



# UN Programme of Action

## National Reporting Tool

Poland

2016

## SECTION 1: POINTS OF CONTACT

## Sources National Coordination Agency

- PoA II.4 1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects? Developing ▼

## Sources National Point of Contact

- PoA II.5, 24 2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN Programme of Action on Small Arms (PoA)? Yes ▼
- 2.1. Details:
- a) Name : Mr Piotr Szczepanski
- b) Organization or agency : Security Policy Department, Ministry of Foreign Affairs
- c) Address : Al. J. Ch. Szucha 23, 00-580 Warszawa
- d) Telephone number(s) : +48 22 523 8465; fax numer: +48 22 523 8749
- f) Email : piotr.szczepanski@msz.gov.pl
- ITI 25 2.2 Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the International Tracing Instrument (ITI)? No ▼
- ITI 25 2.3 If the answer to Question 2.2 is 'no', does your country have a National Point of Contact for purposes of exchanging information and liaising on all matters relating to the ITI? Yes ▼
- 2.3.1 Details:
- a) Name : Komenda Główna Policji (Polish National Police)
- b) Organization or agency :
- c) Address : ul. Puławska 148/150, Warszawa
- d) Telephone number(s) : +48 22 60 142-79; fax number: +48 22 60 142-20
- f) Email : sufo.bpird@policja.gov.pl

## SECTION 2: MANUFACTURE

## Sources Laws, regulations and administrative procedures

- PoA II.2 3. Are there any SALW manufactured in your country? Yes ▼
- 3.1. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the manufacture of SALW? Yes ▼
- 3.1.1 List laws, regulations and/or administrative procedures regulating the manufacture of SALW in your country
- Act of 22 June 2001 on performing economical activities in the area of production and trading of explosives, weapons, ammunition and related products and technology for military or police purposes (Official Journal of 2012, item 1017 as amended) - Regulation of the Council of Ministers of 3 December 2001 on determining the types of weapons and ammunition, and the list of products and technologies for military or police purposes which production or trading with require a concession (Official Journal of 2001 No. 145, item 1625 as amended) - Regulation of the Ministry of Economy of 22 August 2012 on the method of registration of explosives, weapons, ammunition and related products for military or police purposes and marked weapons (Official Journal of 2012, item. 1027) - Regulation of the Ministry of Economy of 22 August 2012 on the method of registration of marketed explosives, weapons, ammunition and related products and technology for military or police purposes (Official Journal of 2012, item 1008) - Regulation of the Ministry of Economy and Ministry of the Interior of 6 March 2013 on the sale of explosives, weapons, ammunition and related products and technology for military or police purposes, and monitoring compliance with the conditions of sale (Official Journal of 2013, item 343) - Regulation of the Ministry of Economy of 18 February 2013 on determining the procedure and the specific conditions under which the records of the business activity in the area of manufacturing and trading of explosives, weapons, ammunition and related products and technology for military or police purposes are transferred (Official Journal of 2013, item 348)
- 3.1.2. Does your country license the manufacture of SALW? Yes ▼
- PoA II.3 3.1.3. Is illegal manufacture of SALW considered a criminal offence in your country? Yes ▼

## Sources Marking at manufacture

- PoA II.7; ITI 8a 3.2. Does your country require that SALW be marked at the time of manufacture? Yes ▼
- ITI 8a 3.2.1. What information is included in the marking (check relevant boxes)?
- a) Name of the manufacturer
- b) Country of manufacture

- c) Serial number
- d) Year of manufacture
- e) Weapon type/model
- f) Caliber
- g) Other

Deactivated firearms are marked on all essential components of firearms according to the provisions of the Regulation of Ministry of Interior and Administration of 23 April 2004 on deactivation of firearms. The essential components are defined in the Law of 21 May 1999 on weapons and ammunition.

ITI 10a

**3.2.2. What part of the SALW is marked?**

Firearms and essential components which are separate objects are marked and registered.

**3.2.3 Are there exceptions to the requirement to mark SALW at the time of manufacture?**

No

**Sources Record-keeping by manufactures**

PoA II.9; ITI 11

**3.3. Does your country require that manufacturers keep records of their activities?**

Yes

ITI 12a

**3.3.1. What information must be recorded (check relevant boxes)?**

- a) Quantity of SALW manufactured
- b) Type or model of SALW manufactured
- c) Markings applied to manufactured SALW
- d) Transactions (e.g. sales of manufactured and marked SALW)
- e) Other

Quantity of materials which are purchased and used in the manufacturing process of SALW

ITI 12a

**3.3.2. How long must manufacturing records be kept?The minister responsible for economic affairs is obliged to keep manufacturing records for 20 years after the termination of the business activity by licensed entrepreneurs.**

Other

**Sources Actions taken during the reporting period**

PoA II.6

**3.4. During the reporting period, was action taken against groups or individuals engaged in illegal manufacturing of SALW (e.g. prosecution)?**

Yes

**3.4.1. Details.**

Polish Police Forces had conducted investigations regarding fighting against organized crime engaged in illicit trafficking in firearms. Currently Police Forces conduct some investigations concerning trafficking in firearms and explosive materials. The rules regarding this subject were regulated in the Law on arms and ammunition on 21/05/1999 and legislation regulating the production of weapons and ammunition was regulated on 22/06/2001.

**Sources International assistance**

PoA III.6

**4. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture?**

No

**SECTION 3: INTERNATIONAL TRANSFERS****Sources Laws, regulations and administrative procedures**

PoA II.2, 12

**5. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?**

Yes

PoA II.11

**5.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.**

- Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security (amended on 25 May 2012), - Ordinance by the Minister of Economy of March 19, 2015 on the list of military goods, - Ordinance by the Minister of Economy of July 30, 2012 on the format of an import certificate, - Ordinance by the Minister of Economy of 30 July 2012 on the format of applications and permits for trade in goods of strategic importance, - Ordinance by the Minister of Finance of 25 June 2015 on list of customs offices authorised to clear goods of strategic importance, - Ordinance by the Minister of Economy of 23 June 2014 on the procedure of keeping the register of issued individual or global licences and natural or legal persons using general licences, - Ordinance by the Minister of Economy of May 10, 2013 on the records of trade in items of strategic importance, - Ordinance by the Minister of Economy of 1 July 2013 on the format of the delivery verification certificate and the method of keeping records of issued certificates, - Ordinance by the Minister of Economy of 12 April 2013 on the list of certification bodies authorized to perform compliance certification and compliance audits of the internal control system, - Ordinance by the Minister of Economy of 25 January 2011 on the format of the authorisation to carry out control of trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security, - Ordinance by the Minister of Foreign Affairs of 2 December 2013, on the specimen of report on the actual export of armaments

**Sources Licensing and authorisation**

PoA II.11

**5.2. Does a person or an entity who transfers SALW require a licence or other form of authorisation to transfer SALW from/into your country?**

Yes

PoA II.3

**5.3. Is it a criminal offence to trade SALW without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation, in your country?**

Yes

PoA II.11

**5.4. What kind of documentation does your country require prior to authorising an export of SALW to another country?**

PoA II.12

a) An end-user certificate (EUC) from the importing country Yes ▾

i) What elements does an end-user certificate in your country contain (check relevant boxes)?

- 1) Detailed description (type, quantity, characteristics) of the SALW or technology
- 2) Contract number or order reference and date
- 3) Final destination country
- 4) Description of the end-use of the SALW
- 5) Exporter's details (name, address and business name)
- 6) End-user information (name, position, full address and original signature)
- 7) Information on other parties involved in the transaction
- 8) Certification by the relevant government authorities of the authenticity of the end-user
- 9) Date of issue
- 10) Other 
  - Assurances of the importer to deliver goods to the end-user -
  - Assurances of the end-user of use only by end-user and for the stated end-use -
  - Statement confirming that items of strategic importance are not to be transferred to any other customer without prior approval of the trade control a

PoA II.12

b) Other types of end-user documentation  
 - International Import Certificate, - trade agreement

5.5. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided? Yes ▾

5.5.1 Details:  
 - by Polish diplomatic missions

5.6. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation? Yes ▾

5.6.1 Details:  
 - by the appropriate Polish authorities

**Sources Post-delivery controls**

5.7. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State? Yes ▾

5.8. After exporting, does your country verify or seek to authenticate DVCs provided? Yes ▾

5.8.1 Details  
 - if necessary

5.9. When importing, does your country grant the right to the exporting State to conduct a physical check at the point of delivery? Yes ▾

**Sources Marking at import**

ITI 8b

5.10. Does your country require that SALW imported into your country be marked at the time of import? Yes ▾

5.10.1. Who is required to mark the SALW?  
 The manufacturer of the particular SALWs

5.10.2. What information is included in the marking on import (check relevant boxes)?

- a) Country of import
- b) Year of import
- c) Other 
  - country of manufacture, serial number and year of manufacture on the firearms and its essential components which, being separate objects, are marked and registered

5.10.3. Are there exceptions to the requirement to mark imported SALW? Yes ▾

5.10.3.1. If so, describe.

If such a case occurs and the SALWs are not marked properly, the importer is required to order appropriate marking from the manufacturer who has a concession to perform such services

**5.10.4. If marked SALW imported into your country do not bear a *unique* marking when they arrive, does your country require that they be given such a marking?**

Yes ▾

**5.10.4.1 Details:**

Refer to 5.10.3.1.

## Sources Record-keeping

PoA II.9; ITI 12

**5.11. Does your country require that exporters and importers of SALW keep records of their activities?**

Yes ▾

**5.11.1. What information must be recorded (check relevant boxes)?**

- a) Quantity of SALW traded
- b) Type or model of SALW traded
- c) Markings appearing on transferred SALW
- d) Transactions 
  - i) Identity of buyer/seller
  - ii) Country SALW are to be delivered to or purchased from
  - iii) Date of delivery
- e) Other 1. Records of items of strategic importance shall include: 1) name and commercial name of items; 2) type, model, and production number of items; 3) weight, quantity and value of items; 4) composition, type, dimensions, grade, quality, and power unit of items; 5) name of the producer;

**5.11.2. How long must records of transfers be kept?**

Other ▾

5 years

## Sources Actions taken during the reporting period

PoA II.6

**5.12. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)?**

No ▾

## Sources International assistance

PoA III.6

**6. Does your country wish to request assistance in developing laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?**

No ▾

## SECTION 4: BROKERING

## Sources Laws, regulations and administrative procedures

PoA II.14

**7. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?**

Yes ▾

**7.1. List laws and/or administrative procedures regulating SALW brokering in your country.**

- Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security

**8.1.1 Are those laws and procedures part of the national arms export control system?**

--- Select --- ▾

**7.2. Does your country require registration of SALW brokers?**

No ▾

**7.3. Does your country require a licence, permit or other authorisation for each brokering transaction?**

Yes ▾

**8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker?**

--- Select --- ▾

**7.4. Does your country regulate activities that are closely associated with the brokering of SALW?**

Yes ▾

**7.4.1. If so which of the following activities are regulated when undertaken in connection with the brokering of SALW (check relevant boxes)?**

- a) Acting as dealers or agents
- b) Providing technical assistance
- c) Training
- d) Transport
- e) Freight forwarding
- f) Storage
- g) Finance
- h) Insurance

- i) Maintenance
- j) Security
- k) Other services
  
- 

Those that result from the definition of brokering included in Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security that state: - a brokering service – activities taken

**Sources**      **Actions taken during the reporting period**

7.5 During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)? No ▾

**Sources**      **International assistance**

PoA III.6      8. Does your country wish to request assistance in developing laws, regulations or administrative procedures to regulate SALW brokering? No ▾

**SECTION 5: STOCKPILE MANAGEMENT**

**Sources**      **Laws, regulations and administrative procedures**

PoA II.17      9. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other entity authorised to hold SALW? Yes ▾

PoA II.17      9.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?

- a) Appropriate locations for stockpiles
- b) Physical security measures
- c) Control of access to stocks
- d) Inventory management and accounting control
- e) Staff training
- f) Security, accounting and control of SALW held or transported by operational units or authorised personnel
- g) Procedures and sanctions in the event of theft or loss
- h) Other

**Sources**      **Surplus**

PoA II.18      9.2. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?

- a) Officially declare as surplus
- b) Take out of service
- c) Record by type, lot, batch, and serial number
- d) Store separately
- e) Other

9.3. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?

- a) Destruction
- b) Sale to another State

- c) Donation to another State
- d) Transfer to another state agency
- e) Sale to civilians
- f) Sale or transfer to legal entities (e.g. museums, private security companies, etc.)
- g) Other

### Sources Actions taken during the reporting period

PoA II.19 9.4. During the reporting period, has your country destroyed surplus stocks?

### Sources International assistance

PoA II.29; III.6 10. Does your country wish to request assistance in developing standards and procedures on stockpile management?

PoA III.6; 14 11. Does your country wish to request assistance in developing capacity for the destruction of weapons?

## SECTION 6: COLLECTION

### Sources Collection

12. During the reporting period, did your country collect any SALW?

### Sources International assistance

PoA III.6 13 Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW?

## SECTION 7: MARKING AND RECORD KEEPING

### Sources Marking

ITI 8d 14. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked?

**14.1. Describe the markings that are applied to government-held stocks.**

All SALW possessed by the Polish Armed Forces are properly marked, according to international requirements, in the way that enables its identification.

ITI 8c 14.2. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your government transferred the stocks?

ITI 8e 15. Does your country encourage manufacturers of SALW to develop measures against the removal or

alteration of markings?

**Record-keeping**

- PoA II.9 **16. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory?**
- 16.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?**  
Armed Forces keep records of SALW which are in their possession. Military Property Agency keeps records of SALW that were transferred from the Armed Forces.
- ITI 12 a,b **16.2. How long does the government keep such records?**  
Records of SALW held by the Armed Forces have to be kept for a minimum of 30 years. Records of SALW being in the possession of Military Property Agency have to be kept for at least 10 years.
- ITI 13 **163. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government?**

**Sources International assistance**

- PoA III.6, ITI 27 **17. Does your country wish to request assistance in building capacity for record-keeping?**

**SECTION 8: INTERNATIONAL TRACING****Sources Laws, regulations and administrative procedures**

- PoA II.10; ITI 14, 24 **18. Does your country have procedures in place to trace SALW?**

**Sources Cooperation with INTERPOL**

- PoA II.37; ITI 33 **19. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL) ?**

**Sources International assistance**

- PoA II.36; III.6; ITI 27 **2420. Does your country wish to request assistance in developing procedures to trace SALW?**

&amp;n

- PoA III.10; ITI 28 **2521. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW?**

&amp;n

**SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE****Sources Assistance requested / received / provided**

- PoA III.3, 6 **2622. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 2-8 above, has your country requested / received / provided assistance to implement the PoA and ITI?**

&amp;n

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**Any further comments on PoA and ITI, including implementation challenges and opportunities?**

Additional information may be uploaded/attached, if necessary:

**SECTION 10: INFORMATION TO BE SUBMITTED**

**Information on national marking practice**

2823. Pursuant to paragraph 31 of the International Tracing Instrument, States will provide the Secretary-General with the following information, updating it when necessary:td>

- a) National marking practices related to marking used to indicate country of manufacture and/or country of import as applicable.

Additional information such as images and illustrations may be uploaded/attached, if necessary:

Note: Relevant information might have been provided in questions 4.2.1, 4.2.2 and 18.1 in this report.