1. Basic Information
1.1. Desirée Number: PL0005.02
1.2. Project title: Integrated Eastern border management
1.3. Sector: Justice and Home Affairs
1.4. Location: Poland

2. Objectives
2.1. Wider objectives
• Achieving compliance with Schengen standards, stated in the Protocol to the Amsterdam Treaty, on the future external border of EU located on the territory of Poland.
• Reaching compliance with priorities defined in the Accession Partnership and the National Programme of Approaching Accession in the field of JHA.

2.2. Immediate objectives
• Further development of Polish Eastern Border infrastructure according to the Schengen standards.
• Development of effective border management and control system.
• Alignment of Polish visa, migration and asylum policy with EU standards.
• Combating illegal immigration.
• Reinforcement of institutional and administrative capacity of state agencies responsible for border control and management and implementation of Polish visa policy.

2.3. ‘Accession Partnership’ and ‘National Programme of Approaching Accession’ priority:
AP: Short-term objectives:
- Implement national integrated inter-agency border management strategy with particular attention to the budgetary requirements of the eastern border,
- Continue to align visa regime and legislation on foreigners.

Medium-term objectives:
- upgrade law enforcement bodies (...) in particular in border control and illegal immigration to enable full participation in Schengen Information System and continue to fight organised crime, drug trafficking,
- continue alignment of Polish visa policy and practice with the EU legislation,
- align legislation and administrative capacity for implementation of asylum and migration acquis – for full reciprocal co-operation with the EU,
- implementation of integrated border strategy to facilitate readiness to undertake the obligations of the internal market.

NPAA: Priorities defined in part No 3.7.1– ‘Justice and Home Affairs’:
- implementation of migration and new asylum system (priority 3.7.1.1),
- adjustment of visa policy to the Community system (priority 3.7.1.2),
- approximation of the national frontier protection to the Community requirements (priority 3.7.1.3).

This project was prepared on a basis of „General JHA expert mission to Poland, 22-26 June 1998”.

3. Description
3.1. Background and justification
The European Union requirement addressed to Poland is to ensure tightened and safe border beyond official entry points and full application of Schengen regulations at all official entry points by the date of Poland’s accession to the EU.

Border management and protection is a task of a number of state administration units, both central and local. Interministerial Group for the Management of the State Border was established with the Ordinance of the Prime Minister on October 30, 1998 to co-ordinate activities carried out by all these institutions (see Appendix 4 – ‘Poland. Strategy of Integrated Border Management’ part I, chapter I.1 ‘Administrative framework and legal regulation regarding the management and protection of the state border’, I.2 ‘Ministry of Interior and Administration’). As a consequence of Poland’s endeavours to fulfil EU requirements, this Group prepared a detailed strategic plan for Polish border management and development. This document is a result of a thorough analysis of the situation on this border and discussed with all state agencies responsible for border management and control. It defines all tasks, which are indispensable for the Polish Eastern Border to become the external border of the European Union, and which have to be completed by December
31, 2002. The strategy was adopted by the Committee of European Integration on the 26th of January 2000 and presented to the European Commission on the 2nd of February 2000. Sealing of the future external border of the EU shall be followed by an efficient visa, migration and asylum policy. Thus adaptation of Polish visa, migration and asylum policy and practice to the EU standards is another significant priority recognised in the field of JHA. In the Negotiation Paper in the field of JHA, Poland accepted the EU requirement to adopt the common visa policy. It imposes on Poland the necessity to intensify management, investment and training activities in this field. Alignment of Polish migration-asylum policy with the policy of the EU is the next main short–term priority in the field of JHA. During the last few years all EU members have implemented new legislation on migration and asylum and at the same time tightened the external border of the EU. In June 1997 the Polish Parliament adopted a new Act on Aliens, which entered into force in December 1997. The new act incorporated into the Polish legislation, measures based on the acquis of the EU. Nevertheless, the Polish legislation on foreigners requires further approximation to the existing and newly developing Community law. The process of further harmonisation is in progress. According to the draft amending the Act on Aliens of June 1997, the National Schengen Information System will be placed in the Office for Repatriates and Aliens (chapter 8: Register and administrative database of aliens and National Information System of the draft). The draft has been approved by Polish Government. The newly established Office will be subordinated to the minister responsible for internal affairs. Taking into consideration all above mentioned goals and priorities, the Polish authorities have already undertaken many efforts and has directed significant financial resources to fulfil this obligations. The aim of this project is to support Polish Government endeavours to adjust visa, migration and asylum policy to the EU norms and to tighten up the Polish eastern border – future external EU border.

3.2. Linked activities
Phare 2000 project is a continuation of the EU support programmes addressed to Polish services responsible for border protection, combating organised crime and implementation of polish visa policy:
- Eastern Border Management and Infrastructure Programme – financed from the 1997 budget – programme is in the phase of realisation. From the overall sum of 15 MECU, the Border Guard received 8.3 MECU for: communication (establishing an integrated structure of communication system), mobility (terrain surveillance vehicles), vision equipment (night and enhanced vision surveillance devices), tactical support (special clothes).
- Eastern Border Management and Infrastructure Programme II – financed from the 1998 budget – programme is being implemented. From the overall sum of 13 mln Euro, the Border Guard received 7.5 mln Euro for: communication, mobility, vision, tactical support. Twinning is also included in the programme.
- Reinforcement of home affairs administration and border management – budget of 1999 year – programme is signed. The programme received 17.5 mln Euro. Programme is devoted to reinforcement and purchase of equipment for the agencies involved into combating organised crime, protection of Polish eastern border and for institutions responsible for visa and migration policies. The twinning is included in the programme
- From the 1996 budget of CBC Programme 1 MECU was allocated for purchasing portable document scanners and registering devices for the Border Guard.
- From the 1997 budget of CBC Programme 2 MECU was allocated for purchasing communication equipment, vehicles (136 terrain cars were delivered to the Border Guard), translations and language training for the Border Guard and the Police.
- From the Phare CBC’99 budget 1 mln Euro was allocated for over border FM communication.

3.3. Results
The services and equipment delivered in the framework of the project will strengthen the Polish agencies and services responsible for efficient management of the Polish Eastern Border, and improve the quality of services delivered to aliens. It will result in increased effectiveness of Border Guard activities and at the same time improve the security of the service. This will lead to decrease of criminality, including organised crime, and to diminish illegal migration to the territory of Poland and then to the territories of the EU countries. Equipping the national Schengen information centre (N.SIS) in IT systems as well as training of staff will enable implementation of visa procedures relating to citizens of states with introduced visa obligation (ca. 4 million of persons in 2002) compliant with EU standards.
The border surveillance posts will be much better furnished with modern equipment. The project will complete the process of building the computer and communication system in the Border Guard units on the eastern border which will make it possible to connect them with the National Schengen Information System. In the coming years no additional funds from Phare budget are foreseen for this investment and the system will be maintained and developed if needed within the Border Guard budget. The staff of all agencies and services participating in the programme will be better trained. They will work more effectively and will serve to customers more efficiently. Advice and expertise delivered to the Polish decision makers will support their work. Generally, the project will improve IT systems in all agencies involved. So it will be the next step in approaching the Schengen standards by the Polish services.

3.4. Activities
This project is addressed to further development of Polish Eastern border, compliant with ex-Schengen requirements and to harmonisation of Polish visa and migration-asylum policy with the policy of the EU. There are two ministries involved in the project – the Ministry of Interior and Administration – MIA and the Ministry of Foreign Affairs – MFA and one service of MIA – the Border Guard. The project consists of two subprojects:

1. Modernisation and development of Polish eastern border.

2. Harmonisation of Polish visa and migration-asylum policy with EU requirements.

1. Modernisation and development of Polish eastern border

After enlargement the Polish eastern border would be the longest external land border of the EU (2200 km). Poland must be sufficiently prepared to take the responsibility of ensuring safety on the external border of EU. Moreover, the Amsterdam Treaty imposes on the future members of EU adoption of Schengen acquis with all its norms, procedures and standards. Considering the timetable of Poland’s accession process and the necessity of a full compliance with Schengen requirements – a motion was made to receive funds from PHARE 1997, 1998 and 1999 for assistance to strengthen the border protection services. As far as the needs for 2000 and further years are regarded, the Border Guard together with EU experts are analysing the current situation (estimation of threats) and institutional capacity (institutional inspection). On this basis, the plan for the improvement of border services has been prepared, which is included in the ‘Poland. Strategy of Integrated Border Management’

The logistic support within the frame of the PHARE 2000 covers:
- Communication: ensuring the transmission of orders to all operating units – purchase of telecommunication equipment, digital telephone exchanges, computer systems and passport readers for border control points;

The PHARE 2000 project is a continuation of the PHARE ’97, PHARE ’98 and PHARE ’99 programmes, and aims at providing the border control points with telecommunication equipment, computer sets, passport readers, which are necessary for the implementation of a computer network supporting the border controls (compliant with SIS). This project is the final step in preparation of the network in all Border Guard units, which will be connected with NSIS (the deadline is 31 of December 2002). The programme will complete the process of the investment as far as communications and computers of the BG are concerned. Funds availed through this programme along with the BG budged means will allow to prepare all the BG units on the future Eastern border of the EU to be connected to NSIS. In the years to come newly built telecommunications system will be maintained with the BG budget funds. It should be underlined, that the financial input of the BG into building and maintaining the teletransmission system and cryptographic protection of the transmitted information is immense. Funds allocated under the future aid programmes starting with COP 2001 and CBC 2000 are planned to be used for constructing stationary and mobile systems of electronic protection of the land border (including thermovision systems) and radiolocation protection of the coast border.

Detailed information about the present telecommunication and computer equipment and the needs for next two years are available. Additional data about the personnel of the Border Guard units are also available. Basic purchases:

- Telecommunication and computer equipment;
- Portable sets for passport reading with radio modem
- Terminal computer sets;
- Stationary passport readers;
- Energy supply generators;
- TEMPEST class computer sets for safe processing of secret data;
- Local radio computer networks.
- Twinning, technical assistance (TA)

Detailed cost breakdown for investment with the part financed by Poland

<table>
<thead>
<tr>
<th>Project</th>
<th>PHARE Budget M€</th>
<th>Input of the Polish party M€</th>
<th>Costs of investment and activities covered by the Polish party M€</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contract 1</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telecommunication and computer equipment for border crossing points (21 sets), Computer terminals for radio communication with border control stations knots, TEMPEST class computers (computer and printer) for safe processing of secret data (for 70 border crossing points) Local radio computer networks for 44 border crossing points</td>
<td>2.00</td>
<td>2.57</td>
<td>2.57 – execution of the tender documentation project, adaptation of the technical infrastructure (connections), equipment installation, implementation and users training costs</td>
</tr>
<tr>
<td><strong>Contract 2</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stationary passport readers for border control points (300 sets), Portable passport reading sets with radio modem</td>
<td>0.54</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Contract 3</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy supply generators (70 sets with UPS),</td>
<td>1.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Contract 4</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Installation of digital telephone exchange in 70 border crossing points</td>
<td>0.35</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sum</strong></td>
<td>10.30</td>
<td>2.57</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>12.87</td>
</tr>
</tbody>
</table>

2. Harmonisation of Polish visa and migration-asylum policy with EU requirements

To ensure the realisation of tasks resulting from the implementation of EU acquis, it is necessary to create a modern communication system in the central office of MFA in Warsaw and in N.SIS, which enable issuing of visas in accordance with EU procedures. Such system is necessary to fulfil tasks relating to visa issuing, gathering and processing of necessary information about foreigners, including statistical data, in accordance with Schengen requirements. The analytical work and consultations with experts concerning operation of Schengen information and communication system is carried out, and it is planned, that the work will be finalised in a year time, due to the limited access of the candidate countries to some information. Adaptation of visa practice to the EU requirements and significant increase of visas issued (up to ca. 4 million in the year 2002 comparing to 220 thousand in 1998) will make it necessary to considerably increase the number of staff at diplomatic and consular offices.

The current system regarding foreigners called OBCY-POBYT, contains, among others, the most basic information about persons applying for a refugee status or for asylum. This information is currently available in the 16 voivodship offices, in the Border Guard branches and in selected offices of the central government, thanks to the successful completion of the first stage of upgrading of the system. To meet the accession requirements it is necessary to develop the system by means of:

- broadening the accessibility to the system for all border checkpoints and central government offices; development of the system will eventually enable an exchange of information with the SIS system;
- broadening the scope of data processing;
- adjusting the processing capabilities to the aforementioned needs;
- drafting the statistical reports for the process of policy making.

PHARE project provides assistance for:
- modernisation of the ‘OBCY-POBYT” IT system (MIA),
- purchase of IT equipment, data processing and communication (MFA),
- changes in legislation, expertise (MFA),
- twinning (MFA)

Detailed cost breakdown for investment with the part financed by Poland

<table>
<thead>
<tr>
<th>Project</th>
<th>PHARE Budget (million EURO)</th>
<th>Input of the Polish party (million EURO)</th>
<th>Costs of investment and activities covered by the Polish party (million EURO)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contract 5</strong></td>
<td>2.5</td>
<td>0.7</td>
<td>0.7 – preparation of the open tender documentation draft, adjustment of the technical requirements</td>
</tr>
</tbody>
</table>
03.02 Integrated Eastern border management / 5

**Technical assistance**

According to the recommendations of the ‘General JHA expert mission to Poland, 22-26 June 1998’ underlining the need for training and know-how transfer to the Polish services involved in JHA issues, the Technical assistance (TA) is included in the project. TA aims at further development of Border Management Strategy (IBMS) – 0.5 mln EURO, preparation of expertise, translations, professional training. In addition the strategic steering group consisted of the MS experts are to be financed in the framework of TA. This group will monitor he direction of Polish services development in order to ensure that the progress which has been achieved is in compliance with the EU policy. TA activities are going to be realised in accordance with DIS provisions.

The Strategic Steering Group (SSG), headed by the representative of MIA, will initially guide the implementation of this project and assist in the preparation of a detailed future technological support plans for the Polish law enforcement agencies following the report on “Poland, Strategy of Integrated Border Management”(February 2000) and “Security and Public Order” (March 2000). It will provide detailed communications / computerisation specifications with costing and implementation timings with emphasis on improving the management of border up to EU standards. The SSG will take responsibility for quality control of tender specifications and guarantee implementation timings. The TA budget provides firstly for the setting up of a technical support function for carrying out these tasks, in particular long term logistical TA and a team of technical experts. The TA budget provides for specific studies including data flow modelling, field tests, site visits to MS and managing ”workshops”, translations and interpretations, logistical support, etc. The SGG will assist in the preparation of future funding proposals.

**4. Institutional framework**

The Ministry of Interior and Administration (MIA) is a leading agency of the programme. Project will be implemented in co-operation with the Ministry of Foreign Affairs (MFA). Owner of the equipment will be the Border Guard Service (see 3.4.1) and the Ministry of Foreign affairs (see3.4.2)

Main institutions involved in the project (in order presented in the description):

- Headquarters of the Border Guard (MIA),
- Department of Border Protection, Migration and Refugees (MIA),
- Consular Department (MFA).

**5. Budget in EURO (mln)**

<table>
<thead>
<tr>
<th>Investment (I)</th>
<th>Institution Building (IB)</th>
<th>Total Phare (I + IB)</th>
<th>Recipient</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Modernisation and development of Polish eastern border (MIA) 10.3</td>
<td></td>
<td>10.3</td>
<td>2.57</td>
<td>12.87</td>
</tr>
<tr>
<td>2. Harmonisation of Polish visa and migration-asylum policy with EU requirements (MIA,MFA) 3.5</td>
<td></td>
<td>3.5</td>
<td>1.7</td>
<td>5.2</td>
</tr>
<tr>
<td>Technical assistance - development of Integrated Border Management Strategy (IBMS) – 0.5 mln EURO, strategic steering group, translations, expertise, professional training – 2 mln EURO</td>
<td>2.5 *</td>
<td>2.5*</td>
<td>4.27</td>
<td>20.57</td>
</tr>
<tr>
<td>Total</td>
<td>13.8</td>
<td>2.5*</td>
<td>16.3</td>
<td>20.57</td>
</tr>
</tbody>
</table>

* this sum is separated from twinning
The Polish authorities have assured that the Government cofinancing is available either through the reserve budget foreseen specifically by the Ministry of Finance for this purpose each year, or directly through the budget of the relevant Ministry.

6. Implementation arrangements

6.1. Implementing Agency

PAO: Ministry of Interior and Administration, Under-secretary of State in the Ministry of Interior and Administration, S. Batorego 5 Street; 02-591 Warsaw, phone +48 (0)22 621 03 91; fax: +48 22 849 52 13, e-mail: wydzei@die.mswia.gov.pl

Implementing Agency: The Implementing Authority for Phare Cross Border Co-operation Programme; Krucza 36 Street; 00-522 Warsaw; phone +48 (0)22 695 99 10-11; fax: +48 22 695 99 12-13; e-mail: Phare@wwwp.pl.

The Strategic Steering of the Project and the preparation for future years’ plans is provided for by a Strategic Steering Group (SSG). It is chaired by the representative of the Ministry of the Interior and composed of the "project leader", representatives of the departments (MIA and MFA) concerned, the PAA and MS experts to be seconded as required.

The Strategic Steering Group (SSG), headed by the representative of MIA, will initially guide the implementation of this project and assist in the preparation of a detailed future technological support plans for the Polish law enforcement agencies following the report on “Poland, Strategy of Integrated Border Management” (February 2000) and "Security and Public Order" (March 2000). It will provide detailed communications / computerisation specifications with costing and implementation timings with emphasis on improving the management of border up to EU standards. The SSG will take responsibility for quality control of tender specifications and guarantee implementation timings.

6.2. Contracts

Expected number of individual equipment purchase contracts for the project – 7, but for the purposes of procurement a set of maximum three "procurement agent" contracts for the entire IC amount may be passed using a short list of established EU procurement agents. The TA component would constitute a single contract.

Values of each contract:

1. Modernisation and development of Polish eastern border
   - Contract 1 – 4.66 mln EURO
   - Contract 2 – 3.54 mln EURO
   - Contract 3 – 1.75 mln EURO
   - Contract 4 – 0.35 mln EURO

2. Harmonisation of Polish visa and migration-asylum policy with EU requirements
   - Contract 5 – 2.5 mln EURO
   - Contract 6 – 1 mln EURO
   - Contract 7 (TA) – 2.5 mln Euro

7. Implementation schedule

ToRs Ready Start of tendering Start of project activity Completion
1st half of 2000 1st half of 2001 2nd half of 2001 end of 2002

8. Equal opportunity

Appropriate professional qualifications and experience will be the main factors of personnel recruitment and evaluation. Both women and men have identical prospects.

9. Environment Not applicable.

10. Rates of return Not applicable

11. Investment criteria Not applicable

12. Conditionality and sequencing: This project is conditional on inter-agency coordination and complementary national funding.
<table>
<thead>
<tr>
<th>Wider objectives</th>
<th>Indicators of achievement</th>
<th>Sources of information</th>
<th>Assumptions and risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>enabling Poland to meet requirements of the <em>acquis communautaire</em> in the field of justice and home affairs</td>
<td>approach to the EU norms and standards, Polish Eastern border – future EU external border to be sealed, illegal migration and smuggling to be decreased. eastern border to be adjusted to the Schengen standards.</td>
<td>reports of the EU representatives and the EC experts, reports of the Ministry of Interior and Administration, including the Border Guard reports of Ministry of Foreign Affairs, statistical data, professional analysis.</td>
<td>the Polish government commitment into fight against organised crime and sealing of the future external EU border will decrease, changes in legislation and policy of Poland and EU on border protection between EU member states and admission of foreigners procedures.</td>
</tr>
<tr>
<td>immediate objectives</td>
<td>gradual move towards the implementation of the Schengen requirements, diminishing in number and reduction of effects of increasing illegal migration, rationalisation of information exchange, better service delivered by the trained staff.</td>
<td>reports of the Polish governmental institutions, reports of EU representatives and EC experts, beneficiaries reports, reports of local authorities on criminality in places where the programme takes place, professional analysis, statistical data.</td>
<td>the Polish authorities commitment in sealing of the Polish Eastern Border will diminish, financial obligations by the Polish government and EC will not be kept in time, the proper policy and strategy on staffing and personnel training, professionalism of implementing agency.</td>
</tr>
<tr>
<td>outputs/results of project</td>
<td>increase the effectiveness and security of the Border Guard activities increase the security to transit traffic, increase the effectiveness of fight against illegal migration and crime, Border Guard units on the eastern border accessible for NSIS improvement of the procedure of service for visa applicants, issuing visas on EU-similar standard in countries with restored visa obligation, in quantities relative to number of travellers, unification of practice and standards of services for foreigners,</td>
<td>reports of beneficiary on progress in implementation of the programme, independent evaluations, project monitoring and assessments reports, experts reports, contractors reports, training sessions reports,</td>
<td>financial, logistical and human resource commitment of responsible authorities, new law would be enacted, efficient co-operation between MS experts and national officials and experts, trained staff remains within the beneficiary institutions.</td>
</tr>
</tbody>
</table>
the central office of MFA in Warsaw and in N. SIS, increased level of knowledge and efficiency of consular staff, trained migration and consular services and other staff responsible for visa matters, better insight into the structure of EU members and their information system concerning visa policy and practice, created basis for information exchange with the SIS system, personnel trained in functioning of Schengen.

Inputs  | Indicators of achievement  | Sources of information  | Assumptions and risks
---|---|---|---
- secondments of experts,  
- delivery, installation, construction and testing of equipment,  
- delivery of services,  
- personnel training,  
- delivery of logistic services for training.  | - TA in place within the deadlines,  
- equipment delivered according to specifications and within deadlines,  
- qualified staff,  
- training carried out.  | - assessment of experts selection,  
- technical evaluations and activity reports,  
- training evaluation.  | - precise TORs and specifications  
- delays.  

Annex No 2-3: Implementation, contracting and disbursement schedule

<table>
<thead>
<tr>
<th>Date of Drafting</th>
<th>Planning Period</th>
<th>April 2000 2000-2002</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Quarters)</td>
<td>Budget Allocation Cost Estimate in mln EURO</td>
<td></td>
</tr>
<tr>
<td>PLANNED</td>
<td>2000</td>
<td>2001</td>
</tr>
<tr>
<td>I</td>
<td>II</td>
<td>III</td>
</tr>
<tr>
<td>Implementation schedule</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Contracting schedule</td>
<td></td>
<td>5.35</td>
</tr>
<tr>
<td>Implementation schedule</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legend: D= design of project; C= tendering and contracting; I= contract implementation and payment