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Piotr KOZŁOWSKI<sup>1</sup>

# THE END OF THE UKRAINIAN-RUSSIAN WAR: NEW/OLD THREATS TO POLISH INTERNAL SECURITY AND PUBLIC ORDER

This article raises the issue of the threat that may be posed to Polish internal security after the end of hostilities in Ukraine by former soldiers and volunteers fighting on the Ukrainian side. When discussing cross-border crime, the author points to areas that may be of interest to informal veterans' organizations, as well as to the possibility of penetrating the criminal world of former military personnel. Presenting threats, the author also points to tasks for the Polish border protection system in the field of combating organized crime.

**Keywords:** internal security, border protection, smuggling, cross-border crime, Ukrainian-Russian war, armed forces, combating organized crime.

### **1. INTRODUCTION**

The ongoing armed conflict directly across Poland's eastern border caused by the brutal aggression of the Russian Federation against Ukraine since February 24, 2022, since February 24, 2022, must sooner or later end due to the strategic advantage of one of the parties and the inability of the defeated side to continue military operations. Many contemporary analysts and commentators of events are already asking themselves: when and under what conditions will the Ukrainian-Russian war end?, what will the world look like after the end of the largest and bloodiest war that took place on the European continent after World War II. What will the "new order" in Europe be like after the end of the war? Will Ukraine return to its pre-2014 borders and what will the relations of the democratic world with post-Putin's Russia look like?

The end of modern armed conflicts is usually preceded by a truce between the warring parties, followed by arduous political negotiations, during which negotiators try to force the warring parties to end hostilities and start peace talks. It is also the preparation of an international peace conference under the aegis of the UN or the OSCE just after the suspension of hostilities between Ukraine and Russia. A conference at which new security mechanisms in Europe and the world will be determined. Discussions between diplomats and experts will probably take place along the lines of the existing peace conferences in

<sup>&</sup>lt;sup>1</sup> Piotr Kozłowski, National Academy of Applied Sciences in Jarosław; e-mail: nikea0@poczta.onet.pl. ORCID: 0000-0002-9248-0560.

Versailles after the<sup>2</sup> First World War and in Potsdam<sup>3</sup> after the end of World War II. It will be a period of intense negotiations in the privacy of the cabinets of experts in the fields of international law, security, diplomats, and the military. During the backstage talks, issues concerning the creation of a new system of international security by improving the existing one will be discussed. During the talks, the issues of guarantees for individual states participating in the conflict and newly written guarantees regarding the inviolability of national borders will be discussed, in short, a new political order will be created in Eastern Europe. Given the above, the question arises whether, during future peace talks, there will be time to raise the issue of securing weapons and ammunition that have been accumulated by both sides of the conflict and how to manage the released human resources after the demobilization of the armed forces of both armies. How to ensure safety in the areas covered by the fight and how to reduce the occurring pathologies in these areas.

Therefore, the purpose of the above article is to indicate what possible threats may arise to the internal security system of the state, the system of state border protection, and public security of Polish citizens, at the end of hostilities on the Polish-Ukrainian border, on the territory of Poland and the territory of the European Union. How this event will have an impact on the possible increase in crime in Poland? It is also an indication of new tasks arising in this area for Polish services responsible for the system of state border protection and cross-border security, which is mentioned by the author of this article during classes in the field of internal security with students of the National Academy of Applied Sciences in Jarosław in the subjects of State Border Protection and Cross-border Crime. Not without significance for the presented content is the fact that the author has professional experience in this area gained from the period of service in the Border Guard. This is a discussion article and is the basis for future reflections on the creation of a new security strategy for the Republic of Poland in this area.

## 2. THE PROBABILITY OF THE FORMER UKRAINIAN ARMED FORCES SOLDIERS, PARTICIPATION IN ORGANIZED CRIME IN THE TERRITORY OF THE REPUBLIC OF POLAND

While signaling in the introduction to the article about the threats to Polish internal security immediately after the end of hostilities in eastern Ukraine, it should be stated that it may cover the following areas:

<sup>&</sup>lt;sup>2</sup> The armistice signed on 11 November 1918 formally ended hostilities in Europe. The next stage aimed at the definitive end of the war were peace negotiations with the participation of the parties to the conflict. A peace conference was therefore convened in Paris. The meeting lasted in Versailles from January 28th, 1919 to January 21st, 1920. The conference was attended by representatives of the 27 victorious states. As a consequence of the talks, on 28th June 1919, a peace treaty was signed ending the First World War, new borders were established and confirmed, and a new political order in the world was defined. The treaty was signed in the Hall of Mirrors of the Palace of Versailles by the Allies and by defeated Germany (more precisely: Batowski, 2001),

<sup>&</sup>lt;sup>3</sup> The Potsdam Peace Conference lasted from 17 July to 2 August 1945. The deliberations took place at Cecilienhof Palace in Potsdam. It was the last meeting of the Big Three. The peace conference was attended by the leaders of the anti-Hitler coalition. The purpose of the peace conference was min. establishing a new political order after the end of World War II, determining the fate of defeated Germany, liquidating the effects of diplomatic decisions from 1938–1945, and punishing Nazi war criminals. The consequence of the conference was the division of Europe into two rival political and military blocs. It also means leaving Polish in the sphere of Soviet influence (more on: Wieczorkiewicz, 2014).

- the creation of informal veterans' organizations bringing together former soldiers and volunteers fighting on both sides, which will take control of the criminal world;
- smuggling of weapons and ammunition from Ukraine and Russia to Poland and the European Union;
- the illicit production and subsequently smuggling of drugs, alcohol, and tobacco products;
- the emergence of human trafficking on a wider scale;
- money laundering and counterfeiting of payment methods and securities;
- the emergence of groups involved in imposing "specific levies" on business entities legally operating in Poland and the European Union established by Ukrainian citizens;
- an attempt to take control of financial resources and the redistribution of economic aid coming from around the world as part of the Ukrainian reconstruction plan (more precisely: Hołyst, 2000).

The above-mentioned areas related to international crime that may appear immediately after the end of hostilities require new attempts to define the border crime of foreigners<sup>4</sup> and define tasks for individual services and inspections forming a Polish state border protection system. When analysing the above threats, they should be considered in the context of the border and borderline and the function that the state border borderlines play in the internal security system (for more information: Donnan, Wilson, 2007). Not without significance for the safety of the local community living in the border area is the presence of border services involved in combating organized and cross-border crime. It is on their effectiveness that the state of security depends, but also the level of public trust in the State, which remembers and "cares" about its borderlands. Returning to the issues raised, the functions of the border:

- military protection, and defense of the territory of the Republic of Poland against foreign military intervention and against penetration of foreign intelligence services;
- economic protection of its own market and state control over the flow of goods;
- social through the process of border control, the impact on the movement of people between bordering countries and thus on the state of security;
- psychological creating negative or positive ideas about people living on the opposite side of the border.

When presenting the functions of the state border in the twenty-first century, it is necessary to mention the entities forming the system of Polish border protection. According to the study by Andrzej Wawrzusiszyn, the Polish border protection system is based on two pillars: the command subsystem and the executive subsystem, which includes: the consular service, border guards (Border Guard and National Tax Administration), the

<sup>&</sup>lt;sup>4</sup> According to Magdalena Perkowska, border crime includes the following acts: crimes concerning the compliance of crossing the state border with the regulations, crimes concerning the credibility of documents entitling to cross the state border, fiscal crimes referred to in Article 134§ 1 point 1 of the CCC, crimes, and offenses specified in the Act on Foreigners and in the Act on granting protection to foreigners on the territory of the Republic of Poland, crimes related to crossing the state border or movement across the state border of excise goods and goods, objects specified in the provisions on weapons and ammunition, on explosives and in the regulations on counteracting drug addiction as well as those specified in the regulations on population registration and identity cards (more: Perkowska, 2013).

Office for Foreigners and Polish special services (Internal Security Agency, Foreign Intelligence Agency, Central Anti-Corruption Bureau, Military Intelligence Service and Military Counterintelligence Service). The activities of these services are supported by separate structures of institutions, services, and inspections (Wawrzusiszyn, 2020).

Approaching the main topic of the publication, which is to signal the threat that they may pose to the internal security system of the European Union countries, these Polish were international volunteers and soldiers of the Armed Forces of Ukraine after demobilization. The outbreak of a full-scale war between Russia and Ukraine contributed to the fact that in the face of an external threat, Ukraine needed military support, including volunteers who would undertake the effort of defending the state. To meet this demand, literally three days after Russia's aggression against Ukraine, on February 27th, 2022, the President of Ukraine Volodymyr Zelensky signed a decree allowing the creation of the International Legion of Territorial Defense of Ukraine, thus opening the way for recruitment of volunteers from other countries. This event resulted in the fact that the armed forces in Ukraine soon included representatives from over 52 countries, including Poland. Over time, these forces grew into national legions, including those formed by citizens of Russia and Belarus. It is interesting that in the initial period, people from criminal circles managed to infiltrate the ranks of the fighting volunteers in Ukraine. An example of this can be the story of the commander of one of the volunteer legions, a citizen of the Republic of Poland, temporarily residing in Ukraine, Piotr Kapuściński (https://www. dw.com/pl/ukraina-czy-by%C5%82y-polski-gangster-dowodzi-legionem-mi%C4%99 dzynarodowym/a-62982598), a gangster from Pruszków, wanted by a Warsaw court for crimes committed in Poland. How large the scale of people fighting in the ranks of the Ukrainian army with a criminal past, today is difficult to determine because probably no one kept such statistics. However, the participation of these people in the armed forces of Ukraine raises concerns. This is because the joint fight of international volunteers, against the Russian aggressor side by side with Ukrainian soldiers has created strong ties based on mutual relations, it is also the creation of a network of mutual connections. The relations established during the struggle between their participants will in the future be maintained within the framework of several types of often informal veterans' organizations or "Brotherhoods" gathering former soldiers of the Armed Forces of Ukraine. These organizations will transfer from the army to the civilian side the system of organization, the hierarchy of service, and the principle of loyalty to the members of the brotherhoods, which will make them hermetic. This will contribute to the fact that they will be difficult to survey by Polish special services dealing with combating organized crime. At that moment, it is very difficult to determine how many volunteers passed through the ranks of volunteer units, as well as through the armed forces of Ukraine. According to various estimates, it is assumed that about 20.000 soldiers serve in international volunteer legions, and about 750.000 Ukrainian soldiers in the Ukrainian army alone in 2023.

At this point, it should be emphasized that once hostilities end, the Ukrainian Armed Forces will face a peaceful footing, i.e. to the level of about 300–350 thousand soldiers. This means that the process of reducing the armed forces must take place in a brief time. The demobilisation will involve over 400,000 soldiers, including international volunteers, in connection with the dissolution of all volunteer units operating in Ukraine so far. It should be noted that the same process also awaits the Russian side<sup>5</sup>. For the vast majority

<sup>&</sup>lt;sup>5</sup> Dismissal of Yevgeny Prigozhin, the head of a private military company, the so-called Wagner Group, will release about 32.000 criminals pardoned by the Russian president who had previously

of soldiers, the end of the war will mean a return to normality, to everyday reality, to civilian life outside the army, and to the loss of income from the pay paid by the Ukrainian state. However, for a small group of former soldiers and volunteers, a new stage in life will begin; Looking for a way of life, they will infiltrate criminal groups. Having acquired qualifications during military training, combat experience gained during combat in Ukraine, as well as international contacts gained from the time of service at the front will become ideal candidates for criminal groups capable of performing almost any task. To this category of people should be added Ukrainian soldiers who, having great merits in the defense of the homeland, for various reasons were omitted by the existing system of awards and promotions by their superiors. Being, in their opinion, harmed by the system, and forgotten by the state heroes of the fights, they will try to compensate for their alleged moral losses by participating in criminal activities.

Weapons are a commodity that is in constant demand in criminal circles, and their trade brings certain profits to arms traffickers. Therefore, the illegal arms trade is another threat to the internal security of the Republic of Poland and European Union countries. Criminal groups are interested in weapons that are not registered anywhere, come from abroad, tested on the battlefield. At present, the ideal place to obtain this type of weapon and ammunition is the territory of Eastern Ukraine. This situation is because, over the past months, the Ukrainian armed forces have received support from the democratic world in the form of weapons and ammunition worth a total of US\$130-150 billion. In addition to specialized defense systems and modern military technology, military assistance also included equipment and personal weapons for Ukrainian soldiers, which are also in high demand among criminal groups. These weapons came from the arms depots of a broad coalition of countries supporting Ukraine in the fight against Russia and include various types and systems. Today it is difficult to determine precisely how many of these weapons were actually delivered to Ukraine as part of the aid packages. It is worth emphasizing here that the combat operations are dynamic, which means that no one really holds the fighters accountable for the consumption of ammunition and personal weapons on an ongoing basis, as well as no one tries to collect and secure them after the fighting. This, in turn, will make the battlefields of Mariupol, Bakhmut, Avdiyivka, and other similar places on the front line a place where significant amounts of ammunition, munitions, and weapons abandoned by the warring parties will be located. Another issue may be the illegal sale of weapons coming directly from military resources by dishonest employees and soldiers of the Ukrainian armaments service who want to make money from this practice. This creates easy access for those interested in weapons and ammunition in Ukraine, which may automatically translate into an increase in smuggling to Poland.

Given the above, the question must be asked, whether this is a large-scale phenomenon. Everything indicates that this may be the case. It is an open question to find a "safe" way to smuggle it across the borders to Poland and then to Western European countries. The

been recruited to fight in Ukraine, will create a problem for the internal security system of the Russian Federation. It should be emphasized here that former members of the Wagner group, taking advantage of the amnesty as free citizens of Russia, will not be able to move freely outside the country. Traveling around the world, they will carry various pathologies behind them, and thus contribute to the increase in crime in the countries of their temporary residence. Another example of the threat posed to internal security by private armies operating on both sides of the front in the absence of state supervision over these formations may be the unsuccessful coup attempt of the Wagner Group that took place in Russia on June 23–24, 2023.

answer to this is the recent scandal with Ukrainian grain. It would seem that these are two different issues that have nothing to do with each other. Well, combining the facts, there are many indications that it may be one of the safe routes for smuggling various goods, including weapons and ammunition to Poland. Not so long ago, the Polish media circulated information that over 4 million tons of grain entered Poland in the last 8 months. Illustrating the scale of this phenomenon, journalists used the comparison that over 60 000 wagons were needed to transport such a large amount of grain<sup>6</sup>. Taking into account that on the Polish-Ukrainian border there are 5 active railway crossings in Dorohusk, Hrebenny, Krościenko, Przemysl, and Werchrata, as well as the time needed to clear bulk goods, which was grain, it should be assumed that the clearance of such a number of freight wagons by the border guards was almost illusory. This means that practically everything could enter Poland in the grain transports, including hidden weapons, ammunition and explosives.

Another place through which smuggling of this type of goods can take place are active road border crossings with Ukraine. In this scenario, we can talk about an attempt to smuggle individual pieces. It should be remembered that weapons are generally small size, and after disassembling them into parts and properly hiding them in transportation, they are extremely difficult to detect by border guards. Another issue may be the fact that these weapons can be brought to Poland as a trophy or a souvenir from their stay in Ukraine, by people who are not connected with the criminal world. An example of this is the famous case of the accidental use of a grenade launcher from Ukraine in December 2022 in the building of the Police Headquarters in Warsaw by the Chief of Police, General Jarosław Szymczyk. However, returning to the issue of smuggling weapons, ammunition, and explosives across the border, it should be stated that the "protective umbrella" over this criminal activity will possibly be spread by former soldiers of the Ukrainian army and volunteer units.

Another issue that may affect the state of internal security is the emergence of a largescale phenomenon of human trafficking<sup>7</sup>. This crime will affect areas destroyed by hostilities, and the victims of this practice will be people who, due to the actions of the Russian aggressor, have lost their property, have been deprived of their livelihood and have lost the possibility of earning a living. Left without the care of state organizations and nongovernmental institutions, in order to survive, will benefit from various suspicious job offers in Poland and other European countries. It is worth pointing out here that the armed conflict that is taking place in our eastern neighbour has caused a refugee crisis, and contributed to the mass migration of people from the areas affected by the fighting, which is an internal migration – the relocation of residents from the eastern regions of Ukraine to areas of Western Ukraine, which are relatively safe for civilians or international migration. It was a dramatic decision of millions of Ukrainian citizens to leave their homeland and

<sup>&</sup>lt;sup>6</sup> The number of wagons indicated above by the media is quite imprecise because the modern Tagnpps grain wagon produced in Poland by Ermewa SA has a loading capacity of 95 m<sup>3</sup>, a load capacity of 69.7 t. This means that over 57.000 wagons with the above capacity should be used to transport over 4 million tons of grain.

<sup>&</sup>lt;sup>7</sup> The contemporary phenomenon of human trafficking includes various forms: sexual exploitation, forced begging, forced crime, domestic slavery, forced labour combined with extortion of loans, forced marriages and obtaining cells, tissues and human organs contrary to the law (more information: Wawrzusiszyn, 2020).

seek a safe shelter in neighbouring countries and in the European Union<sup>8</sup>. The emergence of traffickers in devastated areas without infrastructure is a typical activity described in the literature on the subject, which usually occurs in countries at war or affected by natural disasters. Therefore, according to the author of this article, it will also apply to the areas of Eastern Ukraine. This type of crime should be linked to the entry into the criminal structures of former soldiers and volunteers fighting in the Ukrainian armed forces, who, while in these areas, have a good understanding of the real situation of the inhabitants, as well as by virtue of their service in this area, can inspire confidence in potential victims of human trafficking. The participation of Ukrainian citizens in the organized smuggling of people on the Polish-Belarusian border is confirmed by press releases of the Polish Border Guard.

Another problem posing a threat to the internal security of the Polish state and Ukrainian citizens temporarily staying on the territory of Poland, which requires a broader discussion, is the attempt of "illegal taxation" by criminal groups of legally operating business entities established by Ukrainian citizens, as well as people who work legally in Poland and the European Union. According to statistical data from the Polish Economic Institute, only in 2022 Ukrainian citizens established approx. 15 000 companies (so-called sole proprietorships) and over 4000 companies with Ukrainian capital (https://ksiegowosc.infor.pl/obrot-gospodarczy/dzialalnosc-gospodarcza/5649709,20-tysfirm-zalozyli-w-2022-roku-Ukraincy-w-Polsce.html) in Poland. At the same time, the number of established companies in Poland is increasing every day, which means that the circle of people and companies that may be of interest to criminal groups from across the eastern border is potentially increasing. The imposition of various types of tributes in exchange for the care and protection of these institutions and the people working in them will be one of the main sources of financing criminal groups. In many cases, the motive for this type of action, especially for groups composed of former front-line soldiers, will be the belief that "they" fought for free Ukraine, spilled blood in the fight against the Russian aggressor, and at that time the owners of operating companies in Poland and the European Union lived normally, and by doing their business they were getting richer. This sense of injustice and lost time at the front will be the motive for former soldiers of the Ukrainian army to undertake criminal activity. Therefore, the "moral obligation" of Ukrainians staying at that time in Poland and other countries of the European Union will be to share the profits with veterans – to compensate for the blood spilled. As the previous experience of this type of organized crime activity in Poland indicates, these activities are of a brutal nature, aimed at intimidating potential victims by criminals through beatings, arson, and kidnapping of family members for ransom. This, in turn, will create a spiral of crime in Poland. A side effect of the anticipated events, which is extremely important for the sphere of broadly understood security, will be the loss of trust of Polish citizens and foreigners staying on the territory of Poland (benefiting from the protection of the Polish state) in public security organs and state authorities.

<sup>&</sup>lt;sup>8</sup> According to the data of the Border Guard, from 24.02.2022 to 27.04.2023, 11.44 million refugees entered Poland through border crossings with Ukraine, of which about 9,663 thousand returned to Ukraine during this period. Ukraine. This means that out of the total number of people who entered through Polish border crossings, about 1.8 million refugees remained in Poland and in the European Union. Precise information on the number of refugees from Ukraine in Poland is contained in data published by the Office for Foreigners, which show that at present 1 million Ukrainian citizens enjoy temporary protection in Poland, while over 1.4 million people have the right to stay in Poland.

End of the war The Ukrainian-Russian state is the beginning of a lengthy process of rebuilding the destroyed Ukrainian state, which, according to various estimates, will last several years and will be expensive. According to estimates from the World Bank, a huge sum of over \$410 billion (https://forsal.pl/swiat/ukraina/artykuly/8695673,kosztodbudowy-ukrainy-wyliczenia.html) will have to be allocated to the reconstruction of the destroyed Ukrainian state. These amounts far exceed the financial capabilities of the Ukrainian state, which will therefore have to benefit from international support. This, in turn, will contribute to the fact that international companies and construction companies from around the world will be involved in the reconstruction of Ukraine. Therefore, the transfer of the necessary funds, technologies, construction equipment and materials will take place from the European Union to Ukraine, among others, through the Polish area. As in the case of arms supplies to fighting Ukraine, in this case Poland, having experience in this area, will become a great logistics hub and transfer centre for people traveling to Ukraine. This fact will mean that the transport of necessary equipment and materials will take place along communication routes running through the Podkarpackie and Lubelskie provinces bordering Ukraine. The insufficient infrastructure of border crossings, complicated customs procedures, and long queues of trucks waiting for border clearance will give rise to various pathologies in the field of customs circulation of goods imported into Ukraine.

This situation will make the borderlands and border crossings a place where organized crime will accumulate. It should be assumed that the other side of the conflict – Russia – will take all measures to prevent or slow down the process of rebuilding Ukraine from the devastation of war. As part of the hybrid warfare<sup>9</sup>, it will support criminal activity in this area by all possible means. A form of action of criminal groups will be collecting a kind of "toll" on goods moving across the border, for passing heavy goods out of turn, customs fraud when invoicing transported goods across the border, or proposing protection of convoys with equipment and building materials that will be used for reconstruction. It is also an increase in cases on both sides of the common Polish-Ukrainian border, attempts to corrupt border guards and various types of inspections responsible for the internal security of the state through organized crime.

As in the case of Ukrainian companies operating in Poland and the European Union, criminal groups will use the same technique of extortion or extortion against domestic and foreign companies operating in Ukraine. Veterans will offer their protection and care to investors operating in Ukraine in exchange for a share in the profits of these companies. They will also try to invest their capital from trafficking in people, weapons, drugs, and other criminal activities in legally operating Ukrainian or foreign companies. By introducing criminal funds into legal circulation, criminal groups will gain the opportunity to legalize their income and gain influence over the rebuilt Ukrainian economy. This, in turn, will provide them with a share in the profits from the financial assistance that will flow to Ukraine. At this point, it should be emphasised that the problem of combating corruption is treated very seriously in the European Union, and the lack of an effective response from the Ukrainian side to this phenomenon may result in the suspension of

<sup>&</sup>lt;sup>9</sup> According to the definition quoted by Yuri Hajduk and Tomasz Stepniewski - hybrid war is a combination of different actions, i.e. irregular tactics of warfare, terrorism, and crime at the same time and on the same battlefield in order to achieve the political goals pursued by the opponent. For more information (see Hajduk, Stępniewski, 2015).

investment programmes in Ukraine, as well as the suspension of Ukraine's integration process with the European Union, which would be a success for Russia.

#### **3. SUMMARY**

To sum up, it should be stated that the end of the war will undoubtedly generate new undefined threats in the sphere of Ukraine's internal security, and this will have a direct impact on the internal security of neighbouring countries. The old types of organised crime that have existed so far will evolve rapidly, change their nature, intensify, change in size and scale, become difficult to identify, and then liquidate by public security organs. The brutalization of public life, and the appearance on the Polish territory, of former soldiers of various trained and armed formations, capable of performing any task, will also pose a threat to the life and safety of law enforcement officers who will stand in their way when performing official tasks. Therefore, whether this will happen will largely depend on how the Ukrainian state deals with the problem of veterans of the Russian-Ukrainian war. Will it be able to use their potential in the process of rebuilding the state, creating favourable conditions for them to operate broadly within the framework of the applicable law, or will it leave former soldiers alone? This, in turn, will contribute to the fact that some of them, looking for their idea for further life, will go down the criminal path. Ending the war will require the large-scale introduction of various types of educational and assistance programs that will allow soldiers to switch to life in a new role. Leaving war veterans to fend for themselves, the lack of action on the part of the Ukrainian state concerning this category of people will contribute to an increase in the level of dissatisfaction, frustration in their ranks, and in extreme cases to entering the criminal world. What scale it will be - it is difficult to determine today. It will depend on various factors. Nevertheless, the four areas of criminal activity mentioned by the author, over which veterans' circles can take control, should be monitored by Polish special services, diplomatic missions and border guards, to respond to the threats on an ongoing basis. This requires a new approach to the border protection system by increasing intelligence activities far beyond national borders, as well as strengthening international cooperation between services in the fight against corruption and organized crime, including cross-border crime. This will require close cooperation with the Ukrainian law enforcement authorities. It is also an indication of the role that Polish consular services are to play in this process in the field of visa policy, whose task will be to filter people applying for a Polish visa in consular offices based on cooperation with border services, to prevent people suspected of participating in organized crime from entering the European Union.

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