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Security on the Polish-German border Selected issues

Abstract: The article deals with the issue of security in the Polish-German border-land. The first part presents the results of research aimed at diagnosing the sense of security of the inhabitants of Słubice and Frankfurt (Oder) as well as Świnoujście and Ahlbeck, and identifying the main threats that emerge on both sides of the Oder. The following section discusses cooperation between Polish and German services responsible for security and public order. To this end, reference has been made to the provisions of the Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation of police, border and customs services of 15th May 2014. The principles of cooperation of services in the scope of, among others, exchange of information, joint patrols, cross-border chases or actions taken in situations of special danger were discussed.

Keywords: borderland, security, cooperation of services, Poland, Germany

Introduction

The Polish-German neighborhood often features as a subject of scientific analyses due to its interesting history. On both sides of the Oder River, there have been sociopolitical changes under the influence of the political transformation after 1989 in the countries of Central and Eastern Europe. They created a new political reality in which the neighbors sought to build mutual trust and partnership. The signing of the Treaty on the confirmation of the existing border between the Republic of Poland and the Federal Republic of Germany (14th November 1990) and the Treaty on good neighborhood and friendly cooperation (17th June 1991) were key in these efforts. The agreements have laid an important foundation for cooperation between the countries, which has developed over the years. An expression of improving neighborly relations was seen, among others, in German support for Poland in its efforts to join NATO or the European Union. In turn, our country's accession to the Schengen Area meant not only new opportunities, but also the need for cooperation between countries in regard to security, especially on the Polish-German borderland.

The article attempts to determine the level of safety of the inhabitants of the Polish-German borderland. To this end, reference was made to the results of studies carried out in Słubice, Frankfurt (Oder), Świnoujście, and Ahlbeck. Moreover, the actions taken by Polish and German services to ensure safety on the common border were presented. Reference was made mainly to the Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation of police, border and customs services of 15th May 2014 and the subject literature.

Polish-German borderland

To begin with, it is worthwhile to discuss briefly the meaning of the term *pogranicze* (borderland). *The Dictionary of the Polish Language* edited by Mieczysław Szymczak explains that a borderland is 'an area near the border dividing certain areas, especially: the area over the state border...' The entry *pogranicze* in Witold Doroszewski's *Manual*

¹ Treaty between the Republic of Poland and the Federal Republic of Germany on the confirmation of the existing border between them, signed in Warsaw on 14th November 1990 (Journal of Laws 1992, No. 14, item 54); Treaty between the Republic of Poland and the Federal Republic of Germany on good neighborhood and friendly cooperation, signed in Bonn on 17th June 1991 (Journal of Laws 1992, No. 14, item 56).

² Stownik języka polskiego, ed. M. Szymczak, Warszawa 1979.

Dictionary of the Polish Language, includes 'a place close to the border, lines, edge, shore; on the borderline = on the border, over the border ... '3 In turn, *The Great Dictionary of* the Polish Language says that borderlands are 'areas located near the border of a country or region.'4 The basic meaning of the word, therefore, seems clear. It 'defines a space near the border, a divided and dividing space; a space with a less distinct identity than the two it is placed between.'5

State services and competent authorities shall specify the extent of the zones at the border. According to them, a strip of up to 100 km from the border is considered to be a 'border area,' a strip of 20-30 km from the border is considered to be a 'border area' and the 'border area' is defined as a strip of 2-6 km from the border. In turn, in the Act of 12th October 1990 on the protection of the state border, the chapter entitled Borderland refers to border lane and border area. Article 9(1) states that 'a strip of the border road is an area 15 meters wide, counting inland from the line of the state border or from the edge of the border waters or the sea shore.' Article 12(1) states that 'the border area shall comprise the whole area of the municipalities adjacent to the national border and, in the maritime section, to the coast. If the width of the border area thus defined does not reach 15 km, the area of the municipalities immediately adjacent to the national border or to the sea shore shall also be included in the border area.'8 Due to the differences in determining the territorial range of the zones near the border and bearing in mind the essence of the discussed issue, it is assumed in further considerations that the border areas are those directly related to the Polish-German border.

Characteristics of the area and research group

The following is a presentation of selected results of research executed with the aim to determine the sense of security of the inhabitants of the Polish-German borderland. The research was conducted in Słubice, Frankfurt (Oder), Świnoujście, and Ahlbeck

³ W. Doroszewski, *Podręczny stownik języka polskiego*, Warszawa 1957.

⁴ Wielki słownik języka polskiego, https://wsjp.pl/index.php?id_hasla=38081&id_znaczenia =3923791&l=8&ind=0 (access: 21.10.2019).

⁵ M. Dąbrowska-Partyka, *Literatura pogranicza, pogranicza literatury*, Kraków 2004, p. 25.

⁶ J. Fras, 'Istnieja tylko pogranicza, nie granice,' Pogranicze. Polish Borderlands Studies 2013, No. 1, pp. 69-70.

Act of 12th October 1990 on the protection of the state border (Journal of Laws 1990, No. 78, item 461), art. 9, par. 1.

⁸ *Ibidem*, art. 12, par. 1.

as part of the research task 'Polish-German interactions in the area of security,' which was carried out at the Police Academy in Szczytno. However, before the results are discussed, it is worthwhile to present briefly the border cities the survey was conducted in.

Słubice is an urban-rural municipality located in the western part of Lubuskie province on the Oder River. In 2017, its population was 20,077 people, while in 2018 Słubice was inhabited by 20,069 people. The town is the seat of an academic center, Collegium Polonicum. One of its most characteristic features is the bridge that connects it with Frankfurt (Oder), which enables pedestrian and road traffic between the countries. Frankfurt (Oder) is located at the border, in the state of Brandenburg, on the west bank of the Oder. At the end of 2017, its population was 58,237. The town is also the seat of an academic center: European University Viadrina. Together with Słubice, it forms a cross-border agglomeration.

Świnoujście and Ahlbeck, on the other hand, are tourist towns connected by the Europa Promenade, which is the longest coastal hiking and cycling path in Europe. ¹³ A health resort in Zachodniopomorskie province, Świnoujście had 41,032 inhabitants at the end of 2017, while 40,910 at the end of 2018. ¹⁴ Ahlbeck is part of the municipality of Heringsdorf in the district of Vorpommern-Greifswald, in the state of Mecklenburg-Western Pomerania. At the end of 2018, Ahlbeck had a population of 620 people, and the municipality of Heringsdorf had 8,547 people. ¹⁵

In Słubice and Frankfurt (Oder) the research was conducted in April 2017 (simultaneously), while in Świnoujście and Ahlbeck in 2018 and 2019. In each town,

⁹ The survey was conducted as part of the research task 'Polish-German interactions in the area of security,' which was carried out at the Police Academy in Szczytno by a team of Tomasz Łachacz, PhD, Anna Chromińska, Jessica Dziedzic, Mateusz Dudziak.

¹⁰ Statystyczne Vademecum Samorządowca 2019, Urząd Statystyczny w Zielonej Górze, https://zielonagora.stat.gov.pl/vademecum/vademecum_lubuskie/portrety_gmin/powiat_slubicki/Gmina Slubice.pdf (access: 26.10.2019).

¹¹ Das Statistische Informationssystem Berlin-Brandenburg, https://www.statistik-berlin-brandenburg.de/webapi/jsf/tableView/tableView.xhtml (access: 26.11.2019).

¹² https://erasmusuep.wordpress.com/2018/07/11/europa-universitat-viadrina-frankfurt-oder/ (access: 26.11.2019).

¹³ Symboliczna promenada przecinająca granicę polsko-niemiecką, https://ec.europa.eu/regional_policy/pl/projects/germany/a-symbolic-promenade-across-the-polish-and-german-border (access: 27.11.2019).

¹⁴ Statystyczne Vademecum Samorządowca 2019, Urząd Statystyczny w Szczecinie, https://szczecin. stat.gov.pl/vademecum/vademecum_zachodniopomorskie/portrety_miast/miasto_swinoujscie.pdf (access: 02.01.2020).

¹⁵ Statistische Berichte. Bevölkerungsstand, Statistisches Amt Mecklenburg-Vorpommern, https://www.laiv-mv.de/static/LAIV/Statistik/Dateien/Publikationen/A%20I%20 Bev%C3%B6lkerungsstand/A%20113/A113%202018%2000.pdf (access: 02.01.2020).

100 randomly selected residents over 15 years old were surveyed. A diagnostic survey method with a questionnaire consisting of closed and semi-open questions was used. Most of the questions addressed to the residents in the first and second survey were the same, which made it possible to compare and contrast the obtained results. However, the author is aware of 'imperfections' of the conducted scientific project, such as surveying residents at different times and having a small sample. Therefore, the endeavor should be treated as a pilot study, a starting point for further research. Nevertheless, the results allow to formulate initial conclusions concerning the sense of security in the Polish-German borderland.

The analysis of the results should begin with noting the predominant age range among the respondents: 15-26 years old (Frankfurt/Oder: 51%, Świnoujście: 46%) and 27-40 years old (Słubice: 34%, Ahlbeck: 41%). Moreover, women prevailed (Słubice: 53%, Frankfurt/Oder: 60%, Świnoujście: 68%, Ahlbeck: 53%). Furthermore, most of the respondents declared to have lived in their town for more than 10 years (Słubice: 78%, Frankfurt /Oder: 62%, Świnoujście: 78%, Ahlbeck: 57%), which may suggest their good knowledge of problems in the local environment.

The sense of security of the inhabitants of the Polish-German borderland

The survey asked the respondents to assess the level of safety in their place of residence.

The vast majority of those taking part in the survey stated that they feel safe in their town ('yes' and 'rather yes'). However, this opinion was more frequently expressed by the inhabitants of Słubice and Frankfurt (Oder) than in other towns. Moreover, some respondents in Ahlbeck (23%) and Świnoujście (12%) admitted that they do not feel safe in their place of residence, which may be partly related to the tourist character of these towns.

Respondents were also asked if they were afraid that they might become a victim of crime.

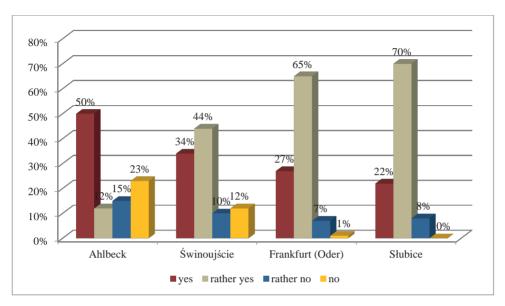


Chart 1. Do you feel safe in your area of residence? (%)

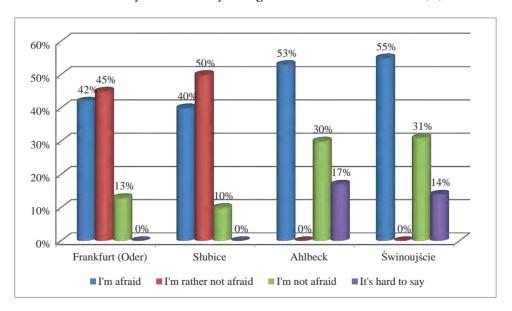


Chart 2. Are you afraid that you might become a victim of crime? (%)

Source: own study based on research conducted by the team of A. Chromińska, J. Dziedzic, T. Łachacz.

More than half of the surveyed residents of Świnoujście and Ahlbeck expressed their fear that they might become victims of crime, and some of the respondents from these towns were not able to respond unequivocally to this question ('It's hard to say'). In Frankfurt (Oder) and Słubice, on the other hand, most of the respondents are 'not afraid' or 'rather not afraid' of becoming a victim of crime, thus confirming that they feel safe in their place of residence.

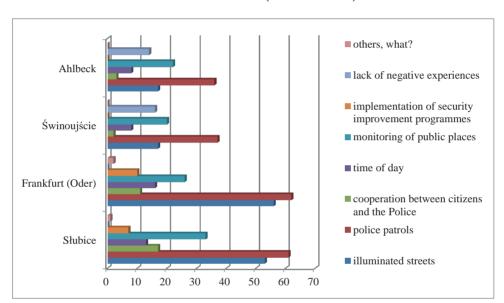


Chart 3. Factors determining the sense of security of the inhabitants of the Polish--German borderland (numerical data)

Source: own study based on research conducted by the team of A. Chromińska, J. Dziedzic, T. Łachacz.

Among the main factors influencing the sense of security, the respondents mentioned: police patrols, illuminated streets, and monitoring of public places. Only a few respondents indicated cooperation with the Police. This shows that the inhabitants of the Polish-German borderland want officers in the streets, but are not willing to cooperate with them.

Subsequently, the respondents were asked to indicate a maximum of three main threats in their city. These could be selected from the proposed catalogue or suggested by themselves.

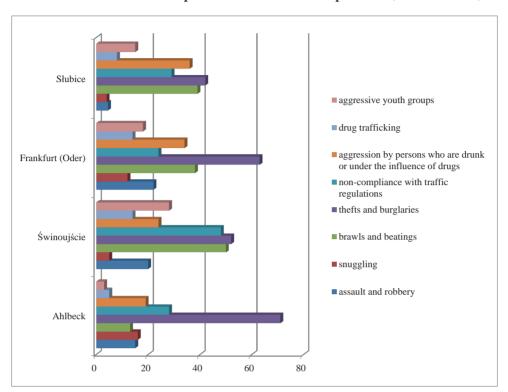


Chart 4. Main threats in the place of residence of the respondents (numerical data)

The inhabitants of Słubice and Frankfurt (Oder) identified the following as the main threats in the area of confusion: thefts and burglaries, brawls and beatings, aggression by people who are drunk or under the influence of drugs. Similar threats were indicated by respondents from Świnoujście and Ahlbeck, who mentioned also failure to comply with traffic regulations.

In the following part, the inhabitants of the Polish-German borderland were asked to indicate dangerous places in their town. They could choose more than one answer as well as indicate locations themselves.

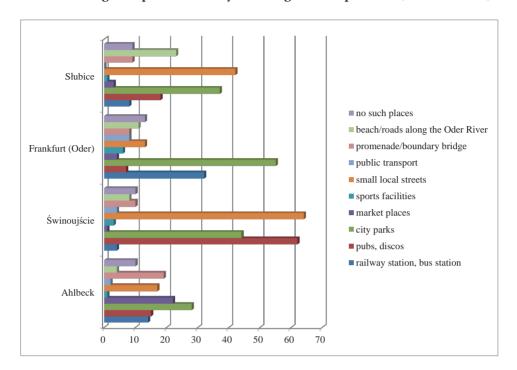


Chart 5. Dangerous places in the city according to the respondents (numerical data)

The inhabitants of Słubice most often considered small local streets, city parks and the area on the Oder River to be dangerous places in their local environment, and those surveyed in Frankfurt (Oder) often mentioned also the railway/bus station or stated that there were no such places. In Świnoujście and Ahlbeck, respondents indicated mainly small local streets and city parks, as well as pubs, discos (Poles) and the marketplace (Germany). According to the received answers, small local streets and city parks are considered as the most dangerous places in the Polish-German borderland. The respondents also mentioned the promenade and the area on the Oder River, i.e. places that are frequented by tourists and people crossing the border for various reasons.

The next question asked the respondents to identify the main causes of crime in their town. Residents participating in the survey could identify up to three main causes of crime in their city, including their own suggestions.

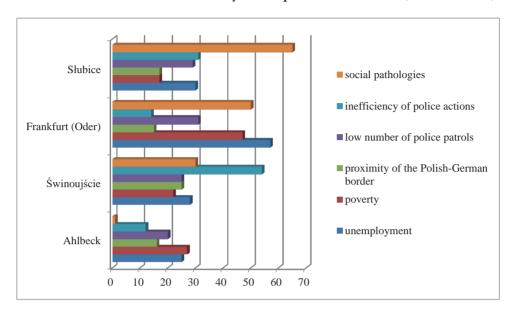


Chart 6. Main causes of crime in the city in the opinion of inhabitants (numerical data)

The obtained answers may be surprising, as unemployment, poverty and social pathologies were most often mentioned. Meanwhile, the situation on the labor market (especially in Poland) has improved in recent years, as well as the level of poverty in our country has decreased due to the implementation of social programs. Moreover, the respondents pointed out inefficiency of the Police (Słubice, Świnoujście) as well as a small number of police patrols (Ahlbeck), thus having objections to the way formations responsible for public safety and order operate.

In considering the issue of security on the Polish-German border, it is necessary to analyze how the state border affects it.

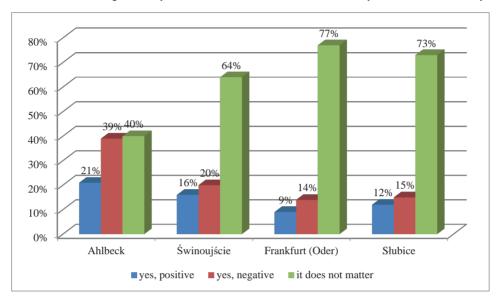


Chart 7. Does the proximity of the German-Polish border affect your sense of security?

The vast majority of the respondents in Świnoujście, Frankfurt (Oder), and Słubice stated that the state border has no bearing on their sense of security. However, the residents of Ahlbeck were of a different opinion: 39% of respondents stated that the Polish-German border negatively affects their sense of security. Interestingly, most respondents in the same town suggested that the border had a positive impact on their sense of security. Therefore, it seems justified to extend the research in this area.

The inhabitants were asked about the forms of cooperation between Polish and German officers in the border areas known to them. They could choose more than one answer.

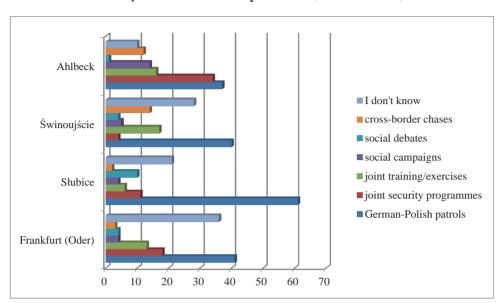


Chart 8. What forms of cooperation between Polish and German officers in border areas have you heard about or experienced? (numerical data)

The answers of the respondents show that a significant part of them is aware of the cooperation between the Polish and German police in the field of security and public order on the common border. The residents are familiar with various forms of cooperation between the services, including above all: Polish-German patrols, joint security programs, and training and exercises. Respondents in Słubice often mentioned social debates. Common cross-border hot pursuits were relatively rarely indicated, which may, however, result from the fact they are carried out in circumstances that are distant from ordinary citizens' experiences.

Cooperation between Polish and German services in border area

The following part will present selected forms of cooperation between Polish and German services in border areas, which are regulated in the Agreement between the Government of the Republic of Poland and the Federal Republic of Germany on co-

operation of police, border and customs services of 15th May 2014. The document organizes and updates regulations concerning cooperation of services, which hitherto were scattered in various legal acts. In the Polish-German agreement of 2014, 'the states undertook to cooperate in preventing, detecting and combating crimes and prosecuting their perpetrators within the meaning of the internal law of both sides, including mutual assistance provided by the competent authorities ... and cooperation in preventing and counteracting threats to public safety and order.'17 The sides have declared their mutual assistance in the search for missing people and all activities related to the identification of unknown corpses and persons of unknown identity. In addition, Poland and Germany have agreed for the first time to cooperate with regard to criminal acts considered as an offence in one or both countries, e.g. theft or misappropriation, damage or destruction of property, driving without appropriate documents. It is worth recalling at this point that respondents in the Polish-German borderland mentioned thefts and burglaries as one of the main threats in their place of residence.

This agreement regulates general and specific forms of cooperation between services. The first group includes: exchange of information, joint patrols, action in situations of particular danger, exchange of liaison officers, functioning of operational and investigative groups, or joint performance of official duties. The following were considered as specific forms of cooperation: protection of witnesses and people, prevention and combating terrorism, undercover operations, covert surveillance of shipments, cross-border surveillance, use of camouflage, special technology measures, cross-border pursuits and transfer of people deprived of their liberty. Bearing in mind the answers of the respondents, the principles of cooperation between Polish and German services in the field of information exchange, joint patrols, cross-border pursuit, or actions taken in situations of special danger are discussed in the following section.

Cooperation between Polish and German entities shall, in principle, be based on a written request to the competent authority of the other country. The document should contain the subject matter and the justification from which the purpose and use of the information obtained must result. As a rule, the request shall be transmitted by the available technical means, but in urgent cases it may be transmitted orally and subsequently supplemented in writing. Communication shall be in the language of the concerned side, using bilingual forms or in English. The police, border and customs

¹⁶ Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation between police, border and customs services, done in Zgorzelec on 15th May 2014 (Journal of Laws 2015, item 939).

¹⁷ *Ibidem*, art. 1, item 1.

cooperation center can also be contacted for this purpose and no documents need to be translated. The requesting side must be informed immediately if the request cannot be met for various reasons.

Entities in Poland and Germany may exchange information between themselves on the basis of this request. As agreed by the countries, data should be provided on a reciprocal basis and free of charge, especially in situations where they can contribute to prevention, detection and combating of criminal offences and prosecution of their perpetrators. Information may also be exchanged, e.g. on illicit drug trafficking, allowing for verification and identification of people, or on the routes and scale of illegal migration.

The Polish-German agreement also provides for the transmission of information concerning offences and their perpetrators. It is worth mentioning that the exchange of data may also take place through the center for police, border and customs cooperation, and the information provided may be used in criminal proceedings, provided that the side granting it agrees to it.

Another form of cooperation between Polish and German services, noticed by the respondents, are joint patrols in the border area. They are carried out in mixed teams consisting of at least one Polish and German officer and are commanded by a representative of the country on whose territory it is carried out. Officers participating in the patrol may, among others, take actions necessary to establish the identity of a given person and write down their data, carry out customs checks, check documents (e.g. identity, driving license), or include the person in order to hand over to the services of the side on which the patrol is carried out. ¹⁸ It is worth stressing that during a joint patrol, officers can cross the national border at any place or restore border control if the situation requires it.

Cross-border pursuits are another form of cooperation between Polish and German services, which can be observed in border areas and which was mentioned by a few respondents. The main rules for carrying out this type of projects are laid down in Article 41 of the Convention implementing the Schengen Agreement, and in the bilateral agreement of 2014 they were only made more detailed. In regard to their territory, Poland and Germany established that 'the cross-border pursuit is carried out without any limitation in space or time, including air and water borders.'¹9 It was agreed that when action was taken, this should be immediately notified to the competent authorities of the country concerned and to the center for police, border and

¹⁸ *Ibidem*, art. 9, item 3.

¹⁹ *Ibidem*, art. 25, item 3, point 2.

customs cooperation. The information should include the place and time when the person being prosecuted and the officer are expected to cross the border, as well as details of the technical equipment or weapons held. It should be stressed that officers conducting a cross-border pursuit may stop the vehicle on the territory of the other party, and that the arrested people must be handed over to the competent authorities of that country without delay. Officers of the country on whose territory the action is being conducted may join in the pursuit and coordinate further action. It is worth mentioning that in the years 2012-2016, cross-border chases were undertaken much more often by German than Polish services.²⁰

In final analysis, it is worth mentioning actions in situations of special danger, which are a new form of cooperation between Polish and German services. As the name suggests, such actions may be taken on the territory of the other country in case of an immediate danger to life and health or property, e.g. in the event of a traffic accident.²¹ It is then the officer's duty to immediately notify the other side of the incident, and if someone's life or health is at risk, the officer should take immediate action. In such situations it is permissible to cross the state border, direct traffic on the scene of the incident, as well as to capture a person.²² This does not, of course, release the officer from the obligation to comply with the internal law of the other side and to inform its competent authorities of the fact of crossing the border and the undertaken action.

Conclusions

Summing up, it should be noted that in the opinion of the respondents, the Polish-German border is safe and the state border does not determine the sense of security of the inhabitants. The respondents are not afraid of becoming a victim of crime in their town, and the main threats include: thefts and burglaries, brawls and beatings, aggression by drunk people or under the influence of drugs, or failure to comply with traffic regulations. These are quite common phenomena, which occur not only in the borderland, but also in other Polish and German cities. The respondents considered small local streets and city parks to be the most dangerous places, but also (although less frequently) the promenade connecting Świnoujście and Ahlbeck and the area on

²⁰ Data made available to the author by the Polish-German Cooperation Centre for Border, Police and Customs Services in Świecko.

²¹ Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation between the police services ..., art. 10, par. 1.

²² *Ibidem*, art. 10, item 2, point 1.

the Oder River in Słubice and Frankfurt (Oder), i.e. locations bringing together tourists or people crossing the border. In the opinion of the respondents, the main causes of crime in their place of residence are unemployment, poverty or social pathologies. These answers seem surprising, because for a long time (especially in Poland), an improvement in the situation on the labor market and a decreasing number of people affected by poverty have been observed. Therefore, this issue needs to be expanded in subsequent studies. Moreover, it is worth emphasizing that the borderland residents noticed a small number of police patrols in their surroundings and their inefficiency. At the same time, the respondents confirmed that they are aware of the cooperation of police services on both sides of the Oder River. Among the forms of cooperation of the formations they were familiar with, the most frequently mentioned were: joint patrols, security programs, trainings and exercises or less frequent cross-border pursuits. These and other activities aimed at ensuring public safety and order on the common border were regulated in the Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on cooperation of police, border and customs services of 15th May 2014. The document organizes and updates the already existing forms of cooperation between Polish and German services, as well as extends their scope with new dimensions, e.g. action in situations of special danger.

In conclusion, it is worth stressing that cooperation between Polish and German services is particularly important, even necessary to ensure security in the border areas. The existing state border is not a major 'obstacle' to the development of undesirable phenomena. Further tightening of cooperation and undertaking joint actions by Polish and German officers is desirable, even necessary due to the nature of the common border.

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