes in European Union Member States, and necessary modification of the training programmes in order to introduce into it more issues concerned with the Schengen *acquis*.

The training model is oriented to Border Guard personnel’s comprehensive training at various management tiers by means of implementation of the so-called qualified training programmes, specialist training programmes, and skill-improving programmes and vocational improvement courses. An additional element that improves Border Guard personnel’s qualifications is participation of its officers and staff in training programmes financed with the PHARE funds.

### ***Qualified training programmes:***

In line with the aforementioned training programme, officers admitted to the Border Guard’ service, including also such officers, who having completed the training shall be responsible for border control, before assuming independent duties are subject to training at the Border Guard’ training centres, according to the following scheme:

I - basic training, five-month-long

II - training programme equivalent to non-commissioned officer school for high school graduates, three-month-long, following immediately after the five-month-long basic training;

or

- training programme in scope of warrant officer school for college/university graduates, three-month-long, following immediately after the five-month-long basic training.

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At the training centres, training programmes are additionally carried out for officers of the regular service (with three-year service seniority) according to the following training model, which also applies to officers performing duties within the scope of, broadly understood, border control:

- I - three-and-a-half-month-long training programme in scope of warrant officer school for high school or college/university graduates;
- II - service academy course for officers graduated from college/university, ten-month-long.

The aforementioned training programmes are delivered based on national curricula of Border Guard officers' training approved by the Border Guard' Commander-in-Chief

According to the training system described above, all Border Guard officers admitted to the service after the launch of the „new training model”, on admission to the service are referred immediately to the Border Guard training centres for the basic training programme and afterwards to the subsequent non-commissioned officer or warrant officer courses. Therefore, all newly admitted officers, prior to assuming their service duties at the respective units, are introduced to issues concerning the Border Guard' statutory mandate, but with particular consideration of matters of the Community legislation that regulates the issues relating to the EU's external and internal borders. The training programmes curricula are systematically updated and supplemented with additional content as regards legal regulations amended from time to time.

Examples of topics addressed at the aforesaid training programmes include the following:

- Protection of documents that enable crossing the border, issued by EU Member States and third countries.
- Description and protection of residence permit documents and the Polish and Schengen visas.
- Assessment of protection of residence permit documents and the Polish and Schengen visas.
- Determination of the purpose and conditions of alien's entry to the EU territory.
- Entry and stay of EU citizens and aliens exercising the right of free movement.
- Conditions of entry and stay of EU citizens and aliens exercising the right of free movement.
- Entry and stay of aliens to/in the territory of Poland and the EU.
- The Polish and Schengen visas.

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Starting from 2003 until the end of 2006 ca. 1 500 officers annually have been subject to the training programmes for officers newly admitted to the service (preparatory service officers). The training plans for the next year are drawn up in the last quarter of each year (i.e. numbers of trainees and types of training programmes for 2007 shall be determined in the last quarter of 2006).

The numbers of regular service officers trained (service academy courses, warrant officer courses) are the following:

2003 – 80 trainees,

2004 - 230 trainees,

2005 – 400 trainees,

2006 – 200 trainees.

The plans specifying the types of training programmes and the numbers of regular service trainees for 2007 and 2008 are drawn up in the last quarter of the year preceding the calendar year concerned.

## ***Specialist training programmes and skill-improving courses:***

Specialist training programmes and skill-improving courses also constitute integral parts of the training model and the Border Guard training centres' offering targeted first and foremost at individual organisational units. Contents of such training programmes depend on training needs declared by the respective units. The training programmes are designed for officers of the Border Guard' individual organisational units, including, depending on the training programme content, officers responsible for border control. The aforementioned offering is developed for each calendar year in the last quarter of the preceding year.

The specialist training programmes and skill-improving courses include, among others, also programmes such as the following:

- course for surveillance vehicles' operators
- course for specialist controllers of documents
- specialist training in forensic techniques
- training in counteracting cross-border trafficking of hazardous and radioactive materials,
- course in pyrotechnic and radiological reconnaissance
- specialist training of shooting trainings' managers

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- training for multipliers in issues of the European Union legislation and the Schengen Treaty's provisions with particular focus on rules of border-crossing and border control
- specialist training in pyrotechnic and radiological reconnaissance
- specialist training for multipliers in border control issues
- UEU (EUTD) training day

In 2005 ca. 2 035 trainees were trained at ca. 108 training projects, whereas in 2006 the training centres are planning to carry out ca. 163 training programmes for ca. 2 725 trainees.

## *Vocational improvement*

Border Guard officers are also covered with training programmes in the framework of a vocational improvement scheme. This training is delivered at the Border Guards' Regional Unit headquarters and all field units; therefore it also covers officers, who perform border control tasks. Vocational improvement programmes are carried on throughout each calendar year, during the working hours, and it covers all officers to the minimum extent of five class hours (a class hour = 45 minutes) monthly, however, this training may be extended depending on emerging needs of the service. The training content relates to the European Union regulations of border control proceedings based on the Schengen Borders Code, administrative and criminal procedures, issues stemming from assessment of situation with respect of cross-border crime, sports and shooting exercises, and other content as implied by existing needs.

It should be pointed out that in relation with the twinning training programmes held since 2000 and the necessity to fulfil the Schengen standards, over the last few years under the vocational improvement schemes, emphasis was put on addressing issues of migration and asylum policies and practices, and of Schengen standards and procedures, as well as of general knowledge of the European Union.

The implementation timetable of the projects for the next year is approved by the respective Regional Unit Commander by December 15 each year. Based thereon the Post Commanding officers draw up monthly vocational improvement plans.

Moreover, in 2004 the Border Guard acquired funds from the Schengen Fund for organisation of language training programmes with particular consideration of the English language and – although to a lesser degree – the German language. Classes of both languages have been held since March 2005 and shall continue until January 2007 directly at Border Guard Regional Units and in field units, and they cover officers performing border control tasks.

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Total of 1 530 Border Guard officers shall attend English classes and 280 - German.

## **Training programmes delivered under twinning projects over the last four years**

Since 2000 the Border Guard has been the Phare Twinning projects' beneficiary. In training programmes delivered in the framework of the below-listed projects, officers participated who also perform border control service duties in organisation units deployed on both internal and external EU borders.

### ***Twinning Programme PL 99/IB/JH/01b – Strengthening Internal Affairs Administration and Border Management (implementation in 2001 – 2002)***

In the framework of the aforesaid project ca. 2 000 Border Guard representatives were trained, who participated in training programmes, seminars, and study visits home and abroad. Trainings under the project included the following content: Support for development of corruption countermeasures; Support for border control, and management and surveillance procedures; Border traffic control – detection of forged and counterfeited documents; Supervision of land and maritime borders; Supervision of land border/ border traffic control – court procedures for command and concerning operating measures; Crime counteracting measures available to border police; Training of task force for counterfeiting armed networks of immigrant smuggling; Use of computers by the border police for aiding command and control in situation management; Special purpose measures – security at international airports; Police control of border traffic in the light of the road traffic law; Using the specially trained dogs; The Schengen Information System.

### ***Twinning Programme PL 2000/IB/JH/02 Twinning for border management and visa policy (implementation in 2002 – 2003)***

In the project framework, 40 training programmes for the Border Guard were delivered, under which short-term experts from Germany, the Netherlands, and Spain trained ca. 600 trainees from the Border Guard.



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The project's overall objective was to provide support to Polish authorities with respect of the border and visa policies in order to adjust them to the Schengen standards provided for in the Amsterdam Treaty Protocol in view of the future EU external border's shift to Poland's territory. Achieving this objective was possible owing to permanent assistance, advisory, training, and know-how (skills and knowledge) transfer associated with the administrative reform process, improvement of organisational structures and skills of state services responsible for border-protection-related matters. Border Guard officers were trained in immigration policies, counteracting organised crime, cross-border crime analysis, forensic analysis, reacting in crisis situations, document frauds, improvement of data collection and processing related skills, use of the Schengen Information System (SIS) to improve co-operation between individual organisations, and in use and application of the SIS and SIRENE, as well as the Dublin Convention, among other topics.

## ***Twinning Project PL 2001/IB/JH/01a Twinning for border management and visa policy (implementation in 2003 – 2004)***

The project's overall objective was to provide support to Polish authorities with respect to border protection policies, with the assumption of harmonisation with the Schengen standards according to the Amsterdam Treaty Protocol provisions, in view of future location of the European Union's external border in Poland's territory, and complying with priorities defined in the Accession Partnership Agreement and the National Programme of Approaching Accession in the field of Justice and Home Affairs, JHA. The project was implemented by the German Member State with assistance from Austria, Portugal, and Spain (predominantly in the Strategic Steering Group framework).

Altogether, 40 measures were accomplished, under which short-term experts from Germany and Spain have trained 688 Border Guard officers.

Specialist advisory and assistance offered under Twinning 2001 were aimed at: improvement of knowledge on legal provisions in the border control context, as well as of equipment and systems used by EU Member States for border traffic control, improvement of border services' operation in the area of illegal immigration and border crime counteracting.



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Twinning 2002 was divided into the following two projects:

***Twinning Project PL 2002/IB/JH/01 Twinning for border management and visa policy (implementation in 2004-2005)***

The project's overall objective was to achieve harmonisation with the Schengen standards according to the Amsterdam Treaty Protocol provisions, in view of future location of the European Union external border in Poland's territory, and to achieve harmonisation of the Polish legislation, procedures, and administration with the EU's legislation (EU Acquis) as regards maritime and land borders' management, visa policy, and counteracting organised crime and illegal immigration. Altogether 59 measures were accomplished, under which short-term experts from Germany have trained 766 Border Guard officers.

***Twinning Project PL 2002/IB/JH/02 – Capacity building in migration and asylum administration (implementation in 2004-2005)***

The project's main objective was to support the Polish party and enable compliance of the visa administration's operation with the EU standards and *acquis*.

The project was targeted first and foremost at the URiC Office for Repatriation and Aliens personnel, however, the content of the „Provisions of the Dublin II Convention and Eurodac and their applications in Germany and other member states with consideration of geographic location specifics such as external border and refugee routes” training programme turned out so interesting that the Border Guard lodged an initiative to hold another five such courses, which greatly increased the percentage of its share in the project.

The project enabled Border Guard officers' familiarisation with operation of German offices dealing with procedures of refugees' and aliens' handling and of the Dublin Unit. Altogether 24 measures were accomplished, under which short-term experts from Germany have trained 195 Border Guard officers.

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## *Twinning Project PL 2003/IB/JH/02 Twinning for the Border Guard (implementation in 2005 –2006 )*

One of the project's overall objectives has been to provide institutional and administrative support in order to achieve compliance with the Schengen standards as regards the future EU border in Poland's territory (with particular consideration of airports and marine ports), to discuss the issues of the Polish legislation's harmonisation with procedures and modes of border administration pursuant to EU acquis in: border management and surveillance, counteracting organised crime, illegal migration, and corruption. Training programmes under the projects have been targeted first and foremost at officers, whose task is to transfer the knowledge acquired from twinning training courses in their respective units.

The aforesaid project commenced in March 2005 and shall be completed in August 2006. The project has provided for ca. 140 training programmes for Border Guard officers. By the end of December 2005 ca. 1 327 Border Guard officers have been trained.

Moreover, Border Guard officers, including officers performing border control tasks, participated in numerous training programmes delivered in bilateral cooperation with the German, Austrian, British and American parties.

***b) What activities are planned for 2006 and 2007: how many courses will be organised, on what subjects, for how many officials, how long will they last and what form will they take?***

By December 2005 ca. **1 328** Border Guard officers had been trained in the framework of the *Phare Twinning PL 2003/IB/JH/02* project implemented since **March 2005** until **August 2006**. In 2006, the training of ca. **800** Border Guard officers is planned in the framework of the said project.

Moreover, implementation of the following projects shall commence in 2006:

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*Transition Facility PL 2004/IB/OT/03 – „Strengthening intellectual property rights protection”.*

The segment of the project concerning the Border Guard' competence has been limited to the subcomponent 4a. Training programmes involving lectures and workshops for Border Guard officers shall be delivered from **May 2006 until November 2007**. Ca. **260** Border Guard officers shall participate in 13 measures altogether.

The project's overriding objective is to provide information concerning the following:

- intellectual property protection system with respect to all legal titles,
- strengthening inter-organisational co-operation between relevant entities with regard to exchange of information on intellectual property rights protection,
- development of new technologies and methodologies in counteracting intellectual property right infringement,
- development of operating and preventive measures in intellectual property right protection,
- enhancement of intergovernmental and international co-operation as regards intellectual property right protection,
- improvement of procedures of applications development as regards intellectual property rights.

*Transition Facility PL 2004/IB/JH/02 – „Strengthening the process of anticorruption measures implementation in Poland”.*

The segment of the project concerning the Border Guard' competence has been limited to component 6 (the Border Guard) and – on guest basis – to component 7 (Interdisciplinary training). Training programmes involving lectures and workshops for Border Guard officers shall be delivered from **March 2006 until the end of 2007**. Ca. **40** Border Guard officers shall be trained in 4 measures of component 6 altogether.

The project's overriding objective is to tighten the cooperation between Polish and German border services, to counteract corruption in these environments, and preventive and repressive actions.

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*Transition Facility PL 2004/IB/JH/03 – „Inter-organisational cooperation in organised crime counteracting”.*

The project is targeted at the personnel of the Police, Border Guard, Custom Control Department of the Ministry of Finances, and the Prosecutor Office.

The project's overriding objective is:

1. to develop new methodologies and technologies of organised economic crime counteracting,
2. to familiarise with new legislation concerning organized crime,
3. to familiarise with advanced technologies and methodologies of operating analysis in economic and strategic analyses,
4. to develop an effective model of liaison officers' recruitment, training, co-operation, and supervision,
5. to acquire knowledge of new methodologies, tactics, and technologies of international terrorist counteracting,
6. to extend the scope and the capabilities of cross-border crime counteracting.

Training programmes involving lectures and workshops for Border Guard officers shall be delivered from **May until April 2007**. Training of ca. **71** Border Guard officers is planned in component 2 of the said project.

*c) What activities - if any - are planned for 2008?*

In relation with the fact that planning specialist training programmes and skill improving courses are periodical and follow from the level of training programmes' implementation in a given year, and consider the Border Guard' current training needs, developing of the 2008 timetable shall commence in the fourth quarter of 2007.

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**5. *Please provide examples of coordination between the border control authorities and the police with regard to combating cross-border crime.***

Cooperation between the Border Guard's and the Police's organisational units is based on the June 17, 2004 Agreement 8 between the Commander-in-Chief of the Border Guard and the Commander-in-Chief of the Police on cooperation of the Border Guard and the Police and the executive agreement entered at the level of relevant field units of the Border Guard and the Police.

The Border Guard and the Police co-operated first and foremost on the following plans:

- preventive actions aimed in particular at the control of legality of alien's stay in Poland's territory (the operation code-named „Pobyt”), assurance of order and security in the border zone, deepening the operational recognisance of border and common crime related threats,
- operational/recognisance and forensic/investigative activities involving current exchange of information on perpetrators of crime and petty offences within both services' scope of interest, on facts, incidents, and threats occurring in the areas of both services' responsibility, joint operating/investigative actions were undertaken, such as observation of persons and objects, operating findings with respect to persons (also exploiting personal information sources), operating controls, detention of wanted persons, vehicles, and things, searches, on the spot inspections, interrogations of the accused and hearing of witnesses, expert opinions, and forensic expert assessments,
- exchange of information on, among others, wanted and lost persons, perpetrators of crime and petty offences within the both services' scope of interest, on facts, incidents, and threats occurring in the areas of the both services' responsibility.

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6. *Over the past five years, how many illegal aliens have been deported by the Polish authorities? and how many have been deported outside the readmission procedures? Please provide details for each type of border*

<b>Readmission – aliens deported out of the Republic of Poland - by borders</b>				
<b>Border</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>	<b>2001</b>
<b>TOTAL</b>	<b>6 199</b>	<b>5 942</b>	<b>4 836</b>	<b>5 954</b>
Russian	40	21	29	46
Lithuanian	477	109	110	102
Belarusian	4 013	520	536	636
Ukrainian	60	3 247	2 149	2 792
<b>Eastern border - total</b>	<b>1 004</b>	<b>3 897</b>	<b>2 824</b>	<b>3 576</b>
Slovakia	5 594	372	459	456
The Czech Republic	49	560	427	752
<b>Southern border - total</b>	<b>127</b>	<b>932</b>	<b>886</b>	<b>1 208</b>
Germany	356	100	83	92
sea	73	41	4	5
air	605	972	1 039	1 073

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Readmission - aliens deported out of the Republic of Poland in 2001						
Nationality	TOTAL	deportation grounds				
		illegal border-crossing	illegal stay	illegal employment	lack of funds	other
<b>TOTAL</b>	<b>5 954</b>	<b>2 071</b>	<b>1 423</b>	<b>834</b>	<b>125</b>	<b>1 501</b>
UKRAINE	2 032	89	537	662	81	663
ROMANIA	856	566	172	8	9	101
BULGARIA	552	227	182	32	6	105
BELARUSSIA	397	14	89	90	15	189
MOLDOVA	397	71	126	3	4	193

Readmission - aliens deported out of the Republic of Poland in 2002						
Nationality	TOTAL	deportation grounds				
		illegal border-crossing	illegal stay	illegal employment	lack of funds	other
<b>TOTAL</b>	<b>4 836</b>	<b>1 592</b>	<b>1 172</b>	<b>576</b>	<b>118</b>	<b>1 378</b>
UKRAINE	1 701	95	399	304	90	813
BULGARIA	769	292	234	158	5	80
BELARUSSIA	341	8	94	73	9	157
ROMANIA	303	219	71	2		11
ARMENIA	272	50	182	16	2	22



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Aliens transferred under Dublin II in 2005											
Readmission - aliens deported out of the Republic of Poland in 2003											
nationality	nationality TOTAL	TOTAL illegal border- crossing	deportation grounds							sea	air other
			Russia illegal	Ukraine stay	Belarus Employment	Ukraine Employment	Slovakia	The Czech Republic lack of funds	Germany		
<b>TOTAL</b>	<b>5 942</b>	<b>1 796</b>	<b>0 126</b>	<b>510</b>	<b>0</b>	<b>799</b>	<b>0</b>	<b>142</b>	<b>810</b>	<b>0</b>	<b>1 900</b>
RUSSIA		121		9				12	5		95
UKRAINE	<b>2 581</b>	100		454		491		151	2		1 385
STATELESS PERSONS		2									
BULGARIA	<b>579</b>	170		208		128		23	1		50
BELARUSSIA		2									
MOLDOVA	<b>289</b>	84		163		17		1	2		23
CHINA		1									
BELARUSSIA	<b>274</b>	9		83		64		24			94
ARMENIA	<b>273</b>	32		48		2		10			181

Readmission - aliens deported out of the Republic of Poland in 2004						
nationality	TOTAL	deportation grounds				
		illegal border- crossing	illegal stay	illegal employment	lack of funds	other
<b>TOTAL</b>	<b>6 199</b>	<b>1 475</b>	<b>1 041</b>	<b>300</b>	<b>96</b>	<b>3 287</b>
UKRAINE	<b>3 397</b>	<b>95</b>	462	153	52	2 635
BULGARIA	<b>393</b>	<b>95</b>	206	65	7	20
MOLDOVA	<b>355</b>	<b>34</b>	33		1	287
BELARUSSIA	<b>335</b>	<b>13</b>	79	66	22	155
ARMENIA	<b>261</b>	<b>144</b>	94	4		19

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IRAQ	1									1
IRAN	1							1		
KYRGYZSTAN	1						1			
MALI	1									1
NIGERIA	1									1
PAKISTAN	1		1							
SYRIA	1									1
UKRAINE	1							1		

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## Aliens deported w 2005

Nationality	Russia								Lithuania								BELARUSSIA									
	TOTAL	Illegal entry to the Republic of Poland				Order to leave PL Decision on refusal of granting the refugee status	Form of decision enforcement		Illegal border-crossing to RP	TOTAL	Illegal entry to the Republic of Poland				Order to leave PL Decision on refusal of granting the refugee status	Form of decision enforcement		Illegal border-crossing to RP	TOTAL	Illegal entry to the Republic of Poland				Order to leave PL Decision on refusal of granting the refugee status	Form of decision enforcement	
		Illegal stay	illegal employment	lack of funds	other		voluntary	under escort			Illegal stay	illegal employment	lack of funds	other		voluntary	under escort			Illegal stay	illegal employment	lack of funds	other		voluntary	under escort
TOTAL	4645	8	6	1	1	3	3	7	15	13	5	1	7	2	10	5	509	341	152	13	9	167	70	98	125	304
UKRAINE	2469																15	13	10		2	1	2	6	6	
MOLDOVA	477																7	1				1	5	1	2	
ARMENIA	371	2	1	1			1	1	1	1		1			1		47	40	35	1	3	7			14	30
RUSSIA	234	3	3		2		2	4	1	1					1		200	94	43	1	1	14	92	67	95	
BELARUSSIA	230								2	2	2				2		205	180	58	11	5	106	22	3	32	144
BULGARIA	214																									
VIETNAM	151																									11
nationality	UKRAINE								Slovakia								The Czech Republic									
	TOTAL	Illegal entry to the Republic of Poland				Order to leave PL Decision on refusal of granting the refugee status	Form of decision enforcement		Illegal border-crossing to RP	TOTAL	Illegal entry to the Republic of Poland				Order to leave PL Decision on refusal of granting the refugee status	Form of decision enforcement		Illegal border-crossing to RP	TOTAL	Illegal entry to the Republic of Poland				Order to leave PL Decision on refusal of granting the refugee status	Form of decision enforcement	
		Illegal stay	illegal employment	lack of funds	other		voluntary	under escort			Illegal stay	illegal employment	lack of funds	other		voluntary	under escort			Illegal stay	illegal employment	lack of funds	other		voluntary	under escort
TOTAL	2959	2756	377	128	36	2215	1918	40	35	10	9	2	14	5	32	8	38	29	11	10	2	6	9	22	9	
UKRAINE	2347	2290	334	124	33	1799	1443	3	3			3			3		11	11	7	1	3			10	1	
MOLDOVA	439	389	11			378	52	343																		
ARMENIA	41	37	16	4	1	16	10	28																		

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nationality	Germany							sea							lair											
	Illegal entry to the Republic of Poland				TOTAL	Form of decision enforcement		Order to leave PL included the Decision on refusal of granting the refugee status	Illegal entry to the Republic of Poland			TOTAL	Form of decision enforcement		Order to leave PL included the Decision on refusal of granting the refugee status	Illegal entry to the Republic of Poland				TOTAL	Form of decision enforcement					
TOTAL	illegal stay	illegal employment	lack of funds	other		Illegal border-crossing to RP	voluntary		under escort	Total	illegal stay		illegal employment	lack of funds		other	Illegal border-crossing to RP	voluntary	under escort		Total	illegal stay	illegal employment	lack of funds	other	Illegal border-crossing to RP
RUSSIA	10	8	1		7	1																			2	
BELARUSSIA	3	3	3																							1
BULGARIA	9	9	7	2		9		26	10	8	2	6	1													3
VIETNAM	42					34		1				1														1
<b>TOTAL</b>	<b>21</b>	<b>8</b>	<b>1</b>	<b>7</b>	<b>13</b>	<b>6</b>	<b>8</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1051</b>	<b>575</b>	<b>342</b>	<b>17</b>	<b>7</b>	<b>209</b>	<b>471</b>	<b>5</b>	<b>84</b>	<b>678</b>	
UKRAINE	2					1	1																			7
MOLDOVA																										14
ARMENIA	1	1																								42
RUSSIA	4					3	1																			9
BELARUSSIA																										3
BULGARIA	3	3		3		2																				8
VIETNAM																										6
<b>TOTAL</b>	<b>95</b>	<b>24</b>	<b>24</b>	<b>70</b>	<b>1</b>	<b>165</b>	<b>116</b>	<b>92</b>	<b>8</b>	<b>2</b>	<b>14</b>	<b>49</b>	<b>18</b>	<b>18</b>	<b>9</b>	<b>3</b>	<b>1</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>7</b>	<b>3</b>	<b>10</b>	<b>124</b>		

Aliens transferred from Poland in 2005

	TOTAL	Russia	Belarusia	Ukraine	sea	lair	EU external border - total	Lithuania	Slovakia	The Czech Republic	Germany	EU internal border - total
AFGANISTAN	10			4		3	7				3	3
ALBANIA	4					3	3			1		1
ALGERIA	8					7	7				1	1
ARMENIA	392	2	47	61		279	389	1			2	3
AUSTRIA												
AZERBAIJAN	7					5	5				2	2
BANGLADESH	3					2	2			1		1
BARBADOS												
STATELESS PERSONS	12					6	6	3			3	6
BHUTAN												
BELARUSSIA	240		208	8		18	234	2		3	1	6
BULGARIA	215		7	36		165	174		27	11	3	41
CHINA	70					27	70					
THE CZECH REPUBLIC	217								7	210		217
DENMARK	1									1		1
DOMINICAN REPUBLIC	1					1	1					
JIBUTI												
EGYPT	6					6	6					
ESTONIA												
ETHIOPIA	1					1	1					
PHILIPPINES												
FINLAND	2									2		2
FRANCE	1				1		1					
GREECE	3									3		3
GEORGIA	121		1	79		41	121					
GUATEMALA												
GUINEA	5					5	5					



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MOZAMBIQUE	1									1	1						
NAURU																	
NEPAL	3									3	3						
NEDERLANDS	15									1	1	14					14
GERMANY	44									36	36	4	4				8
UNDETERMINED																	
NIGER																	
NIGERIA	8									8	8						
NICARAGUA																	
PAKISTAN	28			15						12	27	1					1
REUNION																	
RUSSIA	372	5	202	21						107	335	11	15	11			37
ROMANIA	84	6								55	61	5	10	6	2		23
SENEGAL	2									2	2						
SINGAPORE																	
SLOVAKIA	11												8	3			11
SLOVENIA																	
SOMALIA	1									1	1						
SRI LANKA	1									1	1						
SYRIA	2									2	2						
SWITZERLAND																	
SWEDEN	1									1	1						
THAILAND																	
TAIWAN	3																3
TUNISIA	11									10	10		1				1
TURKEY	31									29	29			2			2
TURKMENISTAN	1																
UKRAINE	2 521	13	515	3 278	40	1 151	4 997	46	57	311	51	465					
URUGUAY																	
UZBEKISTAN	5									3	5						
VNEZUELA	1																1
HUNGARY																	
UNITED KINGDOM	1									1	1						
VIETNAM	273									95	256	1	14	2			17
<b>TOTAL</b>	<b>5 462</b>	<b>13</b>	<b>515</b>	<b>3 278</b>	<b>40</b>	<b>1 151</b>	<b>4 997</b>	<b>46</b>	<b>57</b>	<b>311</b>	<b>51</b>	<b>465</b>					



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**7. What is the average number of aliens detained each day in detention centres? (please provide data for each centre).**

The average number of detained aliens - given figures for guarded centres for aliens and detention facilities where arrested aliens are placed prior to expulsion are presented in the table below.

<b>GUARDED CENTRES</b>	<b>The average number of aliens detained each day</b>
Guarded centre in Lesznowola	129

<b>Detention facilities pending expulsion</b>	<b>The average number of aliens detained each day</b>
1. Municipal Police HQs in Wrocław	25
2. Municipal Police HQs in Włocławek	26
3. Municipal Police HQs in Lublin	30
4. Municipal Police HQs in Piotrków Trybunalski	16
5. Police Station Warszawa – Bemowo	12
6. Municipal Police HQs in Gdynia	11
7. Municipal Police HQs in Katowice	presently under renovation
8. Municipal Police HQs In Konin	presently under renovation
9. District Police HQs in Piła	14

**8. How and by which body are detention centres guarded ?**

By virtue of art. 109 par. 2 of the Act on Aliens of 13 June 2003 (Journal of Laws 2003, No 128, it. 1175 with further amendments), “The minister competent with respect to internal affairs shall establish and close, by means of an regulation, the guarded centres for aliens, taking into account the existing needs. The minister shall also indicate the authority of Police or Border Guard, which shall supervise those centres”.

The Regulation of the Ministry of Interior of 26 August 2004 (Journal of Laws 2004, No 190, it. 1952) establishes guarded centre in Lesznowola as an organisational unit of the Voivodship Police Headquarters in Radom, subordinate to Voivodship Chief of Police in Radom, who appoints and dismisses the manager of the guarded centre.

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The second type of aliens detention centres - detention facilities pending expulsion are located in the premises of Police organisational units. The minister competent with respect to internal affairs specifies, by means of an ordinance, the Police organizational units facilities in which aliens arrested for the purpose for expulsion may be placed. At present, Police units which provide detention facilities are specified in the Ordinance No. 2 of the Ministry of Interior of 27 January 2006, amending ordinance on indication of premises to serve as places of detention for aliens pending expulsion.

Unlike guarded centres, detention facilities pending expulsion are also established at lower-level Police units, mostly at District/Municipal Police Headquarters or at Police stations.

## ***9. How and by which body/authority are detention centres supervised ?***

### **Official supervision.**

Official supervision of guarded centres and detention facilities is carried out by the competent Voivodship Chief of Police.

### **Judicial control.**

By virtue of art. 104 par. 5 of the Act on Aliens of 13 June 2003, the district court competent with respect to the location of the guarded centre or the detention facility, in which the alien has been placed, supervises the execution of the ruling on placing an alien in the guarded centre or in the detention facility.

### **Human rights supervision.**

Human rights supervision is carried out by:

- Commissioner for Civil Rights Protection;
- Helsinki Foundation for Human Rights;
- European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).