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## **Regional Police Headquarters in Lublin**

### **„Safe Europe – together against fraud on the external border of the EU”**

**Report on the course of the seminar regarding fighting tobacco crime on the external  
border of the EU**

Białystok, 20 – 25 September 2021

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#### **Wstęp**

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The 535 km Polish-Ukrainian border and the 531 km Romanian-Ukrainian border are both EU Schengen borders. These borders are particularly vulnerable to the smuggling of excise goods, especially cigarettes, and Ukraine continues to be the primary source of cigarette smuggling in the EU. Due to their geographical location, the eastern part of Poland and the northern part of Romania are important road and rail in the cross-border transportation system. The threat of tobacco smuggling from across the eastern border into Poland and from the northern border into Romania is high. In addition, organized crime groups are not limited to smuggling cigarettes but are increasingly engaged in the production of illegal cigarettes in factories located in Eastern Europe, including Poland, Romania and the Ukraine. The illegal factories are located along the EU's eastern border, where the cigarettes are prepared and packed for smuggling in packs bearing the inscriptions of the destination country. Every day, Polish, Romanian and Ukrainian police, border guards and customs officers fight smuggling and the illicit manufacture of cigarettes. They seize contraband cigarettes and dismantle illegal cigarette factories, preventing millions of euros of damage to the financial interests of the EU and Member States. By strengthening cooperation with neighbouring countries or countries with the same problems, and by creating a network of cooperation between the relevant institutions, as well as improving the investigative skills of officers, we can achieve better results in combating this phenomenon. Therefore, the Regional Police Headquarters in Lublin came up with an initiative to organize a joint project combining police, border guards and customs services from Poland, Romania and Ukraine by organizing a 6-day seminar in Poland on combating cigarette smuggling and counterfeiting. The seminar took place on September 20-25, 2021, and was attended by 40 representatives of services involved in combating cigarette smuggling and counterfeiting in Poland, Romania, and Ukraine.



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The main objective of the project was to increase the effectiveness of the fight against organized fraud, especially cigarette smuggling and counterfeiting, through the exchange of knowledge and and experience between police, border guards and customs from Poland, Romania and Ukraine. Within the framework of the project, a training seminar was organized on combating cigarette smuggling and counterfeiting. Participants of the training presented examples of cases concerning illegal production, smuggling and illegal distribution of tobacco products. In addition, representatives of tobacco companies presented an analysis of the market in terms of combating tobacco crime.

One day was devoted to visiting the tobacco and cigarette production line at the British American Tobacco factory in Augustow. The visit provided the officers with an overview of the cigarette production process, in particular the labelling of packaging and products as well as the security methods used, which will contribute to easier identification of cigarettes in terms of their originality. The group of participants consisted of representatives of institutions dealing with combating excise crime. They were representatives of the Regional Police Headquarters in Lublin, Rzeszów and Białystok, the General Inspectorate of the Romanian Police, the National Police Service of Ukraine, the Tax Administration Chamber in Lublin and Białystok, the National Customs Service in Romania, the State Customs Service of Ukraine, the Nadbużański Border Guard Unit, the Podlaski Border Guard Unit, the General Inspectorate of the Border Guard in Romania and the State Border Guard in Ukraine. In addition, one day was devoted to speeches by representatives of tobacco companies: Philip Morris Polska S.A., Imperial Tobacco Polska S.A. and British American Tobacco Trading Sp. z o.o.

Apart from the exchange of knowledge and experience, a very important element of the undertaking was the establishment of direct contacts between representatives of various

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institutions. This will facilitate cooperation in the fight against crime detrimental to the EU's financial interests.

At the end, the participants filled in evaluation questionnaires, in which they evaluated the training workshops. The project was evaluated very positively. 65 % of participants rated the training as very good and 35 % as good. 95 % indicated that the training met their professional needs and that they increased their knowledge of cigarette smuggling and counterfeiting at the EU external border. In addition, most participants indicated that they had established new working contacts and cooperation with representatives of both Polish and foreign institutions.

In conclusion, the goal of the project was achieved in 100 percent.



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## Seminar on fighting tobacco crime

A seminar on combating cybercrime against the EU's financial interests was held from 20 to 25 September in Białystok. In charge of the meeting was the Head of the Department for fighting Economic Crime of the Regional Police Headquarters in Lublin.

In the beginning, the representative of the **Department for Fighting Economic Crime of the Regional Police Headquarters in Lublin** discussed typical tools used in the fight against tobacco crime, on the example of the experience of the officers of this Department. He presented actions and methods of operational work of the Team for Combating Excise Tax Crime. He presented actions and methods of operational work of the Team for combating excise crime and examples of cases conducted by officers of the Team.

On the basis of the conducted case concerning the activity of an organised criminal group which deals with committing crimes against the economic interests of the State Treasury, connected with placing on the market excise products without Polish excise tax marks in the form of cigarettes that may originate from illegal production of tobacco products, representatives of the **Department for Fighting Economic Crime of the Regional Police Headquarters in Rzeszów** presented their activities.

Within the framework of their operational work:

- operational material was obtained, on the basis of which 3 investigations were launched,
- charges were brought against 8 persons,
- 4 persons were subjected to a preventive measure in the form of temporary arrest for a period of 3 months,
- total loss to the State Treasury in the form of excise tax amounted to PLN 5 893 205,
- total amount of property security amounted to PLN 2 392 073.



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Next, a representative of the General Inspectorate of the **General Inspectorate of the Romanian Police** discussed the structure of the Police and its tasks in combating tobacco crime in Romania. He discussed tobacco crime, the enabling factors (including the second longest external border of the European Union at the level of one country, relatively low risk, shortcomings of the legislative framework, easy sourcing of raw materials), the stages of the investigation and the spectacular cases carried out by officers of the Directorate for Combating Economic Crime.

Officer from the **Strategic Investigations Department of the National Police Service of Ukraine** presented the causes of tobacco crime in Ukraine, discussed Ukraine's key partners in the fight against cigarette smuggling (OLAF, EUROPOL, INTERPOL, EUBAM, FATF). He indicated the most common patterns of illegal movement of tobacco products across the western border of Ukraine. Then, he discussed the system of preventing tobacco smuggling - competences in this area of the Police, Border Guards and Customs Service. At the end of his presentation, he presented examples of high-profile cases related to smuggling of tobacco products on the border of Ukraine with the countries of the European Union. The presentation of the representative of the National Police of Ukraine ended the block of speeches given by representatives of the Police from Poland, Romania and Ukraine. Next presentations concerned activities carried out by customs services.

The representative of the **Customs and Tax Control Office in Biała Podlaska** discussed the structure of the Chamber in Biała Podlaska, the area of operation, statistics on the number of cigarettes disclosed and criminal and fiscal proceedings initiated from 2019. At the end, he presented examples of the most interesting disclosures of cigarette smuggling in 2019 - 2021. Next, the representative of the **Podlaski Revenue Administration Regional Office in Białystok** presented the impact of the COVID-19 situation on the level of cigarette seizures, cigarette smuggling routes on the territory of Poland, and seizures of illicit tobacco products in Poland in 2016 - 2021.

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He presented the modus operandi of criminal groups smuggling cigarettes to Poland on the example of cases conducted by National Revenue Administration officers. At the end the representative of Revenue Administration Regional Office in Białystok discussed the transport package - so called SENT monitored goods. This presentation ended the first day of the seminar.

The second lecture day began with the presentation from a representative of **the General Directorate of the Customs of Romania**, who presented data on illegal cigarette trade in Romania from 2008 to 2020 and examples of cigarette smuggling cases investigated by Romanian Customs officers from 2019 to 2020.

Then the representative of the **State Customs Service of Ukraine** presented the structure of customs service in Volyn region and examples of detection of tobacco smuggling by officers of the Volyn Customs Service.

The next presentation started a block of speeches by representatives of the Border Guard from Poland, Romania and Ukraine.

The representative of the **Nadbużański Border Guard Unit** discussed illegal trade in dried tobacco and tobacco cuttings on the example of actions taken by officers of the Border Guard Unit of Nadbużański in Chełm and presented national and international cooperation in combating illegal trade in dried tobacco and tobacco cuttings.

The representative of **the Podlaski Border Guard Unit** discussed the main tasks on the Polish-Belarussian and Polish-Lithuanian border, methods of smuggling cigarettes amongst other with the use of the unmanned aerial vehicles as well as the examples of procedural realisations of the officers of Podlaski Border Guard Unit.

The last presentation of the second day was given by a representative of **the 6th Volyn Border Guard Unit in Ukraine**. In his presentation he discussed the spheres of responsibility of Lutsk Border Guard Unit, the structure (including the Main Operational and Search Branch



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of the Border Guard Unit), the main directions and methods of smuggling tobacco products across the border.

The last two days of the seminar took a form of workshops conducted by the representatives of tobacco companies: Imperial Tobacco Polska S.A., British American Tobacco Polska S.A., Universal Leaf Tobacco Poland and Philip Morris Polska Distribution Sp. z o.o., who presented the following issues:

- scale, sources and specificity of consumption of tobacco products without Polish excise tax marks in Poland;
- examination of an illegal cigarette manufacturing plant carried out in cooperation with Imperial Tobacco Poland S.A;
- tobacco industry in Poland, legal - illegal market of tobacco products in Poland and Germany, arrests, impact of the pandemic on the gray zone, international cooperation;
- tobacco as a raw material that is a strategic product in the production of legal and illegal tobacco products;
- illicit Manufacturing of Tobacco Products in Poland 2020-2021.

Experts from tobacco companies who are actively involved in dismantling illegal cigarette factories shared their experiences in cigarette counterfeiting and smuggling methods, as well as expertise in identifying genuine products. .

An important part of the seminar was a visit to the British American Tobacco cigarette factory in Augustów. Learning about the technological and production path of tobacco products will help officers to correctly identify genuine and counterfeit products, used counterfeit trademarks and thus allow to detect and prevent fraud more effectively.