EVALUATION REPORT ON IMPLEMENTATION OF ACTIONS CO-FINANCED BY THE EXTERNAL BORDERS FUND

(Report set out in Article 52(2) (a) of Decision No 574/2007/EC)
INTRODUCTORY REMARKS

1. The enclosed template is intended to assist Member States in the preparation of the evaluation report which they have to submit to the Commission no later than 30 June 2010, as set out in Article 52(2) (a) of Decision No 574/2007/EC.

Please always use this format, as this is the only way to ensure a homogeneous evaluation across all Member States and for the Community wide evaluation subsequently.

You are free to add any further document you think can be useful in the context of this evaluation. If so, enclose them as an annex, but not as part of this template.

2. When filling in this template please be as concrete as possible, providing facts, examples, figures, etc. It is essential that the description can easily be understood by those who are familiar with the EBF, but not necessarily familiar with the national programme concerned. Wherever relevant highlight national specificities.

3. A maximum length of description is indicated for many items. As far as possible this limit should be respected.

4. The analysis and assessment of the annual programmes under review start with a summary of the most important features of the multiannual programme and of the programmes approved by the Commission. The reason we ask for this is that we need to have a homogeneous presentation for the subsequent Community wide report. In this context, we think you are the best placed to identify the most relevant features of your programmes.

5. When your opinion is asked for, please explain the reasons on which your opinion is based.

6. As the content of this mid term evaluation report is on implementation it is not required to have recourse to evaluation expertise: the report can be prepared by the Responsible Authority itself. However, for your convenience, you may choose to have recourse to evaluation expertise.

In any case please fill in first the questionnaire on the first page of the template.

Whether you had recourse to evaluation expertise or not, the evaluation report must always be signed by the Responsible Authority. The Responsible Authority remains responsible for its content.
Evaluation Report on Implementation of Actions co-financed by the External Borders Fund

(Report set out in Article 52(2) (a) of Decision No 574/2007/EC)

Report submitted by the Responsible Authority of: (Member State)

Republic of Poland

Date:

30 June 2010

Name, Signature (authorised representative of the Responsible Authority):

Grzegorz Polak, Deputy Director
Department of European Union and International Co-operation
Ministry of Interior and Administration

Name of the contact person (and contact details) for this report in the Member State:

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Ministry of Interior and Administration
Phone: 0048 22 60 136 38
E-mail: lucja.chrobot@poczta.mswia.gov.pl
- Did you have recourse to an evaluation expertise to prepare this report?

Yes/ No:  No

- If yes, for what part(s) of this report?

_not applicable_

- Please explain what kind of evaluation expertise you had recourse to:

_not applicable_

* In-house evaluation expertise (for instance, Evaluation department of the Ministry, etc.) : (please describe)

_not applicable_

* External evaluation expertise: (please describe)

_not applicable_

Brief description of the methodology used by the evaluation expertise

**Important remark**

Any evaluation expertise must be obliged by the Responsible Authority to:
- use this template, exclusively
- fully comply with any instruction, methodological note, maximum length, etc. set out in this template.
EVALUATION REPORT ON THE RESULTS AND IMPACTS OF ACTIONS CO-FINANCED BY THE EXTERNAL BORDERS FUND

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5. SUMMARY DESCRIPTION OF THE PROJECTS FUNDED IN THE “AWARDING BODY” METHOD AND IN THE “EXECUTING BODY” METHOD

6. TECHNICAL ASSISTANCE - INFORMATION AND PUBLICITY


Part I

Summary of the Multiannual Programme 2007-2013

ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE AND STRATEGY TO ACHIEVE THE OBJECTIVES

Reference documents to be used for this part:

- Your multiannual programme 2007-2013 as approved by the Commission, in particular Parts 2 and 3 of the multiannual programme
- Any external evaluation of relevance to the items addressed below, if available
- Any other relevant information available to the Responsible Authority
1. **ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE**

*Please provide a summary of Part 2 of your multiannual programme (“Analysis of requirements in the Member State”)*

A concise, but very concrete description is required. It is essential that the description can easily be understood by those who are familiar with the EBF, but not necessarily familiar with your national programme. Wherever relevant highlight national specificities.

**Maximum length: 1 page in total, broken down as set out below**

- The requirements in the Member State in relation to the baseline situation

The key requirements in relation to the baseline situation are:

1. Modernisation and development of the border infrastructure
2. Development of the ICT systems necessary for the border traffic control
3. Development of ICT systems necessary for the surveillance of the external EU borders
4. Modernisation consisting in provision of specialized technology devices and transport equipment with the best and most adequate technical and operating parameters
5. Development of surveillance systems at the European Union external borders
6. Development of a backup centre for the system supporting visa issuance
7. Development of the ICT systems for the issues concerning foreigners (third country nationals)
8. Development of systems of safe communication infrastructure of the head office with consular offices, taking into account needs related to an increased movement resulting from, *inter alia*, the implementation of biometric systems
9. Improvement of the office infrastructure in order to introduce biometric technology (transfer of the visa applicants' photographs and their fingerprints to the Schengen systems)
10. Purchase of proper equipment for biometric measurements and training of staff operating such devices in the consular offices
11. Making the Police IT systems which gather and process biometric data fully accessible to Border Guard units and modernization of those systems
12. Trainings for services dealing with surveillance of the border and Schengen Zone
13. Training of the aircrews in order to provide effective protection of the EU external border
14. Development and implementation of a training system for consular office employees both in the headquarters and in the missions in connection with the development of Schengen systems
- The operational objectives of the Member State designed to meet its requirements

With regards to the identified needs, the following operational objectives have been defined:
1. Adjusting border infrastructure facilities to the European Union standards
2. Maintenance of a high standard of control and effective protection of the European Union external border and ensuring safety in the Schengen Zone
3. Development of surveillance systems at the European Union external border
4. Increasing functionality of the ICT infrastructure of the Ministry of Foreign Affairs
5. Support for biometric infrastructure of consular offices and improvement of data transfer in the visa issuance process
6. Effective management of the visa traffic and foreigner issues
7. Support for the establishment of IT and communication systems required for full implementation of the Community legal instruments in the field of external borders’ security
8. Increasing the qualifications of the services performing tasks in connection with the protection of the border, Schengen Zone, as well as of the consular services in the field of external borders and visas, in particular the Schengen Border Code and the European visa code
2. **STRATEGY TO ACHIEVE THE OBJECTIVES**

Please provide a summary of Part 3 of your multiannual programme ("Strategy to achieve the objectives"), broken down by Priority (each of the five Priorities as defined in the Strategic Guidelines of the Commission - Decision C(2007)3925 of the Commission) as set out on the next pages.

Under each Priority, describe:
- the objective(s) pursued
- examples of key actions
- key actions considered as implementing specific priorities under the chosen priority

Finally list in a separate item all quantified objectives set out in Part 3 of your multiannual programme.

A concise, but very concrete description is required. It is essential that the description can easily be understood by those who are familiar with the EBF, but not necessarily familiar with your national programme. Wherever relevant highlight national specificities.

A maximum length is indicated for each item.
Priority 1: Support for the gradual establishment of the common integrated border management system as regards checks on persons and the surveillance of the external borders
*Maximum length: half a page*

**Operational objective 1**
Adjusting border infrastructure facilities to the European Union standards

**Key actions:**
1. Modernisation, development or construction of the Border Guard posts
2. Modernisation, development or construction of new border-crossing facilities, including the necessary associated facilities

**Operational objective 2**
Maintenance of a high standard of control and effective protection of the European Union external border and ensuring safety in the Schengen Zone

**Key actions:**
1. Development and maintenance of the Central ICT Node of the Border Guard
2. Development and maintenance of the Border Guard’s ICT platform
3. Extension and modernisation of radio communication systems of services carrying out tasks related to the protection of the border and the Schengen Zone
4. Providing services carrying out tasks related to the protection of borders and the border area with modern means of transport

Priority 2: Support for the development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States
*Maximum length: half a page*

**Operational objective 3**
Development of surveillance systems at the European Union external border

**Key actions:**
1. Development of technical border surveillance systems

Priority 3: Support for the issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries
*Maximum length: half a page*

**Operational objective 4**
Increasing functionality of the ICT infrastructure of the Ministry of Foreign Affairs

**Key actions:**
1. Construction and fitting of a backup centre for the system supporting visa issuance
**Operational objective 5**
Support for biometric infrastructure of consular offices and improvement of data transfer in the visa issuance process.

**Key actions:**
1. Providing consular offices with equipment and software for biometric data collection
2. Adapting consulates’ premises to provide services to increased numbers of persons visiting consular offices owing to the introduction of biometry into the visa issuing process
3. Development of connections of the public foreign posts to the public LAN at the Ministry of Foreign Affairs’ Head Office

**Priority 4: Support for the establishment of IT systems required for the implementation of the Community legal instruments in the field of external borders and visas**

*Maximum length: half a page*

**Operational objective 6**
Effective management of the visa traffic and foreigner issues

**Key actions:**
1. Development and maintenance of the Border Guard’s systems for control of legality of foreigners’ stay
2. Improvement of procedures for entry, transit, residence and departure of foreigners in the territory of the Republic of Poland by modernising the ICT system for set of records, files and register of foreigners
3. Providing the Voivode services with ICT equipment and equipment to communicate with other systems: POBYT, SIS, VIS, Biometry

**Operational objective 7**
Support for the establishment of IT and communication systems required for full implementation of the Community legal instruments in the field of external borders’ security

**Key actions:**
1. Making the Police IT systems which gather and process biometric data fully accessible to Border Guard units and modernization of those systems

**Priority 5: Support for effective and efficient application of relevant Community legal instruments in the field of external borders and visas, in particular the Schengen Borders Code and the European Code on Visas**

*Maximum length: half a page*

**Operational objective 8**
Increasing the qualifications of the services performing tasks in connection with the protection of the border, Schengen Zone, as well as of the consular services in the field of external borders and visas, in particular the Schengen Border Code and the European visa code.

**Key actions:**
1. Trainings for services performing tasks related to border and Schengen Zone surveillance, and for consular services
2. Exchange of experiences with personnel of consular offices of other Schengen Zone countries
3. Joint training workshops for the services in the context of requirements of a situation on border
Finally, list the most important indicators set out in Part 3 of the Multiannual Programme 2007-2013 and the corresponding quantified/qualitative targets, broken down by Priority:

*Maximum 5 indicators for each Priority*

### Priority 1
(Main indicators, targets)

<table>
<thead>
<tr>
<th>No</th>
<th>Key actions</th>
<th>Product indicators</th>
<th>Results</th>
<th>Result indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Modernisation, development or construction of Border Guard posts</td>
<td>- Number of Border Guard facilities; modernised/developed/constructed; - Surface of built cubature facilities of the Border Guard.</td>
<td>- Increased number of Border Guard facilities with the possibility to install/garage modern equipment for fast, smooth and thorough control and surveillance; - Increased number of facilities meeting the European standards with regard to working conditions and work organisation of Border Guard employees and officers.</td>
<td>- Number of Border Guard facilities meeting the standards.</td>
</tr>
<tr>
<td>2</td>
<td>Modernisation, development or construction of new border-crossing facilities, including the necessary associated facilities</td>
<td>- Number of border-crossing facilities; modernised/developed/constructed; - Area of border-crossing facilities/modernised/developed/constructed; - Number of purchased devices and equipment improving conduction of effective and quick border control.</td>
<td>- Increased number of border-crossing facilities suitable for modern equipment installation; - Increased number of border-crossing facilities meeting the European Union standards; - Less time spent waiting for checks; - Increased security at external border.</td>
<td>- Number of facilities meeting the equipment standards; - Number of facilities meeting the European Union standards; - Time spent waiting for checks; - Number of detected attempts to cross the border illegally and of other offences within a specified period of time.</td>
</tr>
</tbody>
</table>

1. Development and maintenance of the Central ICT Node of the Border Guard

- Size of additional disc space;
- Number of end devices purchased;
- Computing power of the system;

- Increased border traffic control effectiveness;
- Increased capacity and efficiency of the existing and newly introduced ICT systems;

- Time to access the data output/transfer speed/amount of data processed within a specified period of time;
- Number of systems/software
| 2 | Development and maintenance of the Border Guard’s ICT platform | - Increased number of systems/software supported;  
- Decreased number of ICT system failures; | - Increased border traffic control effectiveness;  
- Increased capacity and efficiency of the existing and newly introduced ICT systems;  
- Decreased number of ICT system failures;  
- Shorter time to remove a system failure. | - Time to access the results/transfer speed/amount of data processed within a specified period of time;  
- Number of failures within a specified period of time;  
- Time needed to remove a system failure. |
| 3 | Development and modernisation of radio communication systems of services performing tasks related to border and Schengen Zone surveillance | - Number of end devices purchased;  
- Number of software applications introduced. | - Increased border traffic control effectiveness;  
- Increased capacity and efficiency of the existing and newly introduced ICT systems;  
- Decreased number of ICT system failures;  
- Shorter time to remove a system failure. | - Time to access the results/transfer speed/amount of data processed within a specified period of time;  
- Number of failures within a specified period of time;  
- Time needed to remove a system failure. |
| 4 | Providing services performing tasks related to border and border area surveillance with modern transport means | - Number of transport means/specialised vehicles/special purpose – technical equipment purchased. | - Increased effectiveness and mobility of the services;  
- Improved coordination and distribution of the services’ forces and resources. | - Number of patrols sent by the border protection services using purchased equipment;  
- Number of interventions performed by patrols using purchased vehicles;  
- Number of detained persons (initiated proceedings) as a result of activity of patrols using purchased equipment;  
- Patrol frequency (kilometres/hours) ;  
- Time needed to remove a system failure. |
react to a situation;
- Time needed to get to the site.

Priority 2
(Main indicators, targets)

<table>
<thead>
<tr>
<th>No</th>
<th>Key actions</th>
<th>Product indicators</th>
<th>Results</th>
<th>Result indicators</th>
</tr>
</thead>
</table>
| 1  | Development of technical border surveillance systems | - Number of communication/stationary or mobile surveillance systems developed;  
- Number of purchased/replaced devices. | - Tightening the border protection system;  
- Extension of access to database resources. | - Length of the border section monitored by mobile and stationary systems;  
- Data access time, transfer speed/amount of data processed in a specified unit of time. |

Priority 3
(Main indicators, targets)

<table>
<thead>
<tr>
<th>No.</th>
<th>Key actions</th>
<th>Product indicators</th>
<th>Results</th>
<th>Result indicators</th>
</tr>
</thead>
</table>
| 1   | Construction and fitting of a backup centre for the system supporting visa issuance. | - Number of backup centre system elements constructed;  
- Number of the system functions provided;  
- % of assumed backup centre elements completed. | - Increased security and number of ICT system functionalities. | - The amount of thematic scope processed in the new backup centre;  
- Number and type of data protection systems and of IT system functionalities;  
- Number of disruptions caused by system failure. |

<table>
<thead>
<tr>
<th>No</th>
<th>Key actions</th>
<th>Product indicators</th>
<th>Results</th>
<th>Result indicators</th>
</tr>
</thead>
</table>
| 1  | Providing consular offices with equipment and software for biometric data collection | - Number of devices for biometric data collection installed at consular offices;  
- Number of biometric data collection software installed/implemented in consular offices. | - IT infrastructure of consular offices adapted to the requirements for organisation. | - Number of consular offices issuing visas outside the Schengen Zone equipped with appliances for collecting biometric features. |
| 2  | Adapting consulates’ premises to provide services to increased numbers of persons visiting consular offices | - Number of premises modernised. | - Increased number of clients handled. | - Number of clients;  
- Time spent waiting for service. |
### Priority 4
(\textit{Main indicators, targets})

<table>
<thead>
<tr>
<th>No</th>
<th>Key actions</th>
<th>Product indicators</th>
<th>Result</th>
<th>Result indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Development and maintenance of the Border Guard’s systems for control of legality of foreigners’ stay</td>
<td>- Number of Border Guard units providing visa traffic management fitted with control systems; Number of persons whose biometric data are communicated to VIS with regard to visa issuance and control.</td>
<td>Border control and legality of foreigners’ stays control systems provided.</td>
<td>- Number of persons checked for biometric match.</td>
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<tr>
<td>2</td>
<td>Improvement of procedures for entry, transit, residence and departure of foreigners in the territory of the Republic of Poland by modernising the ICT system for set of records, files and register of foreigners</td>
<td>Number of registers/records/files in the modernised system.</td>
<td>Facilitated decision-making process of the authorised users of the ICT system for set of records, files and register of foreigners; Facilitated access to statistical information on foreigners registered in the system.</td>
<td>- Procedure duration in cases related to the movement of third countries nationals; - Time to access selected information and lists.</td>
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<tr>
<td>3</td>
<td>Providing the Voivode services with ICT equipment and equipment to communicate with other systems: POBYT, SIS, VIS, Biometry and training in legal regulations and ICT systems</td>
<td>- Number of ICT and communication devices; Number of trainings.</td>
<td>Improved operation of Voivode services.</td>
<td>- Number of persons trained to operate the equipment; - Time to access selected information and records.</td>
</tr>
<tr>
<td>No</td>
<td>Key actions</td>
<td>Product indicators</td>
<td>Results</td>
<td>Result indicators</td>
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<tr>
<td>1</td>
<td>Making the Police IT systems which gather and process biometric data fully accessible to the Border Guard units and modernization of those systems.</td>
<td>- Number of software applications introduced; - Number of items of equipment replaced; - Number of persons trained.</td>
<td>- Support for the establishment of IT and communication systems required for full implementation of the Community legal instruments in the field of external borders’ security.</td>
<td>- Amount of biometric data gathered by the Border Guard in systems’ databases - Number of checks performed by units of the Border Guard.</td>
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<td>2</td>
<td>Exchange of experiences with personnel of consular offices of other Schengen Zone countries</td>
<td>- Number of study visits aimed at familiarising with the functioning of consular offices of other countries; Participation in conferences, works of international committees, expert missions (number of visits); - Number of persons, who participated in events.</td>
<td>- Closer cooperation with services of other Member States.</td>
<td>- Number of working relations with services of other Member States; - Number of working/formal documents created as a result of events/visits.</td>
</tr>
<tr>
<td>3</td>
<td>Joint training workshops for the services in the context of requirements of a situation on border</td>
<td>- Number of joint workshops held.</td>
<td>- Development of common directions of cooperation.</td>
<td>- Common directions of cooperation developed.</td>
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</tbody>
</table>

Priority 5
(Main indicators, targets)
Part II
SUMMARY OF THE ANNUAL PROGRAMMES
2007, 2008 AND 2009
(excluding Technical Assistance measures and Information and Publicity)

Reference documents to be used for this part:

- Your annual programmes 2007, 2008 and 2009 as approved by the Commission, in particular the description of actions
- All other relevant information available to the Responsible Authority
- Any external evaluation of relevance to the items addressed below, if available

Please provide a summary of the actions contained in your annual programmes 2007 through 2009 (based on the description included in item 1 of each action – purpose and scope), broken down by Priority (each of the five Priorities as defined in the Strategic Guidelines of the Commission - Decision C(2007)3925 of the Commission) as set out on the next pages.

Under each Priority describe separately actions/projects implemented under the “awarding body” method, on the one hand, and those under the “executing body” method, on the other hand (where applicable).

No breakdown per year is required, however you will be asked to highlight any significant change to the actions of the programmes concerned in a specific item (see the template on the following pages).

A concise, but very concrete description is required. It is essential that the description can easily be understood by those who are familiar with the EBF, but not necessarily familiar with your national programme. Wherever relevant highlight national specificities.

A maximum length is indicated for each item.
1. **Summary of actions under Priority 1 in the annual programmes, 2007 through 2009**

**Actions to be implemented under the “awarding body” method**

*not applicable*

**Actions to be implemented under the “executing body” method**

**Annual Programme 2007, 2008 and 2009:**

Under priority 1, 7 projects are foreseen to be implemented within the Annual Programme 2007, 5 projects within the Annual Programme 2008 (2 of them are multiannual projects) and 6 projects within the Annual Programme 2009.

Projects are implemented under following Actions:

1. Modernisation, development or construction of the Border Guard posts;
2. Modernisation, development or construction of new border-crossing facilities, including the necessary associated facilities;
3. Development and maintenance of the Central Information and Communication Node of the Border Guard;
4. Development and maintenance of the Border Guard’s ICT platform;
5. Extension and modernisation of radio communication systems of services carrying out tasks related to the protection of the border and the Schengen Zone;
6. Providing services carrying out tasks related to the protection of borders and the border area with modern means of transport;
7. Modernisation of the Authorised Interception System for purposes of implementation of Border Guards’ statutory tasks in the area of exchanging criminal information with the Police.

Border Guard, Podkarpacki Voivode, Lubelski Voivode and Police are Partners of projects implemented under Priority 1.

All projects respected provisions of this Priority and are aimed to support effective protection system for the external border of the European Union. Projects mainly assume the modernisation and development of border facilities used by the Border Guard, purchasing of equipment and development of ICT systems.

Modernisation, development or construction of new border-crossing facilities – The increasing cross-border traffic, in particular at the external borders, requires suitable facilities, i.e. sufficient number of border crossings and further modernisation and development of border crossing facilities in order to enable installation of modern equipment for fast, smooth and thorough border control, as well as improved security at external border.

The quality of functioning of border crossing points will be influenced mainly by the construction and modernisation of border crossing points together with their infrastructure, for example: construction of helicopter landing pad, construction and alteration of road lanes, construction of car parks for border services and travellers, purchase of devices and equipment necessary for quick and effective border checks (e.g. passport readers, devices identifying false documents and thermo-visual cameras).

**ICT Central Node** – constitutes the main element of the Border Guard ICT infrastructure concentrating all information resources necessary for the everyday work of the BG officers. Within accessible funds, it is planned to provide network devices, elements developing computing power and disc space, which is related to the development of central information systems of Border Guard, a gradual rise in data collected during the completion of statutory tasks and demand for channel capacity of the system. The realisation of the undertaking will
result in the maintenance of ICT Central Node infrastructure at the best possible technological level and the reduction of on-going technical degradation of working devices.

Projects concern also the purchase of maintenance software for databases and applications installed in ICT Central Node, as well as support and development of central systems responsible for combating cyber threats.

ICT platform of the Border Guard – The ICT platform of the Border Guard is the main communication tool within the BG that ensures the propagation of central internal database resources and accessible external databases, including SIS. The development of the IT platform and its extension by a subsystem of mobile access to data resources shall enable the increase in capacity of border crossings, which shall then lead to the achievement of the operating objective, i.e. maintaining a high standard of control on the EU external border under completion of Priority 1. Within accessible funds it is planned to provide equipment for the so-called special vehicles for mobile control, in which, in turn, the Border Guard units located at the border zone and inside the country will be periodically equipped.

Within the frame of the teleinformation platform for the Border Guard it is planned to design and launch WLAN on the territory of 14 selected border crossings. Apart from the implementation of wireless networks, it is also planned to develop the system of wireless IP telephony and network security systems.

Modernisation of radio communication systems – The purpose of the action is modernisation of existing Border Guard radio communication system. BG uses analogue radio-telephone systems band VHF for communication at the frontier zones which have poor telecommunication infrastructure. Radio-telephones are used for voice communication, through them coordination of the foot and motorist patrols is carried out. Moreover, radio-telephone system is used for patrols' positioning through the specially created positioning system GPS, which cooperates with radio-telephones. Due to the operation and investigation - operation tasks including use of the radio-telephones, it is advisable to secure contents through encoding modules– scramblers. Devices will be used for equipping mobile patrols using specialised means of transport.

Within the project, it is planned to purchase radio-telephones equipped with scrambler.

Modern means of transport – The purpose of projects is to provide the Border Guard with the specialised vehicles for mobile control and patrol vehicles equipped with adequate number of devices for checking people, controlling documents, psychoactive substances, means of transport and facilitating the performance of legal and administrative acts. It is planned to purchase e.g. vehicles for carrying out mobile control, accompanying patrolling vehicles, unmarked patrolling vehicles.

Modernisation of the Authorised Interception System for purposes of implementation of Border Guards’ statutory tasks in the area of exchanging criminal information with the Police – The project will contribute to the modernization of the Authorised Interception System (AIS), which is used by the services of the Police and Border Guard officers to improve public safety and security of the EU external borders. Modernized AIS will provide enhanced safety of data collected in it and shorten time for access to such information, which will clearly improve safety at the EU external border by reducing response time and improve joint operations of the Police and Border Guard.
2. Summary of actions under Priority 2 in the annual programmes, 2007 through 2009

Actions to be implemented under the “awarding body” method

not applicable

Actions to be implemented under the “executing body” method

Annual Programme 2007, 2008 and 2009: not applicable

3. Summary of actions under Priority 3 in the annual programmes, 2007 through 2009

Actions to be implemented under the “awarding body” method

not applicable

Actions to be implemented under the “executing body” method

Annual Programme 2007, 2008 and 2009: Under priority 3, 3 projects are foreseen to be implemented within the Annual Programme 2007 (2 of them are multiannual projects) and 1 projects within the Annual Programme 2008. Projects are implemented under following Actions:

1. Construction and fitting of a backup centre for the system supporting visa issuance;
2. Providing consular offices with equipment and software for biometric data collection;
3. Development of connections of the public foreign posts to the public LAN at the Ministry of Foreign Affairs’ Head Office.

Ministry of Foreign Affairs is a Partner for projects implemented under Priority 3. All projects respected provisions of this Priority and are aimed to support visa issuance. Project foreseen under this Priority assume the construction of the backup centre which enables improving data storage safety and data sharing safety, as well as provides greater reliability and accessibility of the IT system supporting visa issuance. The application of modern appliances will enable the processing and storing of the increasing bulk of information, which is related to the necessity of obtaining biometric data from persons applying for various documents. Construction of a modern and efficient backup centre is an indispensable and one of the essential condition of a properly functioning IT system. Within accessible funds, it is also planned to develop of connections of the public foreign posts to the public LAN at the Ministry of Foreign Affairs’ Headquarters will result in the creation of vital communication tracts linking consular offices with the Headquarters of the Ministry. These tracts have to have a high level of security of the transferred data (resistance to penetration and modification) as well as significant reliability and efficiency. Partner planes also to purchase suitable biometric devices and software.

4. Summary of actions under Priority 4 in the annual programmes 2007 through 2009

Actions to be implemented under the “awarding body” method

not applicable
Actions to be implemented under the “executing body” method

**Annual Programme 2007, 2008 and 2009:**
Under priority 4, 2 multiannual projects are foreseen to be implemented within the Annual Programme 2007, 1 projects within the Annual Programme 2008 and 2 projects within the Annual Programme 2009 (1 of them is multiannual project).
Projects are implemented under following Actions:

1. Development and maintenance of the Border Guard’s systems for control of legality of foreigners’ stay;
2. Improvement of procedures for entry, transit, residence and departure of foreigners in the territory of the Republic of Poland by modernising the ICT system for set of records, files and register of foreigners;
3. Providing the Voivode services with ICT equipment and equipment to communicate with other systems: POBYT, SIS, VIS, Biometry.
4. Making the Police IT systems which gather and process biometric data fully accessible to Border Guard units and modernization of those systems.

Border Guard, Office for Foreigners, Lubelski Voivode and Police are Partners of projects implemented under Priority 4. All projects respected provisions of this Priority.

Project foreseen under this Priority assumes to equip the Border Guard with relevant devices enabling the collection of fingerprints from individuals crossing the external border or control foreigners in the border area as well as from individuals, for whom visas are issued at the border. These appliances will be used during border checks, as well as during the inspections of the legality of residence carried out by Border Guard officers. Since each Commander of Border Guard office has the power to issue visas, it is necessary to transfer the biometric data of a foreigner who was granted a visa at the border to the VIS system. Data obtained by means of these appliances will be transferred to the VIS system using the Central Database of Border Guard.

Within accessible funds, it is also planned to develop of ICT system - a national set of registers, records and lists concerning foreigners called “System Pobyt” (Residence System). There are plans to purchase appropriate database equipment which would guarantee a higher reliability of the functioning of the system and would ensure a broader access for all statutory users. The Consultative Application POBYT, which in new circumstances – SIS II, VIS – has to fulfil all required functions, will undergo a substantial modernisation.

Under Priority 4 it is also foreseen to provide the Voivode services, i.e. unit for foreigners’ issues with ICT equipment and equipment to communicate with other systems enable effective monitoring of persons dealt with by the abovementioned services, as well as successful implementation of foreigners policy. The proposed equipment is necessary to enable quick and effective making decisions regarding the third country nationals, as well as to consult with other instances to ensure that the decision has taken into consideration all information regarding the foreigner in Poland and other Member States.
Within accessible funds, it is also planned to make the Police IT systems (AFIS system, Daktyl III index) which gather and process biometric data fully accessible to Border Guard units and modernisation of those systems.
5. **Summary of actions under Priority 5 in the annual programmes 2007 through 2009**

Actions to be implemented under the “awarding body” method

*not applicable*

Actions to be implemented under the “executing body” method

**Annual Programme 2007, 2008 and 2009:**

Under priority 5, 4 multiannual projects are foreseen to be implemented within the Annual Programme 2007, and 1 multiannual project within the Annual Programme 2009.

Projects are implemented under following Actions:

1. Trainings for services performing tasks related to border and Schengen Zone surveillance, and for consular services;
2. Joint training workshops for the services in the context of requirements of a situation on border.

Border Guard, Lubelski Voivode, Customs Service and Police are beneficiaries of projects implemented under Priority 5.

Increased effectiveness of operations of the services (e.g. the Border Guard, Customs Service, Police) performing tasks related to protection of the border, as well as improvement in border control, requires complex development of the services’ human resources. Activities performed during projects implementation cover various courses such as language training, pilot trainings and trainings in new Community regulations.

6. **Any significant change to the actions of the programmes concerned (revisions of annual programmes and revisions of the financial breakdown lower than 10%) Maximum length: half a page**

**Annual Programme 2007, 2008 and 2009:**

Under Priority 3 the following actions were withdrawn by the Partner:

1. Adapting consulates’ premises to provide services to increased numbers of persons visiting consular offices owing to the introduction of biometry into the visa issuing process

Under Priority 5 the following actions were withdrawn by the Partner:

1. Training for employees of selected consular offices on the introduction and use of VIS and requirements regarded to collecting biometric data for visa issuing process
2. Exchange of experiences with personnel of consular offices

Under priority 3 duration of the following multiannual project implementation was shortened:

1. Extension of the Connection of the Network of Open Foreign Posts with Open LAN Network at the Ministry of Foreign Affairs;
2. Providing consular offices with equipment and software for biometric data collection
3. Development and maintenance of the Border Guard’s systems for control of legality of foreigners’ stay.


**Annual Programme 2008:**
Due to the savings a new project was introduced:

1. Modernisation of the Authorised Interception System for purposes of implementation of Border Guards’ statutory tasks in the area of exchanging criminal information with the Police.

**Annual Programme 2009:**
Due to the savings new projects were introduced:

1. Development of the Road Border Crossing Zosin;
2. Providing additional equipment at the Road Border Crossing Hrebenne;
3. Modernisation of the clearance room in the main building on the Railway Border Crossing Przemyśl – Mościska;
4. Trainings on international migration for the Border Guards.

-----------------------------
Did you implement the 2007, 2008 and 2009 programmes in the “awarding body” method (as defined in Article 7 (2) of Commission Decision 2008/456/EC of 5.3.2008 - the External Borders Fund Implementing Rules), at least for part of the programmes?

Yes/No :

If Yes, fill in this part.

If No, do not fill in Part III and go to Part IV (Implementation of the programmes in the executing body method).
III.1 **Share of the overall EU contribution to the programmes granted in the “awarding body” method from 2007 to 2009**

For each programme year from 2007 to 2009, enter the share of the overall EU contribution to the programme (excluding the EU contribution for technical assistance) which was granted in the “awarding body” method (in percentage, no decimal)

- Programme 2007: % of the EU contribution to the programme (excluding the EU contribution for technical assistance)
- Programme 2008: %
- Programme 2009: %

III.2 **Calls for proposals**

For each programme year from 2007 to 2009, please provide the number and calls for proposals organised for the implementation of the annual programmes in the “awarding body” method

- Programme 2007: (number of calls for proposals)
- Programme 2008: (number of calls for proposals)
- Programme 2009: (number of calls for proposals)
III.3 Proposals received, selected and funded after calls for proposals

Definitions:
- If more than one call for proposals was organised for a given annual programme, provide in the table below, for that programme, figures combining all of that programme’s calls.
- Project funded = a contract, a grant agreement or any equivalent form of legal instrument has been signed with the beneficiary
- If multiannual projects have been funded, they should be counted only in the first programme year they were received, selected and funded

Definition of a multiannual project: According to the legal basis, the end of the eligibility period for projects under the 2007 Programme is 31st December 2009. For the 2008 and 2009 Programmes the end of the eligibility period for projects is 30th June 2010 and 30th June 2011, respectively. A multiannual project is a project approved for funding under any of the programmes mentioned above, whose eligibility period extends later than the eligibility period for projects of the programme under which it was selected and funded.

<table>
<thead>
<tr>
<th>Number of</th>
<th>Programme 2007</th>
<th>Programme 2008</th>
<th>Programme 2009</th>
<th>TOTAL 2007-2009</th>
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<tbody>
<tr>
<td>Proposals received</td>
<td></td>
<td></td>
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<tr>
<td>Projects selected</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Projects funded</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Have all projects selected for funding after calls for proposals been funded?

Yes/No: ........

- If No, explain why:
III.4  Projects funded in the “awarding body” method without a call for proposals

In duly justified cases, grants may be awarded in the “awarding body” method without a call for proposals (Article 7 (2) of Commission Decision 2008/456/EC of 5.3.2008 - the External Borders Fund Implementing Rules, third paragraph).

The continuation of multiannual projects which were selected after a previous call for proposals should not be taken into account. Neither should Technical Assistance measures, since they are not considered as “projects”.

Please indicate the number of projects funded (see definition on page 18) in the “awarding body” method without a call for proposals.

<table>
<thead>
<tr>
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<tr>
<td>Number</td>
<td></td>
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</table>

III.5  Total number of projects funded in the “awarding body” method in the programmes 2007, 2008 and 2009

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<tbody>
<tr>
<td>Projects funded after calls for proposals (see table III.3)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Projects funded without a call for proposals (see table III.4)</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL Projects funded in the “awarding body” method</td>
<td></td>
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</tbody>
</table>
Did you implement the 2007, 2008 and 2009 programmes in the “executing body” method (as defined in Article 8 of Commission Decision 2008/456/EC of 5.3.2008 - the External Borders Fund Implementing Rules), at least for part of the programmes?

Yes/No : Yes

If Yes, fill in this section

If No, do not fill in Part IV and go to Part V( Summary description of the projects funded in the “awarding body method” and in the “executing body” method, 2007 through 2009).
IV.1  **Share of the overall EU contribution to the programmes granted in the “executing body” method from 2007 to 2009**

For each programme year from 2007 to 2009, enter the share of the overall EU contribution to the programme (excluding the EU contribution for technical assistance) which was granted in the “executing body” method (in percentage, no decimal).

- Programme 2007: 100 % of the EU contribution to the programme (excluding the EU contribution for technical assistance)
- Programme 2008: 100 % of the EU contribution to the programme (excluding the EU contribution for technical assistance)
- Programme 2009: 100 % of the EU contribution to the programme (excluding the EU contribution for technical assistance)

IV.2  **Calls for expression of interest or for proposals or similar selection method**

For each programme year from 2007 to 2009, please provide the number of calls for expression of interest or for proposals or similar organised for the implementation of the EBF annual programmes in the “executing body” method.

- Programme 2007: 1 call for expression of interest before multiannual programme preparation; 1 call for proposals;
- Programme 2008: 1 call for expression of interest before multiannual programme preparation; 2 call for proposals;
- Programme 2009: 1 call for expression of interest before multiannual programme preparation; 2 call for proposals;
IV.3 Proposals received, selected and funded after calls for expression of interest, call for proposals or similar selection method in the “executing body method”

Definitions:
- If more than one call for expression of interest, call for proposals or similar was organised for a given annual programme, provide in the table below, for that annual programme, figures combining all of that annual programme’s calls.
- Project funded = a contract, a grant agreement or any equivalent form of legal instrument has been signed with the beneficiary
- If multiannual projects have been funded, they should be counted only in the first programme year they were received, selected and funded

Definition of a multiannual project: According to the legal basis, the end of the eligibility period for projects under the 2007 Programme is 31st December 2009. For the 2008 and 2009 Programmes the end of the eligibility period for projects is 30th June 2010 and 30th June 2011, respectively. A multiannual project is a project approved for EBF funding under any of the programmes mentioned above, whose eligibility period extends later than the eligibility period for projects of the annual programme under which it was selected and funded.

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>Proposals received</td>
<td>19</td>
<td>11</td>
<td>22</td>
<td>52</td>
</tr>
<tr>
<td>Projects selected</td>
<td>19</td>
<td>8</td>
<td>11</td>
<td>38</td>
</tr>
<tr>
<td>Projects funded</td>
<td>13</td>
<td>3</td>
<td>0</td>
<td>16</td>
</tr>
</tbody>
</table>

Have all projects selected for funding after calls for expression of interest, call for proposals, or similar been funded?
No

- If No, explain why:

For calls for proposals organised for 2007 Annual Programme, due to long procedure of acceptation of programming documentation 2 selected applicants (Podkarpacki Voivode, Border Guard) are still have to sign financial agreements for the projects already completed under EBF.

For calls for proposals organised for 2008 Annual Programme, due to long procedure of acceptation of programming documentation 2 selected applicants (Podkarpacki Voivode, Ministry of Foreign Affairs) are still have to sign financial agreements for the projects already completed under EBF.

Due to savings the second call for proposals for 2008 AP was organised in March 2010 since there is one applicant (Police) who has to sign financial agreement in the nearest future.
Since the call for proposals for 2009 has been launched in November 2009, process of financial agreement signing hasn’t been completed until the date of evaluation.
IV.4 **Projects funded in the “executing body” method without a call for expression of interest or for proposals or similar**

Please indicate the number of projects funded (see definition) in the “executing body” method without a call for expression of interest, a call for proposals, or similar.

The continuation of multiannual projects which were selected after a previous call should not be taken into account. Neither should Technical Assistance measures, since they are not considered as “projects”.

<table>
<thead>
<tr>
<th>Projects funded in the “executing body” method without a call for expression of interest or for proposals or similar selection method</th>
<th>Programme 2007</th>
<th>Programme 2008</th>
<th>Programme 2009</th>
<th>TOTAL 2007-2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tbody>
</table>

**IV.5 Total number of projects funded in the “executing body” method in the programmes 2007, 2008 and 2009**

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Projects funded after calls for expression of interest, calls for proposals, or similar selection method (see table IV.3)</td>
<td>13 (including 7 multiannual projects)</td>
<td>3 (including 1 multiannual project)</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>Projects funded without such calls (see table IV.4)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL Projects funded in the “executing body” method</strong></td>
<td>13</td>
<td>3</td>
<td>0</td>
<td>16</td>
</tr>
</tbody>
</table>
Part V


Reference documents to be used for this part:

- The information on the projects funded available to the Responsible Authority (description of the project supported to be found in each grant agreement)
- All information on implementation available to the Responsible Authority
- Any external evaluation of relevance to the items addressed below, if available

Please provide a summary description of the projects funded (see definition on page 18) under your annual programmes 2007 through 2009, broken down by Priority as set out on the next pages. Under each Priority describe separately projects funded in the “awarding body” method, on the one hand, and projects funded in the “executing body” method, on the other hand.

In addition please describe separately (as set out in the template) projects funded in the “awarding body” method without a call for proposals and projects funded in the “executing body” method without a call for expression of interest, for proposals, or similar selection method.

No breakdown per year is required in the items 1 to 6.

Describe separately any change to the distribution for projects funded in the “awarding body” method, on the one hand, and for projects funded in the “executing body” method, on the other hand.

In addition, highlight any significant change to the projects funded in the “awarding body” method, on the one hand, and to projects funded in the “executing body” method, on the other hand (other than their distribution).

It is not required to make a full description of all projects. What is needed is a concise, but very concrete description of the types of operations implemented under each Priority. Wherever relevant highlight national specificities. It is
essential that the description can easily be understood by those who are familiar with the EBF, but not necessarily familiar with your national programme.

You will be asked to highlight 1-5 projects under each annual programme which deserve, in your opinion, particular mention since you consider them as a good practice, or of an innovative nature, of interest for other Member States or of particular value in the light of the multiannual strategy and your national requirements.

Finally, you will be asked to describe one "success story” and one “failure”, among all projects funded from 2007 to 2009.

For each item the maximum length is mentioned beneath the item’s description.
1. Summary description of the projects funded under Priority 1 in the annual programmes, 2007 through 2009

In the “awarding body” method

*not applicable*

In the “executing body” method

**Annual Programme 2007, 2008 and 2009:**

Under priority 1, 7 projects are foreseen to be implemented within the Annual Programme 2007, 5 projects within the Annual Programme 2008 and 6 projects within the Annual Programme 2009.

Under Annual Programme 2007, at the moment 5 projects out of 7 were funded (financial agreement signed).

Under Annual Programme 2008, at the moment 2 projects out of 5 were funded (financial agreement signed).

Under Annual Programme 2009 process of selection hasn’t been completed until the date of evaluation and any financial agreements haven’t been signed yet.

Border Guard, Podkarpacki Voivode, Lubelski Voivode and Police are Partners of projects implemented under Priority 1.

All projects respected provisions of this Priority and are aimed to support effective protection system for the external border of the European Union. Projects mainly assume the modernisation and development of border facilities used by the Border Guard, purchasing of equipment and development of ICT systems.

**ICT Central Node** – constitutes the main element of the Border Guard ICT infrastructure concentrating all information resources necessary for the everyday work of the BG officers. Within accessible funds, it is planned to provide network devices, elements developing computing power and disc space, which is related to the development of central information systems of Border Guard, a gradual rise in data collected during the completion of statutory tasks and demand for channel capacity of the system. The realisation of the undertaking will result in the maintenance of ICT Central Node infrastructure at the best possible technological level and the reduction of on-going technical degradation of working devices.

Projects concern also the purchase of maintenance software for databases and applications installed in ICT Central Node, as well as support and development of central systems responsible for combating cyber threats.

**ICT platform of the Border Guard** – The ICT platform of the Border Guard is the main communication tool within the BG that ensures the propagation of central internal database resources and accessible external databases, including SIS. The development of the IT platform and its extension by a subsystem of mobile access to data resources shall enable the increase in capacity of border crossings, which shall then lead to the achievement of the operating objective, i.e. maintaining a high standard of control on the EU external border under completion of Priority 1. Within accessible funds it is planned to provide equipment for the so-called special vehicles for mobile control, in which, in turn, the Border Guard units located at the border zone and inside the country will be periodically equipped.

Within the frame of the teleinformation platform for the Border Guard it is planned to design and launch WLAN on the territory of 14 selected border crossings. Apart from the implementation of wireless networks, it is also planned to develop the system of wireless IP telephony and network security systems.
Modernisation of radio communication systems – The purpose of the action is modernisation of existing Border Guard radio communication system. BG uses analogue radio-telephone systems band VHF for communication at the frontier zones which have poor telecommunication infrastructure. Radio-telephones are used for voice communication, through them coordination of the foot and motorist patrols is carried out. Moreover, radio-telephone system is used for patrols' positioning through the specially created positioning system GPS, which cooperates with radio-telephones. Due to the operation and investigation - operation tasks including use of the radio-telephones, it is advisable to secure contents through encoding modules – scramblers. Devices will be used for equipping mobile patrols using specialised means of transport.

Within the project, it is planned to purchase radio-telephones equipped with scrambler.

Modern means of transport – The purpose of projects is to provide the Border Guard with the specialised vehicles for mobile control and patrol vehicles equipped with adequate number of devices for checking people, controlling documents, psychoactive substances, means of transport and facilitating the performance of legal and administrative acts. It is planned to purchase e.g. vehicles for carrying out mobile control, accompanying patrolling vehicles, unmarked patrolling vehicles.

2. Summary description of the projects funded under Priority 2 in the “executing body” method in the annual programmes, 2007 through 2009

*Maximum length: half a page at the maximum*

In the “awarding body” method

*not applicable*

In the “executing body” method

**Annual Programme 2007, 2008 and 2009: not applicable**

3. Summary description of the projects funded under Priority 3 in the annual programmes, 2007 through 2009

In the “awarding body” method

*not applicable*

In the “executing body” method

**Annual Programme 2007, 2008 and 2009:**
Under priority 3, 3 projects are foreseen to be implemented within the Annual Programme 2007 and 1 project within the Annual Programme 2008.
Under the Annual Programme 2007 all projects were funded (financial agreement signed).
Under the Annual Programme 2008, at the moment 3 projects out of 4 were funded (financial agreement signed).
Under Annual Programme 2009, process of selection hasn’t been completed until the date of evaluation and any financial agreements haven’t been signed yet.
Ministry of Foreign Affairs is a Partner for projects implemented under Priority 3. All projects respected provisions of this Priority and are aimed to support visa issuance. Project foreseen under this Priority assumes the construction of the backup centre which enables improving data storage safety and data sharing safety, as well as provides greater reliability and accessibility of the IT system supporting visa issuance. The application of modern appliances will enable the processing and storing of the increasing bulk of information, which is related to the necessity of obtaining biometric data of persons applying for various documents. Construction of a modern and efficient backup centre is an indispensable and one of the essential condition of a properly functioning IT system. Partner planes also to purchase suitable biometric devices and software.

4. Summary description of the projects funded under Priority 4 in the annual programmes, 2007 through 2009

In the “awarding body” method

not applicable

In the “executing body” method

Annual Programme 2007, 2008 and 2009:
Under priority 4, 2 projects are foreseen to be implemented within the Annual Programme 2007, 1 project within the Annual Programme 2008 and 2 projects within the Annual Programme 2009.
Under the Annual Programme 2007 all projects were funded (financial agreement signed).
Under the Annual Programme 2008 all projects were funded (financial agreement signed).
Under the Annual Programme 2009 process of selection hasn’t been completed until the date of evaluation and any financial agreements haven’t been signed yet.

Border Guard, Office for Foreigners, Lubelski Voivode and Police are Partners of projects implemented under Priority 4. All projects respected provisions of this Priority.

Project foreseen under this Priority assumes to equip the Border Guard with relevant devices enabling the collection of fingerprints from individuals crossing the external border or control foreigners in the border area as well as from individuals, for whom visas are issued at the border. These appliances will be used during border checks, as well as during the inspections of the legality of residence carried out by Border Guard officers. Since each Commander of a Border Guard office is authorised to issue visas, it is necessary to transfer the biometric data of a foreigner who was granted a visa at the border to the VIS system. Data obtained by means of these appliances will be transferred to the VIS system using the Central Database of Border Guard.

Within accessible funds, it is also planned to develop of ICT system a national set of registers, records and lists concerning foreigners called “System Pobyt” (Residence System). There are plans to purchase appropriate database equipment which would guarantee a higher reliability of the functioning of the system and would ensure a broader access for all statutory
users. The Consultative Application POBYT, which in new circumstances – SIS II, VIS – has to fulfil all required functions, will undergo a substantial modernisation. Under Priority 4 it is also foreseen to provide the Voivode services, i.e. division for foreigners’ issues with ICT equipment and equipment to communicate with other systems enable effective monitoring of persons dealt with by the abovementioned services, as well as successful implementation of foreigner policy. The proposed equipment is necessary to enable quick and effective taking of the decisions regarding the third country nationals, as well as to consult other instances to ensure that the decision has taken into consideration all information regarding the foreigner in Poland and other Member States. Within accessible funds, it is also planned to make the Police IT systems (AFIS system, Daktyl III index) which gather and process biometric data fully accessible to Border Guard units and modernization of those systems.

5. Summary description of the projects funded under Priority 5 in the annual programmes, 2007 through 2009

In the “awarding body” method

not applicable

In the “executing body” method

Annual Programme 2007, 2008 and 2009:
Under priority 5, 4 projects are foreseen to be implemented within the Annual Programme 2007, and 1 project within the Annual Programme 2009. Under the Annual Programme 2007, at the moment 3 projects out of 4 were funded (financial agreement signed). Under the Annual Programme 2007 all projects were funded (financial agreement signed). Under the Annual Programme 2009 process of selection hasn’t been completed until the date of evaluation and any financial agreements haven’t been signed. Border Guard, Lubelski Voivode, Custom Service and Police are Partners of projects implemented under Priority 5.

Increased effectiveness of operations of the services (e.g. the Border Guard, Customs Service, Police) performing tasks related to protection of the border, as well as improvement in border control, requires complex development of the services’ human resources. Activities performed during projects implementation cover various courses such as language training, and trainings in new Community regulations.

6. Summary description of the projects funded in the “awarding body” method without a call for proposals, in the annual programmes 2007 through 2009

not applicable
7. Summary description of the projects funded in the “executing body” method without a call for expression of interest, a call for proposals or similar selection method, in the annual programmes 2007 through 2009

Maximum length: 15 lines

Please refer to Table IV.4. Excluding the continuation of multiannual projects which were selected after a previous call for a call for expression of interest, a call for proposals or similar. Neither should Technical Assistance measures be taken into account, since they are not considered as “projects”.

Due to the savings 6 additional projects was introduced under Annual Programmes 2008 and 2009:
1. Modernisation of the Authorised Interception System for purposes of implementation of Border Guards’ statutory tasks in the area of exchanging criminal information with the Police;
2. Development of the Road Border Crossing Zosin;
3. Providing additional equipment at the Road Border Crossing Hrebenne;
4. Modernisation of the clearance room in the main building on the Railway Border Crossing Przemyśl – Mościska;
5. Trainings on international migration for the Border Guards.

Question concerning possibility of implementation of additional projects were sent by the beneficiaries to the Responsible Authority. Proposed projects have been accepted by the Inter-Ministry Team for the Norwegian Financial Mechanism, European Refugee Fund, External Borders Fund and European Return Fund. Application forms were evaluated by the experts according to the procedures.

8. Explain any significant change to the distribution of the projects funded in the “awarding body” method, by Priority and by Specific Priority, in the annual programmes 2007 through 2009

not applicable

9. Explain any significant change to the distribution of the projects funded in the “executing body” method, by Priority and by Specific Priority, in the annual programmes 2007 through 2009 Maximum length: half a page

For the period from 2007 to 2009 the total number of projects initially foreseen to be implemented amounted to 32, including multiannual projects. However, before starting Programme’s implementation, 3 projects initially planned for implementation under Annual Programmes 2007 and 2008 have been withdrawn by the Partner – Ministry of Foreign Affairs. On the other hand, due to updating of exchange rate of PLN to EUR second call for proposals were launched and 1 new project were introduced within 2008 allocation and 4 new projects within 2009 allocation. Duration of the realisation of 2 projects under Priority 3 as well as 1 project under Priority 4
were shortened.

Currently for the period from 2007 to 2009 the total number of projects foreseen to be implemented amounted to 34, including 12 multiannual projects.

Under 2007 allocation, according to provisions included in the Annual Programme for this edition, 16 projects were implemented and 13 were funded (financial agreement signed).
Under 2008 allocation, according to provisions included in the Annual Programme for this edition, 7 projects were implemented and 3 were funded (financial agreement signed).
Under the 2009 allocation, according to provisions included in the Annual Programme for this edition, 12 projects will be implemented, however since the call for proposals for 2009 has been launched on November 2009 process of the financial agreements signing hasn’t been completed until the date of evaluation.

Generally, for all programmes the projects were implemented under Priority 1, 3, 4 and 5. According to Multiannual Programme no action has been implemented under Priority 2.

Priority 1: 19 projects are foreseen to be implemented within the Annual Programmes 2007 - 2009 in total.
Priority 3: 4 projects are foreseen to be implemented within the Annual Programmes 2007-2009 in total.
Priority 4: 5 projects are foreseen to be implemented within the Annual Programmes 2007-2009 in total.
Priority 5: 6 projects are foreseen to be implemented within the Annual Programmes 2007-2009 in total.

Regarding distribution of projects among Partners, we can confirm that 7 institutions participated in the implementation of all 3 Programmes. The highest number of projects – 10 are to be implemented by Border Guard, 9 projects are to be implemented by Podkarpacki Voivode. 5 projects are to be implemented by Lubelski Voivode. 4 projects are to be implemented by Minister of Foreign Affairs. 4 projects are to be implemented by Police. 1 project is to be implemented by Customs Service and Office for Foreigners.

When comparing the AP 2007, the AP2008 with the AP2009, there is no significant difference in the share of budget distributed for each priority.

10. Highlight any significant change (other than the distribution referred to under points 8 and 9) to the projects funded in the “awarding body” and “executing body” method in the annual programmes 2007 through 2009

Maximum length: half a page

In the “awarding body” method

not applicable

In the “executing body” method
The changes concerned:
- updating of indicators,
- updating of planned schedule of activities,
- updating of exchange rate of PLN to EUR and reallocation of occurred savings on projects already foreseen under Annual Programme 2007 according to Partners’ needs.

11. Important projects funded in the annual programmes 2007 to 2009

Please describe 1-5 projects under each annual programme which deserve, in your opinion, particular mention since you consider them as a good practice, or of an innovative nature, of interest for other Member States (example of a project supporting an EU policy priority) or of particular value in the light of the multiannual strategy and your national requirements.

The border with the Russian Federation (232 km), the Republic of Belarus (418 km) and the Ukraine (535 km), as well as territorial sea external border (440 km) and international airports, became on 1 May 2004 external borders of the European Union. The border between Poland and Ukraine is the longest one.

Fundamental needs related to the external border infrastructure were identified in the “Polish-Ukrainian Border Infrastructure Development Programme 2010 – 2013” adopted by the Council of Ministers on 26 January 2010. The document presents an analysis which has helped to specify priorities under which national needs that demand further financing have been indicated. Programme identify 3 specific goals:
- improve safety on the Polish - Ukrainian border,
- increase in throughput of border crossings,
- improve the conditions for travellers waiting for border control.

In compliance with the Regulation of the Council of Ministers of 13 December 2005 on the Voivode’s obligations as regards financing and maintenance of border crossings, tourist crossings, places of border crossing on tourist routes and points of nightly stay on border rivers, their equipment and authorities competent for placing and maintenance of border markings on internal sea waters (Journal of Laws No. 256, Item 2145), the Voivode shall be obliged to provide border services with a relevant premises basis as well as technical equipment and devices necessary to conduct effective and efficient control. The scope of Voivode’s duties shall also include planning and completion of the investments on the border crossing including construction of the new crossings infrastructure. The costs related to construction, modernisation and maintenance of border crossings shall be covered with the budget funds of local competent Voivodes.

On Polish–Ukrainian border 12 border crossings is created.
Taking the above into consideration the projects implemented by the Podkarpacki and Lubelski Voivode constitute a particular value in the light of the multiannual strategy and national requirements.
2007 annual programme

Maximum length: half a page per project

Case 1

Development of road infrastructure and purchase of equipment for border control on the Road Border Crossing Krościenko - Smolnica

The project assumes completion of the following activities:
- Conversion of islets,
- Creation of additional lane of the motorway,
- Building a parking lot for the order service and travellers,
- Purchase of passport scanners,
- Purchase of thermo-visual cameras enabling observation of vehicles awaiting the crossing, as an aim to secure travellers.

The project completion contributed to effective organisation of external border control comprising tasks both related to clearance and protection.

Reconstruction of road isles and construction of an additional traffic lane led to the increase in capacity of the border crossing. Construction of parking space for cars of border service and travellers shall lead to efficient organisation and good car traffic management on the border crossing.

Providing lacking equipment and devices led to effective organisation of external border control comprising tasks both related to clearance and protection, and at the same time, more efficient crossing of the external border according to the Schengen acquis.

Case 2

Modernisation of the main building including construction of a waiting room for travellers on the Railway Border Crossing Przemyśl – Mościska (part for persons) and purchase of specialist equipment

The project assumed the construction of fencing separating a personal border crossing for travellers who cross the border from the platform for travellers who do not cross the state border and the above equipment for identification of forgeries.

The project completion led to effective EU external border control comprising tasks both related to clearance and protection.

The objective for the construction of fencing and providing border services with necessary equipment for clearance led to effective EU external border control comprising tasks both related to clearance and protection, and at the same time, more efficient crossing of the external border according to the Schengen acquis. The objective for the modernisation of the main building was to improve the conditions for travellers waiting for clearance as well as improve work conditions for border services.

2008 annual programme

Maximum length: half a page per project

Case 1

Development of the Road Infrastructure and Procurement of the Equipment for the Cross Border Checks at Medyka - Szeginie Crossing

The Project contributed to effective and better organisation of performing persons’ control at the external border of EU. It was planned to increase the capacity of the border crossing point
as well as improvement of quality and conditions of persons clearances at the external border of EU. The purchased equipment improved and speeded up clearance and control of persons procedures.

Efficient border control contributed to increasing security at the external border of EU as well as on the EU territory.

The following activities were planned under the project:
- performing the pavement of the entire area of the border crossing,
- extending the slip road to the border crossings by additional lanes for cars,
- providing lacking equipment and devices required for more efficient cross-border control (such as passport readers).

**Case 2**

**Construction of a landing site for helicopters on Border Crossing in Budomierz – Hruszew**

The project assumed the construction of the landing site for helicopters with associating infrastructure within the scope of road border crossings. Building the landing site led to the increase in operating efficiency of the Border Guard in order to secure the border with the use of helicopters.

The Podkarpacki Voivode acted as a partner/executing body while the Border Guards were the project users.

2009 annual programme

*Maximum length: half a page per project*

**Case 1**

**Reconstruction of the building for detailed control at the entry and construction of the building for detailed control at the exit of the Road Border Crossing Medyka – Szeginie**

Within the project, it was planned to reconstruct the building for control at the entry of the border crossing and to construct the building for control at the exit of the border crossing. Buildings will be used for the control conducted by as well the Border Guard as Customs Officers.

As it was indicated in Multiannual Programme both services: the Border Guard and Custom Service are responsible for controlling people on the borders. Also, pursuant to Art. 85.2 of the Act of 13 June 2003 on Foreigners (OJ No. 231 item 1694 as amended), the Customs Services, as well as the Border Guard, is entitled to inspecting documents and permits allowing foreigners to stay in the Republic of Poland and the Community.

The Border Guard and Customs Officers use the buildings for detailed control to complete their statutory tasks in scope of external border protection. Therefore the construction of such building for the Border Guard and separately for the Customs Officer is not justified.

The building will be managed and used by the Border Guard and if necessary will be available for the Customs Services.

The project completion shall lead to more efficient crossing of the external border according to the Schengen acquis. It is also planned to increase crossing capacity as well as effective EU external border control and protection.
12. Description of one “success story”, among all the projects funded in the annual programmes 2007 to 2009

It is up to you to judge whether a project is to be considered a “success story” in terms of project implementation. If you think the project is also an example of “good practice” which could usefully be implemented elsewhere, please explain why. However, please note that this part is on a success story and it needs not be "good practices”.

It is necessary to provide a very concrete description of the project concerned and of the reasons you consider this is a “success story”. It is essential that the description can easily be understood by those who are familiar with the EBF, but not necessarily familiar with your national programme.

Maximum length: half a page

The project is implemented by Border Guard under Annual Programmes 2008-2010.

Development and Maintenance of the Central Information and Communication Node of the Border Guard

In order to complete the statutory tasks the Border Guard uses teleinformation system within the scope of all organisational locations. Central Information and Communication Node of the Border Guard (CICN BG) is the main part of the system. Its technical equipment assures reliable operation of main applications of control and surveillance of cross-border traffic and internal data processing. Due to the works extension on the computer application “BG checking in” it was necessary to develop the servers by the additional processors and operating memory RAM to increase the calculation power of the main servers of CICN BG. All Border Guard officers and organisational units exploit the increased CICN capacity and efficiency.

Increasing in the efficiency and capacity of the Central Information and Communication Node directly influenced the operating quality of the communication and information technologies responsible for the surveillance and control of the border traffic and enabled to broaden the scope of the processed data required for the execution of statutory tasks, thus contributing to the implementation of the operating target, i.e., maintaining the high standard of surveillance and control on the EU external border implementing Priority 1. In general, due to the permanent process of growing demand for the data processing speed mainly related to the increase of the flow of people and goods across the border, the purpose of the development of CICN is to maintain the same level of handling production processes, including the optimum time for custom clearance closely related to the capacity of information and communication technologies.

Project’s product indicators are:

Annual Programme 2008:
- delivery of approximately 25 processors Power 5+, 144 GB RAM, with the required software and start-up,
- delivery of additional elements of CICN network for infrastructure development including interfaces for network switches, network interface cards for servers.

Annual Programme 2009:
- delivery of approx. 14 Power 5+ processors, 112 GB RAM, with required software and start-up
- development of the hard drive storage capacity of CICN by additional space 70TB and required software and start-up.
- delivery of additional elements of CICN network for infrastructure expansion including interfaces for network switches, network interface cards for servers,
- delivery of approx. 10 sets of blade type servers

Annual Programme 2010:
- delivery of approx. 32 sets of blade type servers with necessary software

Project’s results are:
- increase in effectiveness of the border traffic control,
- increase in options and capacity of existing and new information and communication systems,
- maintenance of the system capacity at the stable level,
- increase in Border Guard possibilities in gathering of relevant information with respect to efficient and effective operations.

13. **Description of one “failure”, among all the projects funded in the annual programmes 2007 to 2009**

Among all the projects funded under the programmes from 2007 to 2009, there may be one project which you would regard as an important “failure”, because it proved impracticable, it did not meet expectations, or any other reason for you to judge, and you think there are lessons to be drawn from its failure, for instance in terms of programming, selection and/or evaluation of projects.

The project should not be identified (i.e. the name of the project or beneficiary should not be mentioned).

It is essential that the description of the project, your justification for a “failure”, and the lessons to be drawn can easily be understood by those who are familiar with the EBF, but not necessarily familiar with your national programme.

Maximum length: half a page

There is not a project that could be regarded as an important failure.
Part VI

TECHNICAL ASSISTANCE

INFORMATION AND PUBLICITY

Reference documents to be used for this part:

- The information on technical assistance and on information and publicity available to the Responsible Authority
- Any relevant national document and information available to the Responsible Authority in these matters
- Any independent evaluation of the items addressed below, if available

1. Technical assistance

Please provide a concrete description of the activities implemented under the Technical Assistance measures of the annual programmes 2007 through 2009. No annual breakdown is required. 15 lines maximum

The actions implemented by the as well the Responsible Authority as the Delegated Authority under the Technical Assistance measure over 2007-2009 period, are i.a.:

- Organizing meetings, training session and seminars for Partners,
- Improvement of the human resources of the Responsible Authority and the Delegated Authority – staff trainings,
- Monitoring activities of selected projects implemented by the Delegated Authority under Annual Programmes 2007 and 2008,
- Outsourced monitoring activities (visits) of selected projects implemented under Annual Programmes 2007 and 2008,
- Legal expertises concerning project implementation including public procurement law,
- Information and publication actions: conference promoting SOLID funds and preparation and publication of SOLID leaflets,
- Procurement of promotional materials with EU logo and information External Borders Fund contribution (e.g. pencils, paper bags and files, maps etc.),
- Participation in SOLID Committee meetings, conferences and other meetings,
- Procurement of services,
- Remuneration of employees dealing with SOLID funds,
- Development and implementation by the Delegated Authority of the EBF data base (SOP FGZ),
- Administrative costs,
– Purchase of necessary IT equipment and IT hardware, car for monitoring visits, consumables (office materials e.g. paper, cartridges) and other items (e.g. photo cameras, books, maps).

2. Information and Publicity

Please provide a concrete description of the information and publicity activities (as per Articles 33 and 34 of the EBF Implementing Rules) implemented under the annual programmes 2007 through 2009. No annual breakdown is required.

Describe separately the information and publicity activities by the Responsible Authority and those by the final beneficiaries.

As part of the information and publicity activities by the Responsible Authority, please specify the yearly information activities which you have organised up to now, as of 2008, the launch of the multiannual programme or the achievements of the annual programme(s), as set out in Article 33 (2)(a) of the EBF Implementing Rules.

Please also describe when you developed the website referred to in Article 33(2) (b) of the EBF Implementing Rules and indicate, for each annual programme, when the required data was introduced on the website.

- Information and publicity activities by the Responsible Authority

Maximum 15 lines

According to the agreement between the Responsible Authority and the Delegated Authority the information and publicity activities are performed by both institutions.

The information and publicity activities included:
– Organizing meetings and seminars for partners - presentation of the External Borders Fund regulations and procedures including preparation of Project Fiches, project implementation and eligibility of expenditures,
– Organizing training session for partners (with outsourced trainers) on public procurement in IT sector,
– Organizing inauguration conference of the general programme ‘Solidarity and Management of Migration Flows’ (October 2009),
– Preparing information and promotion materials with EU logo and information on the External Borders Fund contribution (e.g. leaflets, pencils, paper bags and files, maps etc.) and disseminating them,
– Presentation of the Polish system for the External Borders Fund (incl. Project Fiche) at the informal meeting on SOLID funds with the representatives of Slovakia,
– Updating information on the External Borders Fund on the Delegated Authority’s website.

The websites of the Responsible Authority and Delegated Authority include i.a. financial information on the External Borders Fund, information on Multiannual and Annual Programmes, lists’ of Partners, lists’ of projects, other basic documents.
- Information and publicity activities by the final beneficiaries

*Maximum 15 lines*

Projects’ outputs, documentation and publications have to mention the External Borders Fund co-financing information.

The visibility of EU funding shall be guaranteed in the following way:

- Placing the EU logo and the information on the External Borders Fund co-financing on all significant publications, educational materials, brochures, etc.;
- Placing a permanent prominent plaque of significant size no later than three months after completion of project;
- Placing the EU logo and the information on the External Borders Fund co-financing on delivered equipment (stickers);
- Placing the EU logo and information on the External Borders Fund co-financing on the website of the Partner;

The confirmation of the co-funding shall have the following form: “*Project co-financed from the External Borders Fund*”.

The financial agreements provided for proper information and publicity of the External Borders Fund co-financing at the project level.

Specific information is delivered also during training for Partners carried out from the means of technical assistance. During the monitoring visits existence of appropriate information related to the External Borders Fund project implementation is verified.

Responsible Authority and Delegated Authority shall monitor the compliance with the requirements during the implementation of the projects.
Based on:
- All information available to the Responsible Authority on the implementation of each annual programme
- Any external evaluation available to the Responsible Authority

provide your assessment of the implementation of the annual programmes from 2007 through 2009 for the following items.

In each case please explain the reasons for your judgement. If for any item you cannot provide an assessment by June 2010, please answer “Not known by June 2010”.

Evaluation report on Implementation of actions co financed by the External Borders Fund 50
VII.1. **Assessment of the implementation of the 2007 Annual Programme**

1. **Has the 2007 programme been implemented as originally planned and broadly in line with the programme schedule? 15 lines maximum**

    Annual Programme 2007 has not been implemented as originally planned. Due to the delay with endorsement of the Multiannual and Annual 2007 Programmes, delay occurred with the launching of the Programme - the call for proposals was announced in December 2008. Due to the delay with the Programmes’ approval, calls for Proposals for 2008 had to be launched almost simultaneously - in March 2009. Before starting Programme’s implementation, 2 projects initially planned for implementation under Annual Programme 2007 has been withdrawn by the Partner – Ministry of Foreign Affairs. 1 project of the Minister of Foreign Affairs was withdrawn during the process of verification the applications.

    In September 2009 the modified version of Annual Programme 2007 was sent to the Commission. The changes concerned:
    - updating of indicators,
    - updating of planned schedule of activities,
    - updating of exchange rate of PLN to EUR and reallocation of occurred savings on projects already foreseen under Annual Programme 2007 according to Partners’ needs.

    The most of projects has been finished in 4 quarter of 2009.

2. **Have you encountered problems on implementation of the 2007 annual programme? If so, what measures did you take? 15 lines maximum**

    Some difficulties and problems raised during the implementation of the Annual Programme 2007. Main problems were connected with:
    - Due to the delays in the endorsement of the Annual Programmes, Programmes for 2007 and 2008 were implemented almost simultaneously. Repeating of calls for proposals caused problems related to the finalisation of the preparation of the programming documentation.
    - Short eligibility period:
      Implementation of projects and effectiveness of funds’ spending under Annual Programme 2007 was contagiously monitored, however the period was very short to conduct tender procedures.
      – Due to shortage of Delegated Authority staff some delays regarding current assisting of projects occurs.

    The number of Delegated Authority staff was properly increased in October 2010. Two posts from total number of seven was dedicated to the External Borders Fund.

3. **Has a revision of the 2007 programme by the Commission been necessary? If so, what were the main changes? 15 lines maximum**

    In September 2009 the modified version of Annual Programme 2007 was sent to the Commission.
The modifications mainly resulted from an increase of the exchange rate of PLN to EUR and to better knowledge of the actual costs of projects. The proposed changes were in general to increase the effectiveness of the actions/projects planned. Since the proposed modifications to the financial breakdown exceed 10% of the total contribution from the Fund (in total: 24%), a formal adoption of the revised programme by the Commission, in accordance with the procedure laid down in Article 23(4) of the basic act was required.

The other proposed changes concerned:
- increasing of projects budgets resulted of savings’ occurrence,
- updating of indicators,
- updating of the projects timetables.

It is necessary to stress that some beneficiaries were allowed to start project’s implementation after Annual Programme approval by EC but before financial agreement conclusion in order to meet the requirements concerning the eligibility of expenditures...

The revisions included changes to actions under all priorities.

4. **Have you implemented the 2007 programme (the case being, the revised programme) fully? (= all or nearly all actions set out in the programme approved by the Commission, or in the revised programme approved by the Commission, could be implemented by the end of this programme) 15 lines maximum**

Before and just after the call for proposals under the Annual Programme 2007, 3 projects initially planned for implementation under Annual Programme 2007 have been withdrawn by the Partner – Ministry of Foreign Affairs. By the end of December 2009 all projects set out in the programme have been implemented.

5. **Have the expected quantitative and qualitative results of the 2007 programme - as set out in the programme / revised programme approved by the Commission - been achieved at the end of this programme? 15 lines maximum**

The expected quantitative and qualitative results of the 2007 programme should be mostly achieved. However, due to the projects’ budget changes a few indicators were modified. In some projects indicators positively exceeded planned output. In some cases new indicators were introduced. The process of certification of the 2007 projects’ expenditures is ongoing.

6. **In the light of the implementation of the 2007 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate? 15 lines maximum**

7.1.6 **In the light of the implementation of the 2007 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate?**

*What do you mean by “taking this into consideration the distribution among actions/projects was appropriate”?*
Before Multiannual Programme preparation the procedure of call of interest was launched and 2007-2013 indicative budget for each interested Partner was elaborated. All projects foreseen under the External Borders Fund are implemented under “executing body” method. New projects can be implemented in case savings’ occurrence. Taking this into consideration the distribution among actions/projects was appropriate in general. However, during the programme implementation, a few projects’ budgets occurred underestimated due to low exchange rate of PLN to EU used while Multiannual Programme preparation. Due to updating of exchange rate of PLN to EUR it was possible to reallocate occurred savings on projects already foreseen under Annual Programme 2007 according to Partners’ needs, however it hardly enough time to successfully spend all the funds (only 3 months).

Due to the specific character of the activities qualified for realisation under the External Borders Fund, projects are selected through a closed call, without the procedure to submit an official announcement of the call in newspapers / on the web page.

Before multiannual programme preparation the procedure of „call of interest” was launched. The invitation to submit calls for interest for the realisation of the projects has been addressed by the Responsible Authority to the closed group of potential Partners (The Ministry of Foreign Affairs, The Border Guard, The Police, The Office for Foreigners, Custom Services, Voivodes). All the Partners (public administration authorities) have de jure monopole for implementation of the tasks qualified for realisation.
The multiannual programme as well as the annual programmes shall be prepared based on the project proposals received. The annual programme indicates the projects which will be financed within the allocation.

This procedure allowed all potential Partners the equal access to the available funds and proper distribution of funding among actions/projects. Additionally, redistribution of funds and increasing of projects budgets resulted of savings’ occurrence is possible in case the projects budgets are underestimated,
VII.2. **Assessment of the implementation of the 2008 Annual Programme**

1. **Has the 2008 programme been implemented as originally planned and broadly in line with the programme schedule? 15 lines maximum**

Annual Programme 2008 has not been implemented as originally planned. Implementation of the Annual Programme 2008 was carried out within 2 approaches:
- continuation of multiannual projects selected under 2007 Programme and,
- project selection based on call for proposal.
Due to the delay with endorsement of the Annual 2008 Programme, delay occurred with the launching the Programme - the call for proposals was announced in March 2009, just after call for proposals for the Annual 2007 Programme.
3 projects initially planned for implementation under Annual Programme 2008 has been withdrawn by the Partner – Ministry of Foreign Affairs.
In March 2010 the modified version of Annual Programme 2008 was sent to the Commission. The changes concerned:
- updating of indicators,
- updating of planned schedule of activities,
- updating of exchange rate of PLN to EUR and reallocation of occurred savings on projects already foreseen under Annual Programme 2007 according to Partners’ needs,
- reallocation of occurred savings on new project according to Partners’ needs.

2. **Have you encountered problems on implementation of the 2008 annual programme? If so, what measures did you take? 15 lines maximum**

Some difficulties and problems raised during the implementation of the Annual Programme 2008. Mainly, problems were connected with:
- Due to the delays in the endorsement of the Annual Programmes, Programmes for 2007 and 2008 were implemented almost simultaneously. Repeating of calls for proposals caused problems related to the finalisation of the preparation of the programming documentation.
- Short eligibility period:
  Implementation of projects and effectiveness of funds’ spending under Annual Programme 2008 are contagiously monitored, however the period was very short to conduct tender procedures and the projects under AP 2007 were priority for the whole 2009. Official letter was to the Commission including request for extension of the eligibility period.
- Due to shortage of Delegated Authority staff some delays regarding current assisting of projects occurs.

The number of Delegated Authority staff was properly increased in October 2010. Two posts from total number of seven was dedicated to the External Borders Fund.
3. Has a revision of the 2008 programme by the Commission been necessary? If so, what were the main changes? 15 lines maximum

In March 2010 the modified version of the Annual Programme 2008 was sent to the Commission. The modifications mainly resulted from an increase in the exchange rate of PLN to EUR and to better knowledge of the actual costs of projects. Due to savings it was possible to introduce new project. The proposed changes were in general to increase the effectiveness of the actions/projects planned. Since the proposed modifications to the financial breakdown exceed 10% of the total contribution from the Fund (in total: 18%) as well concern introduction a new key action/project, a formal adoption of the revised programme by the Commission is required.

The revisions included changes to actions under all priorities.

4. Have you implemented the 2008 programme (the case being, the revised programme) fully? (= all or nearly all actions set out in the programme approved by the Commission, or in the revised programme approved by the Commission, could be implemented by the end of this programme) 15 lines maximum

Before the call for proposals under the Annual Programme 2008, 2 projects initially planned for implementation under Annual Programme 2007 have been withdrawn by the Partner – Ministry of Foreign Affairs and 1 project was withdrawn during the verification process also by the Minister of Foreign Affairs. Projects under the Annual Programme 2008 are not yet finished. RA applied to the Commission for extension of the eligibility period.

5. Have the expected quantitative and qualitative results of the 2008 programme - as set out in the programme / revised programme approved by the Commission - been achieved at the end of this programme? 15 lines maximum

The expected quantitative and qualitative results of the 2008 programme should be mostly achieved. However, due to the projects’ budget changes a few indicators were modified. In some projects indicators positively exceeded planned output. In case of new project additional indicators were introduced. The process of certification of the 2008 projects’ expenditures is ongoing.

The expected quantitative and qualitative results of the 2008 programme will be known after certification process of the projects’ expenditures is finished. Almost all projects (except one) have been finished within eligibility period. Due to the long public procurement procedure one of the contractor recognised a problem with delivery some equipment by the end of the eligibility period e.g. June 2010. Taking this into consideration the realisation of the project is extended on annual programme 2009 and the part of the equipment can be delivered after June 2010.
6. In the light of the implementation of the 2008 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate? 

*15 lines maximum*

Before Multiannual Programme preparation the procedure of call of interest was launched and 2007-2013 indicative budget for each interested Partner was elaborated. All projects foreseen under the External Borders Fund are implemented under “executing body” method. New projects can be implemented in case savings’ occurrence. Taking this into consideration the distribution among actions/projects was appropriate in general. Due to updating of exchange rate of PLN to EUR second call for proposals was launched and a new key action and new project was introduced.
VII.3. **Assessment of the implementation of the 2009 Annual Programme**

1. **Has the 2009 programme been implemented as originally planned and broadly in line with the programme schedule?** *15 lines maximum*

The Annual Programme 2009 is not implemented as originally planned. Implementation of the Annual Programme 2009 is carried out within 2 approaches:
- continuation of multiannual projects selected under 2007 and 2008 Programmes and,
- project selection based on call for proposal launched in November 2009.

Before starting Programme’s implementation, 1 project initially planned for implementation under Annual Programme 2009 has been withdrawn on the request of the Partner – Ministry of Foreign Affairs. It was planned to implement the project within the allocation 2008, 2009 and 2010. However, Partner decided to implement a part of the project (allocation 2009 and 2010) within his own budget.

Two multiannual projects were also shortened on the request of the Partners – Border Guard and Minister of Foreign Affairs. Projects were withdrawn from the Annual Programme 2009 because the results indicators were achieved under previous allocation.

Additionally, due to the long public procurement procedure one of the contractor recognised a problem with delivery of some equipment by the end of the eligibility period e.g. June 2011. Taking this into consideration the realisation of the project is extended on annual programme 2010 and the part of the equipment can be delivered after June 2011.

On the other hand, due to occurred savings eleven new projects has been introduced to the Annual Programme 2009 till now.

2. **Have you encountered problems on implementation of the 2009 annual programme? If so, what measures did you take?** *15 lines maximum*

Due to the long public procurement procedure one of the Partner announced a problem with spending some funds within the project by the end of the eligibility period. Taking this into consideration, Responsible Authority proposed to introduce this project also in the Annual Programme 2010 and will inform the Commission. The budget of the above mentioned project will be reduced under the Annual Programme 2009 and the budget of another project will be increased consequently.

Due to shortage of Delegated Authority staff some delays regarding current assisting of projects occurs.

Due to the long public procurement procedure one of the contractor recognised a problem with delivery some equipment by the end of the eligibility period e.g. June 2011. Taking this into consideration the realisation of the project is extended on the annual programme 2010 and the part of the equipment can be delivered after June 2011.
3. Has a revision of the 2009 programme by the Commission been necessary? If so, what were the main changes? 15 lines maximum

Revised Annual Programme 2009 will be sent to the Commission.

The following changes are foreseen:
- introduction of new projects resulted of savings’ occurrence,
- increasing of projects budgets resulted of savings’ occurrence,
- updating of indicators,
- updating of the projects timetables,
- adjusting of all projects budgets resulted of updating of exchange rate of PLN to EUR.

The revision will include changes to actions under all priorities.

4. Have you implemented the 2009 programme (the case being, the revised programme) fully? (= all or nearly all actions set out in the programme approved by the Commission, or in the revised programme approved by the Commission, could be implemented by the end of this programme) 15 lines maximum

Before starting Programme’s implementation, 1 project initially planned for implementation under Annual Programme 2009 has been withdrawn on the request of the Partner – Ministry of Foreign Affairs. It was planned to implement the project within the allocation 2008, 2009 and 2010. However, Partner decided to implement a part of the project (allocation 2009 and 2010) within his own budget.

Two multiannual projects were also shortened on the request of the Partners – Border Guard and Minister of Foreign Affairs. Projects were withdrawn from the Annual Programme 2009 because the results indicators were achieved under previous allocation.

Additionally, due to the long public procurement procedure one of the contractor recognised a problem with delivery of some equipment by the end of the eligibility period e.g. June 2011. Taking this into consideration the realisation of the project is extended on annual programme 2010 and the part of the equipment can be delivered after June 2011.

Additionally, due to occurred savings, eleven new projects has been introduced to the Annual Programme 2009 till now.

5. Have the expected quantitative and qualitative results of the 2009 programme - as set out in the programme / revised programme approved by the Commission - been achieved at the end of this programme? 15 lines maximum

not applicable

6. In the light of the implementation of the 2009 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate? 15 lines maximum
Due to the specific character of the activities qualified for realisation under the External Borders Fund, projects are selected through a closed call, without the procedure to submit an official announcement of the call in newspapers / on the web page.

Before multiannual programme preparation the procedure of „call of interest” was launched. The invitation to submit calls for interest for the realisation of the projects has been addressed by the Responsible Authority to the closed group of potential Partners (The Ministry of Foreign Affairs, The Border Guard, The Police, The Office for Foreigners, Custom Services, Voivodes). All the Partners (public administration authorities) have de jure monopole for implementation of the tasks qualified for realisation.

The multiannual programme as well as the annual programmes shall be prepared based on the project proposals received. The annual programme indicates the projects which will be financed within the allocation.

This procedure allowed all potential Partners the equal access to the available funds and proper distribution of funding among actions/projects. However, during the programme implementation, a few projects’ budgets occurred underestimated due to low exchange rate of PLN to EU used while Multiannual Programme preparation. Due to updating of exchange rate of PLN to EUR it was possible to reallocate occurred savings on projects already foreseen under Annual Programme or new ones.
VII.4. **The Management and Control System for the Fund and the implementation of the Annual Programme 2007 through 2009**

**Based on:**
- All information available to the Responsible Authority on the implementation of each annual programme 2007 through 2009
- The Management and Control system of the External Borders Fund in your Member State
- Any external evaluation available to the Responsible Authority
- Any other analysis carried out by your government as regards the Fund

Provide your assessment for the following item. Please explain the reasons for your judgement.

1. **Has the Management and Control System of the External Borders Fund which you designed in 2007-8, been efficient for the implementation of the annual programmes so far?** *Half a page maximum*

Management and Control system is common for three Funds: External Borders Fund, European Refugee Fund and European Return Fund.
Responsible Authority considers that the Management and Control System has been generally efficient for implementation of the Annual Programmes so far.
Responsible Authority, Audit Authority, Certifying Authority and Delegated Authority act according to the manual’s provision and their own manual of procedures. There are clear distinctions of responsibilities between members of the institutions involved in managing and controlling of the External Borders Fund.
Functioning of the Management and Control System has been a subject of the analysis carried out by the Audit Authority. However, the opinion of the Audit Authority concerning the functioning of the system is not known yet.

2. **Please list any changes you have made in the Management and Control System of the External Borders Fund which you designed in 2007-8, bearing in mind the experiences gained/ lessons learned during the implementation of the annual programmes 2007 – 2009 and/or any comments from the Commission and/or audits.** *Half a page maximum*

In the Management and Control System approved by the European Commission following change was introduced:
- Audit Authority – the previous Audit Authority (Department of Financial Interests of the European Union, Ministry of Finance) delegated the function of the Audit Authority in the Management and Control System to the General Inspector for Treasury Control served by the Department for Protection of EU Financial Interests, Ministry of Finance together with 16 Regional Treasury Control Offices.
– Financial agreements – financial agreement signing procedure previously requiring both signature of Undersecretary of State in Ministry of Interior and Administration and the Director of the Department of European Union and International Cooperation, at the Ministry of Interior and Administration was modified. Currently on behalf of the Responsible Authority the financial agreements are signed only by the Director of the Department of European Union and International Cooperation, Ministry of Interior and Administration.

– The Office for Administration and Finance at the Ministry of Interior and Administration was involved into Management and Control System. The Office keeps records in respect of the technical assistance for the Responsible Authority.
In case you had recourse to an external expertise for other parts of this report: 
this part must always be filled in by the Responsible Authority itself

VIII.1. What is your overall assessment of the implementation of the External Borders Fund in your Member State from 2007 to 2009? 1 page maximum

Following Poland’s entry in the Schengen Zone, crossing Polish border means free movement towards other EU Member States without further border controls. Therefore, the need to protect the external borders is an extremely responsible task for Poland, the task of guaranteeing safety of all EU Member States from threats from persons and goods unwanted in the territory of the European Union, while at the same time maintaining good relationships with states neighbouring the European Union. Border control must ensure the highest level of security, and at the same time cannot prevent legal movement of persons or international trade.

It is necessary to stressed that the measures undertaken by national institutions within the scope covered by the Fund’s objectives, i.e. external border control as regards persons, migration flows and visas are financed above all from the national budget. However, activities proposed under the External Borders Fund meet Polish expectations and may be seen as an important additional tool to support national needs. Projects implemented under EBF are consider as continuation of the activities undertaken within the Schengen Facility.

At the moment the External Borders Fund in Poland is in its preliminary phase, first projects have or are being completed. Projects’ certification process is ongoing. Till now 5 call for proposals has been already launched.

The implementation of External Borders Fund projects from 2007 to 2009 can be assessed positively despite appearance of some difficulties.

Due to the delays in the endorsement of the Annual Programmes, Programmes for 2007 and 2008 were implemented almost simultaneously. Repeating of calls for proposals caused problems related to the finalisation of the preparation of the programming documentation by the Partners.

However, despite the period of implementation of Annual Programme 2007 and 2008 was very short to conduct tender procedures, almost all beneficiaries managed to finalise projects within the eligibility period. Due to the long public procurement procedure one of the contractor recognised a problem with delivery some equipment by the end of the eligibility period e.g. June 2010. Taking this into consideration the realisation of the project is extended on annual programme 2009 and the part of the equipment can be delivered after June 2010.
Also due to shortage of Delegated Authority staff some delays regarding current assisting of projects occurred. Taking all above into consideration delivery of documentation needed for paying balance for the Annual Programme 2007 by the EC is delayed.

Difficulties related to the frequent Annual Programmes’ revisions was also noticed. Taking this into consideration it is planned to prepare Annual Programme 2011 – 2013 on the actions and not projects level i.e. less detailed than Annual Programmes 2007 – 2010.
VIII. 2 Taking into account the overall implementation of the External Borders Fund in your Member State from 2007 to 2009, what is your preliminary assessment in relation to the following aspects of the External Borders Fund on the following aspects?

1. Relevance of the programme's priorities and actions to the national situation

Please describe how relevant the programme's objectives are overall to the problems and needs identified in the field of external border control and visa policy. Has there been an evolution which required a reshaping of the intervention? 15 lines maximum

Chapter I of the Multiannual Programme outlines a general situation of the country with regard to goals achieved which could be to a large extend covered by the Fund. In spite of serious undertakings financed from both national resources and foreign aid, the needs within the scope are still considerable.

Fundamental national needs were identified in the Integrated Border Management Programme 2007–2013 adopted by the Government of the Republic of Poland on 11 September 2007. The document presents an analysis which has helped to specify four priorities under which national measures/needs demanding further financing. The Annual Programme's objectives are in accordance with this needs.

Further analysis of needs at the national level are to be a subject of a study launched under External Borders Fund. The study results are expected in the 2010. The study would provide a basis for modification of the plans and possible shifting of funds currently planned to be absorbed under the External Borders Fund.

2. Effectiveness of the programme

Please highlight the key results of the programme overall and the extent to which the desired results and objectives (as set out in the multiannual programme strategy) been attained. Are the effects resulting from the intervention consistent with its objectives? 15 lines maximum

The results of 2007 projects show that the planned results (expressed by indicators) should be achieved in majority. Some indicators have been modified and new one were introduced as well. The process of certification of the projects’ expenditures is ongoing.

The key results of the Annual Programmes are i.a.:

– increase in safety level on the EU external border,
– increase in the effectiveness and mobility of services,
– increasing effectiveness of the border traffic control,
– increase in capacity and efficiency of the IT systems already existing and under implementation,
– improved work of the officers posted directly at the border crossings,
– increase in functionality of the border crossing,
– improvement of coordination of activities within border crossings,
– increasing knowledge of officers.
3. **Efficiency of the programme**

Please estimate the cost of the management of the External Borders Fund so far and whether in your opinion the programme's objectives are being developed in accordance with the original planning and at a reasonable cost. *15 lines maximum*

The management’s cost of the External Borders Fund is financed under Technical Assistance. The amount for Technical Assistance for the period 2008 – 2010 is 7% of the total annual amount of cofinancing allocated to Poland plus 30 000 EUR. If reduced in future to 4% plus 30 000 EUR, without an increase of allocation per country, the amount may reduce management activities.

Technical Assistance’s resources are divided between Responsible Authority, Delegated Authority, Certifying Authority and Audit Authority involved in the Fund’s management. Taking into consideration the size of the allocations and number of actions/projects implemented the cost of the management of the External Borders Fund is not very high.

The programmes objectives are developed with accordance the original planning and at a reasonable cost. Savings occurred during programmes’ implementation are allocated in accordance with Partner’s needs. This allows efficient using of available resources.

4. **Complementarity**

Please indicate any issues you have had with establishing the complementarity and/or synergies with other programmes and/or EC financial instruments such as the other Funds of the General Programme, the Thematic Programme on Asylum and Migration and/or the Structural Funds. *15 lines maximum*

The Multiannual Programme was consulted with bodies responsible for border security and control and for the issues of consular cooperation and visas, as well as with bodies responsible for management of the other funds, i.e. the Implementing Authority for European Programmes and the Ministry of Regional Development which is responsible for structural and cohesion policy coordination including preparation of draft programming documents.

Measures implemented under the External Borders Fund are complementary to or continue the measures implemented under other funds, such as Phare, Transition Facility, Schengen Facility, Norwegian Financial Mechanism, Structural and Cohesion Funds.


5. **Added value**

Please indicate how you perceive the programme's added value in comparison with existing national programmes/policies at national, regional and local level, and in
The measures undertaken by national institutions within the scope covered by the Fund’s objectives, i.e. external border control as regards persons, migration flows and visas are financed above all from the national budget. However, activities proposed under the External Borders Fund meet Polish expectations and constitute added value in comparison with existing national programmes at national level, and in relation to the national budget in the area of intervention of the External Borders Fund. The Annual Programme's objectives are in accordance with national needs identified in the Integrated Border Management Programme 2007–2013 adopted by the Government of the Republic of Poland on 11 September 2007.

Following Poland’s entry in the Schengen Zone, protection of the external borders is an extremely responsible task for Polish border services. Projects implemented under the External Borders Fund not only support target groups identified on the national level but also all the EU Member States.

VIII.3. Any suggestions / recommendations for improvements in the regulatory framework (basic act and implementing rules) and the Commission guidance documents which would help you to streamline and improve the annual programming exercise in general? 

The experience has shown that the most important programming document is the Multiannual Programme, the Annual Programmes being an exercise that merely repeats the activities and adds numbers (allocations) to them. A time-consuming and complex procedure of approval and modification of programmes should be simplified.

We therefore suggest replacing the current system of Multiannual Programmes and Annual Programmes with one multiannual program for the whole period. The advantage would be increased efficiency and effectiveness as well as reduction of the administrative workload. Moreover we believe that more flexibility while implementing funds is required. The funds under one allocation, which were not spent during the eligibility period, should be shifted to the next allocation.

VIII.4. Any suggestions / recommendations for improvements in the regulatory framework (basic act and implementing rules) and the Commission guidance documents which would help you to streamline and improve the implementation of the actions / projects and the control mechanisms on the actions/ projects?

The most important modification that is desired is simplification of the cost eligibility rules. The switch from general eligibility of necessary expenditure, with some areas regulated in detail to a closed catalogue of eligible expenditure (only expenditure listed in categories of...
annex 11 to the implementing rules are eligible) creates constant problems with interpretation of the EC eligibility rules, creating an unnecessary risk of attributing necessary expenditure to improper categories or removing from direct costs expenditure that can’t be attributed to any of the categories of eligible direct expenditure.

Finally, taking the above into consideration we would propose for next financial perspective that the Responsible Authority of each Member State who defines the eligible expenditure for its country. This will improve implementation of the projects and will make the rules adequate to the situation in each Member State.

Late approval of the legal basis resulted in majority of project closing at the final date of eligibility. An introduction of 3 authorities – Responsible, Audit, Certifying complicated the process of a preparation of final reports. When these two factors are combined it becomes very difficult for a Member State to respect the 9 month period for the submission of a final report. This period should be prolonged to at least 12 months.

Project expenditure from 5000 euro should be based on a competitive procurement procedure. It should be limited to direct costs only. Indirect costs include costs that are often outsourced, like accounting services and office rental, but from the practical point of view necessary to be provided by the same service provider. Partner usually has permanent providers of these common services chosen before the project has started. Therefore we cannot require to choose providers once again in order to fulfil the 5000 euro rule.

In case of multi-annual projects, contracts with external suppliers are signed for more than one Annual Programme and thus invoices issued by the suppliers refer to more than one Annual Programme. Therefore we suggest that one invoice should be reported in more than one Annual Programme - description of the division of costs between different Annual Programmes will be placed by the Partner on the reverse side of the invoice.

Referring to the Technical Assistance, we suggest that eligibility of expenditures should be considered according to the relevance to the tasks carried out by the respective authority. Therefore any necessary and justified expenditures relevant to the tasks described in Basic Act, Article 18 and Annex 11 of the External Borders Fund Implementing Decision (chapter V- Technical assistance at the initiative of member states) should be accepted as eligible.

VIII. 5. Any suggestions / recommendations for improvements in terms of the guidance and support by the Commission to the Member States on the implementation of the programming exercise and the management and control system? Half a page maximum

The desk officers are responsive and support the Member States in implementation of the funds. The Commission also organizes training sessions during the common Committee "Solidarity and Management of Migration Flows" meeting. However, these meeting are attended by Member States personnel on different level, sometimes far from practical experience with the trained rules. It would be more than welcome that separate training sessions are organised participated by personnel performing trained tasks. Taking into account many issues connected with the implementation of the Fund which have to be discussed with the European Commission and other Member States the common Committee "Solidarity and Management of Migration Flows" should meet more frequently.
End of the report

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