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THE IMPORTANCE OF BORDER SURVEILLANCE AND BORDER TRAFFIC CONTROL AT THE EASTERN BORDER OF THE REPUBLIC OF POLAND TO THE CROSS-BORDER SECURITY OF THE EUROPEAN UNION²

Abstract

The main non-military criterion of border surveillance is border control; due to the geopolitical situation in Ukraine, preceded by the COVID-19 pandemic, the issue of border surveillance with regard to the eastern border of the Republic of Poland, also performing the function of one of the longest sections of the European Union's external land border, has become extremely important. Therefore, the article aims to point to the importance of border surveillance and border traffic control at the eastern border of the Republic of Poland to the cross-border security of the EU. To achieve this objective, it presents the main characteristics of border control and cross-border security at the external borders of the EU, describes the 'Polish' section of the EU's external land border, indicates the efficiency of control measures taken and identifies the threats and challenges to the protection and surveillance of border traffic. The article is theoretical

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and partly comparatively analytical in nature. It relies on traditional research methods: deductive reasoning and comparative analysis.

Keywords: border surveillance, border control, cross-border security, European Union, threat.

JEL: F10, F15, F50, M21

Introduction

For every country, its border is of particular value and performs three possible main functions, with varying intensity: (1) the military function – as a barrier preventing an armed attack (aggression, e.g. hybrid aggression); (2) the economic function – a barrier protecting from free (uncontrolled and undesirable) movement of goods (arms, chemical and biological materials) and services (undeclared work); (3) the social function – an obstacle verifying free (unauthorised, restricted or selectively distributed) movement as well as stopping illegal migration and trafficking in human beings and organs [Jakubczak, 2019]. Building border security is a multi-faceted task of great difficulty, particularly in the case of the Republic of Poland, playing an important role of the guardian of cross-border security due to its membership of the European Union (EU) and of the Schengen area. The borders of the Republic of Poland with the Russian Federation, the Republic of Belarus and Ukraine are not only Poland's national borders but also the external borders of the EU and of the Schengen area. Therefore, due to the lack of checks at the internal borders of the EU, the crossing of the eastern border of the Republic of Poland materialises the principle of the free movement within the territory of the Member States of all persons staying in the area. In 2022, the EU's external border in Poland was crossed by more than 37.3 million people, with over 21 million persons crossing the land border section [Komenda Główna Straży Granicznej 2023a]. It means that the daily average number of persons crossing the border (including the land border) was about 102,000 (57,500). As a result of the Russian invasion, the movement of persons at the border with Ukraine nearly doubled (rising to 17.3 million). Ukrainian citizens accounted for more than 46% of all travellers crossing the EU's external border in Poland in 2022.

The article aims to point to the importance of border surveillance and border traffic control at the eastern border of the Republic of Poland to the cross-border security of the European Union. The hypothesis to be verified is as follows: since the present-day cross-border security environment is subject to constant change and Poland's national borders with Ukraine, the Republic of Belarus and the Russian Federation are also the external borders of the EU, their surveillance is a priority for the security of all the Member States. The main criterion of border surveillance is border

control; therefore, the border services responsible for its organisation must ensure the highest level of security by protecting the Member States from unauthorised or dangerous individuals and goods on the one hand, whereas no measures taken should hinder legal passenger and freight traffic on the other hand. In order to achieve the objective so defined, the article reviews various literature sources and acts of secondary legislation regarding the main characteristics of border control and cross-border security as well as the role of entities combating and countering cross-border criminality. The theoretical part is complemented by analyses of statistical data from sources published by the Polish Border Guard, the force responsible for both national border surveillance and border traffic control. The approach adopted includes the application of the following research methods: deductive reasoning and comparative analysis.

The security of external borders is a topical problem in the EU; due to the existing conditions, various issues related to border surveillance at the eastern border of the Republic of Poland, also performing the function of one of the longest sections of the external land border of United Europe, have become more important than ever. At present, the subject of border surveillance and border traffic control is frequently discussed in the mass media, which proves its major role not only in the security system of the Republic of Poland but also of the whole EU. However, the main focus of most scientific studies is on the institutional or military dimensions of border management, hence the need for more theoretical insights into the problem. It must be noted that the article does not aim at preparing an exhaustive description or explaining all the research dimensions of the phenomenon under examination – particularly in the face of the war in Ukraine and the unstable geopolitical situation, the considerations presented should be treated as the starting point for further discussion and in-depth analysis.

1. The main characteristics of border surveillance and border traffic control at the external borders of the EU

Border surveillance is a multi-faceted task, consisting in arranging a set of administrative, political, policy making, sanitary and military activities, with a varying degree of rigour, carried out by every sovereign State with a view to preventing illegal crossings of its national border or unauthorised movement of specified goods, countering the cross-border transmission of infectious diseases [Laprus 1979], whereas the process resulting from all such measures taken by border services and aimed at ensuring (physical, technical, social, health, economic, environmental) security in crossing the EU's external border must be understood as the cross-border security of the EU [Świerczyńska 2022]. The present-day cross-border security has multiple dimensions and includes various aspects and areas of threats:

from economic, social, cultural, environmental to political and military in nature. The main purpose of the EU's external border surveillance is to prevent unauthorised border crossings, to counter cross-border criminality and to take measures against persons who have crossed the border illegally [Regulation (EU) 2016/399]. In accordance with EU legislation, the term 'external borders' of the EU means the Member States' land borders, including river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, provided that they are not internal borders, i.e. the common borders of the Member States [Regulation (EU) 2016/1624]. The total length of the external border of the EU is 44,752 km, including the land border of 12,033 km. In the EU, the border surveillance system is based on the European Union Integrated Border Management (EU IBM) system, consisting of components such as: border control (border checks and border surveillance); the detection of cross-border crime and conducting investigations in cooperation with all authorities competent for maintaining law and order; cooperation between various services involved in border management; international cooperation, the coordination and coherence of activities carried out by the Member States and the Union institutions and other bodies [Regulation (EU) 2016/1624]. Border control in each Member State is the responsibility of its border services (or the national authorities responsible for border management), whereas operational cooperation is managed and coordinated and the carrying out of border control tasks is supported by the European Border and Coast Guard Agency – Frontex [Regulation (EU) 2016/1624]. Frontex monitors the migration situation (migratory flows) in Europe and provides the Member States with operational assistance in the form of joint operations and rapid border interventions at the external borders as well as taking measures aimed at returning illegal immigrants from the territory of the EU [Szymańska 2018]. Specific rules for border control and the requirements to be fulfilled by third-country nationals subject to border checks are contained in the Schengen Borders Code [Regulation (EU) 2016/399]. Border control is in the interest not only of the Member State at whose external borders it is carried out but of all Member States which have abolished internal border control [Regulation (EU) 2016/399]. All the Member States, including those without external borders, are jointly responsible, although to a varying degree, for external border surveillance [Bujalski & Błędzki 2008]. Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations [Regulation (EU) 2016/399]. The coordination of measures aimed at detecting, preventing and combating irregular migration and cross-border crime is supported by the European Border Surveillance System (EUROSUR) [Regulation (EU) No 1052/2013]. Border control comprises not only checks on persons

at border crossing points and surveillance between those border crossing points, but also an analysis of the risks for internal security and of the threats that may affect the security of external borders [Regulation (EU) 2016/399].

2. The border of the Republic of Poland as the 'external border' of the European Union

The EU's external border concerns all the Member States whose external borders are identical with the external borders of the Community and basically performs the same functions as those of any national border – with the exception that the external border marks the limits of the control of the whole Union – as the most developed economic community – rather than of that of a single country [Balawajder 2018]. As regards the Republic of Poland, its national border is a vertical surface running through the border line and separating the territory of the Polish State from (1) the territories of other countries, (2) open sea, (3) the airspace, (4) the Earth's interior [Ustawa (Act) 1990/461]. The length of the border of the Republic of Poland is 3,572.69 km, including its sea border of 500.94 km. In international terms (i.e. as a Member State of the EU), Poland has internal and external borders. The function of the internal border of the EU concerns the national borders of the Republic of Poland with the following four countries: the Republic of Lithuania (104.38 km), the Slovak Republic (541.06 km), the Czech Republic (795.91 km) and the Federal Republic of Germany (489.37 km, including its land section – 467.15 km). At the same time, Poland's borders with the Russian Federation (232.04 km, including its land section – 209.83 km), the Republic of Belarus (418.24 km) and Ukraine (535.18 km) perform the function of the EU's external border. The total length of the internal and external land borders is 1,908.5 km and 1,163.25 km respectively, which means that the Polish section of the border is one of the longest sections of the external land border of the EU. The border surveillance policy is the essence of border traffic management, including border control. In that regard, a special role is played by the Polish Border Guard (hereinafter also: the PBG). The PBG is a uniform, uniformed and armed force, responsible for tasks such as national border surveillance, border traffic control, countering crime as well as preventing and combating illegal migration [Ustawa (Act) 2022/1061]. With regard to the surveillance and control of the movement of goods, the role of the guardian is played by the National Revenue Administration (*Krajowa Administracja Skarbowa*) and the Customs and Tax Service (*Służba Celno-Skarbowa*), the latter being a separate structure within the former [Ustawa (Act) 2016/1947].

Cross-border movement is allowed at designated places, i.e. at border crossing points. Their number and locations result from arrangements such as international agreements. At the land section of the EU's external border in Poland, there are 33 border crossing points: 18 for road traffic, 14 for rail

traffic [Table 1] and one river border crossing point (the border with the Republic of Belarus) [cf. Obwieszczenie (Announcement) 2015/636].

Table 1. Border crossing points and the authorised type of border traffic at the Polish section of the EU's external land border

Border of the Republic of Poland	Legal basis	Road border crossing points	Rail border crossing points
Belarus	Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on border crossing points, done at Warsaw on 24 April 1992	passenger and freight traffic: Kuźnica Białostocka – Bruzgi, Bobrowniki – Bierestovica, passenger traffic: Białowieża – Piererov, Terespól – Brest, Sławatycze – Damachava, freight traffic: Kukuryki – Kozłowiczy	passenger and freight traffic: Kuźnica Białostocka – Grodno, Terespól – Brest freight traffic: Zubki Białostockie – Bierestovica, Siemianówka – Svislach, Czeremcha – Vysoko-Litovsk.
Russian Federation	Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on border crossing points, done at Moscow on 22 May 1992	passenger and freight traffic: Bezledy – Bagrationovsk, Goldap – Gusev, Grzechotki – Mamonovo II, Gronowo – Mamonovo,	passenger and freight traffic: Braniewo – Mamonovo, freight traffic: Głomno – Bagrationovsk Skandawa – Zheleznodorozhny
Ukraine	Agreement between the Government of the Republic of Poland and the Government of Ukraine on border crossing points, done at Warsaw on 18 May 1992	passenger and freight traffic: Dorohusk – Jagodzin, Hrebenne – Rava-Rus'ka, Budomierz – Hrushiv, Korczoza – Krakovets', Krościenko – Smil'nytsya, Medyka – Shehyni, passenger traffic: Zosin – Ustilug, Dołhobyczów – Uhryniv	passenger and freight traffic: Dorohusk – Jagodzin, Hrubieszów – Volodymyr-Volynsky, Przemysł – Mostys'ka, passenger traffic: Hrebenne – Rava-Rus'ka, Krościenko – Khyriv, freight traffic: Werchrata – Rava-Rus'ka

Source: Prepared on the basis of the Annex to Announcement 2015/636 (Załącznik do Obwieszczenia 2015/636)

The land border crossing points account for the dominant share of border traffic, constituting the pivotal element of the system of border crossing points at that section of the external border of the Union [Świerczyńska 2022].

Border traffic at the Polish border crossing points has been significantly affected by the two recent crises, i.e. the COVID-19 pandemic and the war in Ukraine. In March 2020, pursuant to Article 16 of the National Border Surveillance Act, an ordinance was issued to introduce a temporary suspension or restriction of border traffic at specified border crossing points, including with the Russian Federation, the Republic of Belarus and Ukraine [Rozporządzenie 2020a/435]. The provisions were subsequently amended a number of times [Rozporządzenie 2020b/469; 2020c/1030; 2020d/1183; 2020e/1379; 2020f/1424; 2020g/1448; 2020h/1597; 2020i/1623; 2020j/1704; 2020k/2144; 2020l/2403; 2021a/545; 2021b/1088; 2021c/1126; 2021d/1384; 2021e/1536; 2021f/1654; 2021g/1835]; under the amending ordinance of 18 February 2022, the words 'the Russian Federation, the Republic of Belarus and Ukraine' were replaced by the words 'the Russian Federation and the Republic of Belarus' [Rozporządzenie 2022/423]. Thus, the suspension of border traffic ceased to apply to Ukraine. The statistical data contained in Tables 2 to 5 show the intensity of the cross-border movement of nationals of and vehicles from the neighbouring countries at the Polish section of the external land border of the EU.

Table 2. Cross-border movement of vehicles by section of the border of the Republic of Poland in 2020–2023 (1st semester)

Border section	2020	Change 2020/2019	2021	Change 2021/2020	2022	Change 2022/2021	2023 1 st semester
Russia	417,383	-78%	135,062	-68%	156,792	+16%	104,818
Belarus	1,811,151	-56%	1,574,371	-13%	1,394,919	-11%	539,214
Ukraine	2,463,647	-51%	3,309,101	+34%	3,925,879	+19%	1,998,764

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a, 2023b]

Table 3. Cross-border movement of persons by section of the border of the Republic of Poland in 2020–2023 (1st semester)

Border section	2020	change 2020/2019	2021	change 2021/2020	2022	change 2022/2021	2023 1 st semester
Russia	743,525	-79%	234,287	-68%	369,204	+58%	232,727
Belarus	3,024,134	-66%	2,180,133	-28%	3,358,099	+54%	1,442,623
Ukraine	7,819,324	-64%	8,730,051	+12%	17,288,970	+98%	8,571,820

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a, 2023b]

Table 4. Cross-border movement of foreign nationals by section of the border of the Republic of Poland in 2020-2022

Border section	TOTAL			From Poland			To Poland		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Russia	518,598	208,647	327,563	259,447	102,573	171,129	259,151	106,074	156,434
Belarus	2,642,677	2,009,776	3,145,728	1,413,036	1,083,567	1,593,120	1,229,641	926,209	1,552,608
Ukraine	7,336,577	8,245,506	16,812,924	3,691,306	4,100,072	7,376,721	3,645,271	4,145,434	9,436,203

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a]

Table 5. Cross-border movement of Polish nationals by section of the border of the Republic of Poland in 2020-2022

Border section	TOTAL			From Poland			To Poland		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Russia	224,927	25,640	41,641	112,555	12,988	20,747	112,372	12,652	20,894
Belarus	381,457	170,357	212,371	191,904	87,275	107,573	189,553	83,082	104,798
Ukraine	482,747	484,545	476,046	236,538	243,069	235,001	246,209	241,476	241,045

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a]

The year 2020 saw a downward trend of border traffic, which obviously stemmed from the mobility restrictions imposed in connection with the COVID-19 pandemic. Major changes took place in 2022. In the aftermath of the Russian invasion of Ukraine on 24 February 2022, Poland experienced a mass influx of Ukrainian nationals as well as of third-country nationals residing in Ukraine. In the 1st quarter of 2022, more than 4.2 million people crossed the EU's external border with Ukraine (up by 172% on the 1st quarter of 2021), including nearly 3.2 million Ukrainian citizens. Another 4.1 million persons crossed the border in the 2nd quarter of the year [Komenda Główna Straży Granicznej 2022a]. In response to such intensive flows of persons fleeing the war, extraordinary simplification of border controls was introduced [European Commission, 2022]. In its Communication – Providing operational guidelines for external border management to facilitate border crossings at the EU–Ukraine borders – the European Commission included, *inter alia*, facilitation measures concerning border controls, e.g. the simplification of border controls for certain categories of persons, including vulnerable persons, such as children, citizens that found themselves in Ukraine while working or studying; special arrangements for crossing the borders by rescue services, etc. It lifted the requirements related to documents and compulsory vaccinations of pet animals travelling with their owners from Ukraine [European Commission, 2022].

3. Cross-border threats at the eastern section of the EU's external border

The cross-border aspect of threats, or phenomena causing uncertainty, means that they concern areas located in two or more countries. Depending on their nature, they may affect millions of people; in the case of the eastern border of the Republic of Poland, such threats may impact nationals of all the EU Member States. Cross-border threats have external and (or) internal causes, national, internal and global conditions; they are most likely to materialise in places lacking safeguards and when least expected. The first dimension, and the most dangerous one, is obviously the military violation of the border by another country's armed forces; as the situation in Ukraine has shown, it is still a genuine threat in Europe. Considering the geopolitical location of the Republic of Poland, no military threats must be neglected – they should be seen as real and likely to materialise in a combination of unfavourable political events. Special attention must be given to possible spying activities or to provocations, especially in the form of provocative violations of the territory of the Republic of Poland in its border area and border disputes caused by organised militarised units with the intention of activating components of Poland's defence system [Wiśniewski 2013].

Another dimension comprises non-military threats; although they present no risks to territorial security, in practice they pose serious problems adversely affecting cross-border security. Due to the nature and scope of their influence, the range of non-military threats is very wide, it is an open catalogue. For example, the COVID-19 pandemic forced a change in the perception of health threats. Measures taken at the Polish section of the EU's external border to ensure border surveillance and effective control of border traffic were extremely important as the external borders of the EU then served as filters for the movement of persons and helped mitigate the effects of the pandemic, thus protecting not only Poland's residents but also those of the other EU Member States.

Significant non-military threats include risks related to cross-border criminality, frequently in the form of organised crime. Organised cross-border crime exists in a very wide variety of forms, manifestations, on a varying scale. That form of crime is a dynamic phenomenon, impossible to describe in very general terms. It is extremely difficult to reliably and comprehensively assess the scale of its impact on the security of individual countries and of the international system [Wawrzusiszyn 2013]. The two main criminal offences related to the cross-border security of the external border of the EU in Poland concern illegal immigration and smuggling various goods.

The term 'illegal immigration' is used to describe third-country nationals who enter the territory of a Member State illegally by land, sea and air, which is often done by using false documents, or with the help of organised criminal

networks of smugglers and traffickers [European Commission 2006/0402]. One form of tackling illegal crossings of national borders is the possibility to refuse entry (Table 6).

Table 6. Foreign nationals refused entry at the eastern border of the Republic of Poland in 2020-2023

Border section	2020	change 2020/2019	2021	change 2021/2020	2022	change 2022/2021	2023 1 st semester
Russia	273	-79%	132	-52%	303	+130%	80
Belarus	8,713	-74%	1,610	-82%	2,623	+63%	1,209
Ukraine	24,628	-59%	29,106	+18%	22,578	-22%	5,967

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a, 2023b]

The size and intensity of the phenomenon of illegal immigration is determined by a number of variable factors, e.g. threats to life and health, persecution on religious, political, racial or ethnic grounds, armed conflicts and globalisation processes (Suduł, 2012–2013: p. 374). At the Polish border, people are most frequently smuggled outside authorised border crossing points, i.e. by crossing the so-called 'green border'. It primarily results from the fact that smuggling people at border crossing points is virtually impossible. Therefore, people smugglers use routes difficult to access for border guards. The problem of illegal migration has become particularly serious at Poland's border with Belarus. As a consequence of political tensions between the EU and Belarus, having arisen in 2020 due to challenging the results of the Belarusian presidential election and to subsequent sanctions imposed by the EU, the national institutions of Belarus created an artificial migratory route for nationals of the Middle Eastern countries. Those activities caused a record-high level of apprehensions at the border with Belarus in 2021 (+1070%). In the following year, the number of apprehensions went down (Table 7). It resulted from decreased migratory pressure and enhanced surveillance at the Poland-Belarus border, i.e. the putting into use of the engineering and electronic border barriers, the former 187 km long and 5.5 m high. Whereas the physical barrier is not always effective as migrants are often well-prepared to overcome it (special anti-slip gloves, telescopic ladders, grinders, petards), in the case of the electronic border barrier any signals received by the surveillance centre allow sending patrols immediately to places where illegal border crossings are attempted. The migratory pressure at the Poland–Belarus border has increased again since May 2023. As regards the Poland–Ukraine border, in 2022 the fall in the number of apprehensions primarily resulted from the extraordinary simplification of border controls with regard to Ukrainian nationals (Table 7).

Table 7. Persons apprehended by the Polish Border Guard at the eastern border of the Republic of Poland for crossing the border illegally in 2020-2023 (1st semester)

Border section	2020	change 2020/2019	2021	change 2021/2020	2022	change 2022/2021	2023 1 st semester
Russia	32	-76%	17	-47%	23	+35%	9
Belarus	246	+13%	2,877	+1070%	588	-80%	362
Ukraine	1,581	+46%	3,712	+135%	1,053	-72%	101

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a]

The falsification of travel documents is strictly related to illegal migration. In the case of foreign nationals failing to fulfil the necessary entry conditions, one option to enter the territory of the EU is crossing the border of the Republic of Poland by using false documents or documents which do not authorise such third-country nationals to cross the border. The scale of detected false documents is presented in Table 8. In the period in question, the highest number of such detections concerned Ukrainian nationals (2020 – 1,423, 2021 – 3,325, 2022 – 659) and Poland's border with Ukraine (2020 – 1,311, 2021 – 3,426, 2022 – 649).

Table 8. Falsification of documents – the number of persons using false documents authorising them to cross the border as detected by the Polish Border Guard in 2020–2023

YEAR	2020	change 2020/2019	2021	change 2021/2020	2022	change 2022/2021	2023 1 st semester
DETECTIONS	1,863	+55	4,460	+139%	1,249	-72%	401

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a, 2023b]

As the European Union is an important market for illegal goods, smuggling poses a serious threat. In legal terms, smuggling primarily includes various forms of customs and border wrongs (tax offences and petty offences). From the point of view of finance, due to budgetary revenue foregone, smuggling affects the level of economic security [Książopolski 2011]. At the eastern border of the Republic of Poland, smuggling activities most frequently involve the use of structural components of vehicles for road and rail transport, e.g. in cars or lorries – special double floors, double walls of vehicles, spaces in the interior, in the wheel tyres; in freight wagons – under the cargo carried or in empty spaces. The phenomenon can be illustrated on the basis of the performance of Polish border guards in combating cross-border crime (Table 9). It must be pointed out that, however, that it is hardly possible to estimate the actual scale and size of smuggling.

Table 9. Value of goods detected by the Polish Border Guard (and in cooperation with other services) at the EU's external land border by type of item and by place of apprehension in 2020-2023 (estimated data, PLN)

goods	2020	change 2020/2019	2021	change 2021/2020	2022	change 2022/2021	2023 1 st semester
RUSSIA							
total	1,521,670	-52%	1,652,090	+ 9%	624,573	-62%	1,317,901
vehicles	461,400	-32%	363,500	-21%	355,000	-2%	1,255,000
alcohol	33,153	+710%	782	-98%	15,580	+1894	-
cigarettes	759,545	-57%	504,520	-34%	103,687	-79%	14,147
tobacco	187,589	-59%	714,368	+28%	94,307	-87%	-
other goods	79,983	-72%	68,920	-14%	56,000	-19%	14,147
BELARUS							
total	30,872,418	-5%	54,054,530	+ 75%	5,878,497	-89%	8,522,507
vehicles	2,251,100	-67%	5,315,500	+136%	3,554,755	-33%	2,781,000
alcohol	116,944	+944%	14,420	-88%	7,259	-50%	4,835
cigarettes	27,143,130	+469%	35,820,630	+32%	2,036,709	-94%	5,585,078
tobacco	546,394	+681%	40,548	-93%	27,840	-31%	19,596
other goods	814,851	-96%	251,934	+1479%	12,862,486	-98%	131,999
UKRAINE							
total	19,339,082	-44%	18,050,525	- 7%	15,814,049	-12%	10,002,031
vehicles	7,919,840	-32%	7,893,397	-0.3%	11,846,750	+50%	6,176,500
alcohol	42,193	+24%	20,441	-52%	14,261	-30%	4,517
cigarettes	5,931,241	-40%	5,133,170	-13.5%	1,333,613	-74%	398,564
tobacco	347,509	+4804%	348,240	+0.2%	243,948	-30%	59,940
other goods	5,098,299	-60%	4,656,772	-9%	2,375,476	-49%	3,362,511

Source: Prepared on the basis of the Border Guard Headquarters data [Komenda Główna Straży Granicznej: 2021; 2022b; 2023a, 2023b]

Cross-border crime is a dynamic phenomenon, taking various forms and posing a significant threat not only to the cross-border security of the Republic of Poland but also to that of the other EU Member States. Each day tests the effectiveness of border controls. The statistical data shown above with regard to combating cross-border crime at the borders with Ukraine, Belarus and Russia represent a measurable contribution to improving the state of security in the EU as a whole and prove the important role played by the Polish border services in ensuring cross-border protection and surveillance.

4. Challenges to the protection and surveillance of border traffic at the eastern border of the Republic of Poland

The border services of the Republic of Poland, responsible for border surveillance and border traffic control at the external land border of the EU, have been facing serious challenges with regard to arranging and ensuring

appropriate border traffic controls. Those challenges arose in the aftermath of two crises combined: first, the COVID-19 pandemic, followed by the war in Ukraine and the related migration crisis, very different in nature. Whereas the COVID-19 pandemic pushed down the intensity of border traffic due to closures of border crossing points or to mobility restrictions and the main task of border guards was to ensure compliance with the limitations imposed, the war in Ukraine made a great number of people attempt to cross the border of the Republic of Poland in a short period. Preventing congestion at or near the border traffic while maintaining a high level of security was extremely challenging to the border services. The task was made no easier by the impossibility to verify the identities of migrants the majority of whom had no documents allowing their identification or by the provisions introducing the facilitation and simplification of border checks. Those crises also highlighted the significance of crisis management as a border management component. It is extremely important to alleviate and minimise the effects of crisis situations or emergencies at the border on account of the security of all the Member States. Reducing vulnerability to crises and events at borders requires detailed understanding of short-term and long-term risks as well as of existing vulnerabilities. It involves proper situational awareness and information sharing, systematic and regular risk analysis and quality control [Frontex, 2021]. As assessed by Frontex, crisis management will become a permanent feature of EU border management [Frontex, 2022]. Only cooperation across policy areas and authorities – at the national and EU levels, with non-EU countries and international organisations – with full implementation of the European Border Surveillance System (EUROSUR) and improved information and intelligence management and sharing through appropriate channels will enable effective prediction and prevention of the occurrence of crises and events [Frontex, 2021]. Neither is it doubtful that the EU needs a border security and control system that would address ever-rising mobility [Gajda 2018], especially in the face of the increased risk of an influx of illegal migrants across the Poland–Belarus border – migrants having become weapons in the ongoing hybrid attack. Although the border services have a variety of options at their disposal, unfortunately those are not always adequate to the actual problems faced (Table 10).

Table 10. The Polish section of the EU's external land border – SWOT analysis

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> - committed and well-trained border guards; - controls carried out on the basis of risk analysis, risk profiling; - a pro-active approach to using innovative methods for fighting cross-border crime; - technical conditions at border crossing points enabling proper handling of the movement of persons (passenger traffic); - efficient collaboration of border services; - barriers: the engineering and electronic barriers at the border with Belarus; the electronic barrier at the border with Russia; - increased awareness of the actual importance of border surveillance and border traffic control to the security of all the EU Member States; 	<ul style="list-style-type: none"> - insufficient organisational solutions adversely affecting the quality of work performed by border guards; - the shortage of personnel, mostly resulting in longer waiting times for travellers before their border checks, - infrastructure not suitable to meet the actual needs, e.g. insufficient numbers of lanes for border checks, checkpoints; - the removal at the eastern border of the Republic of Poland of 'green lanes', intended for quick checks on persons without goods to declare; - overlapping control activities of border guards (e.g. with regard to checking documents, entering data in IT systems, checks on baggage); - insufficient responses to the changing intensity of border traffic, resulting in delayed redeployment of the available forces, means and resources between directions of checks; - insufficiently comprehensible and/or hardly accessible information on the applicable rules to be followed at the relevant border crossing point by persons crossing the border; - the lack of uniform procedures and quality standards for handling traffic – border checks – at all border crossing points; - inadequate conditions of waiting for checks outside the premises of the relevant border crossing point (the lack of lavatories, parking spaces, containers for refuse collection);
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> - continuous modernisation of the equipment of border services; - further digitisation of border controls; - regular monitoring of migratory flows; - possible real-time access to information based on a single search query to all (operating, analytical and ancillary) databases; - support in situations requiring enhanced technical and operational assistance within the framework of collaboration with Frontex; - the separation within the structures of the National Revenue Administration (KAS) of the Customs and Tax Service (<i>Sluzba Celno- Skarbowa</i>), as a separate, 	<ul style="list-style-type: none"> - sudden disruptions in smooth flows of border traffic; - Poland's geopolitical location (with transport corridors being transit corridors as well) - long land sections of the national borders with Russia, Belarus and Ukraine, - increased migratory pressure, - hybrid threats in the form of cybernetic attacks on Polish border infrastructure or the artificial creation of migratory routes; - problems in communication with the border services of the Republic of Belarus, Russia and Ukraine with regard to ongoing information sharing;

Continued table 10.

<p>uniformed force with well-defined tasks in the field of ensuring the protection, surveillance and security of the customs territory of the EU;</p> <ul style="list-style-type: none"> - the introduction of legal regulations for the obligation to provide appropriate health and sanitary conditions for persons waiting for their border checks outside the premises of the relevant road crossing-point; - collaboration with the border guards of Europol and Eurojust in combating cross-border crime and terrorism; - the development of well-functioning mechanisms for cross-border cooperation; - the intensification of cooperation with other national control services and with border services of the neighbouring countries; - the preparation of long-term programmes allowing appropriate coordination of activities carried out by all the services engaged in border surveillance, including those from the neighbouring countries; - Poland's active participation in collective and regional security systems, in particular Poland's NATO and EU membership. 	<ul style="list-style-type: none"> - stoppages or delays in border checks on the part of the neighbouring countries or boycotting border controls and hindering transit traffic; - ICT system failures, e.g. related to the automatic reading of the documents authorising the person concerned to cross the border; - the rise in organised crime; - the influence of technology (digital solutions and the Internet environment) on the performance and professionalism of smugglers (e.g. the use of drones and other unmanned aircraft systems for smuggling); - blackmail and corruption among border guards; - uncertainties and threats persisting in the international security environment; - political, economic crises or armed conflicts in the neighbouring countries.
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Source: Prepared by the author

In the next few years, the challenges at the Polish section of the EU's external land border will multiply; it is difficult to unambiguously and precisely describe today their future trends. But the most important non-military threats will include increased risks of illegal migration, cross-border crime and hybrid threats.

Summary

Every country has the right to border security. Secure and well-functioning external borders largely depend on effective border control. For both persons and goods, the crossing of the eastern border of the Republic of Poland involves the rights of free movement within the territory of the EU. If the Polish border should be inappropriately protected, such insufficient surveillance would adversely affect the security of all the Member States and their citizens. The objective of the article – pointing to the importance of border surveillance and border traffic control at the eastern border of the Republic of Poland to the cross-border security of the EU – is achieved and the hypothesis put forward is confirmed. Border surveillance and border traffic control, whether in conditions of 'normal' functioning of the Schengen area or in a crisis, requires significant engagement and involvement from

and efforts by the border services of the Republic of Poland. As shown by the war in Ukraine, preceded by the COVID-19 pandemic, it is possible to cope with such difficult and unexpected challenges. The two crises have not undermined security in the field of responsibilities of the border services of the Republic of Poland or decreased the effectiveness of their actions; therefore, they have not jeopardised the feeling of security among Union citizens, which was confirmed by the results of the analysis carried out in the empirical part of the article.

European unity, paradoxically consisting in diversity, is the sum of various elements, e.g. those resulting from the open internal borders of the Schengen area; therefore, external border surveillance is of utmost importance to the EU's cross-border security. The awareness of the challenges faced and the knowledge of threats must be seen as the main conditions for finding solutions and implementing preventive measures. Threats to cross-border security may arise in any place and at any time, in various forms and circumstances, which makes the existence of effective border traffic control necessary at all times, regardless of the conditions, time of day or season. From the point of view of the cross-border security of the EU's external border in Poland, it is essential to seek more precise recognition and identification of threats and to rapidly react to such challenges since unaddressed challenges may transform into serious security threats.

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