

Department of European Funds

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2021-10-17, 03:13



Schengen Fund

Legal basis of the Fund

The need for considerable investments at the European Union external borders gave rise to the establishment of the Schengen Facility (Schengen Fund), whose beneficiaries are 7 Member States of the European Union: Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia.

According to the provisions of Article 35 of the *Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded*, the European Commission earmarked the following amounts for Poland for the adaptation of EU external borders (following amendments in compliance with Article 36):

in 2004 - ca. EUR 103.35 million,

in 2005 - ca. EUR 103.86 million,

in 2006 - ca. EUR 106.67 million.

TOTAL - ca. EUR 313.88 million

The rules of managing and monitoring the Schengen Facility funds were provided for in the Decision of the European Commission no. C(2004) 248 of 5th February 2004, amended by Decisions nos. C(2006) 684 and C(2007)494.

Fields of expenditure according to the Treaty

The provisions of Article 35 allowed for spending the Facility's funds on tasks related to the implementation of Schengen acquis and to external borders control.

The following 4 priorities were identified for projects to be implemented:

investment in construction, renovation or upgrading of border crossing infrastructure and related buildings;

investments in any kind of operating equipment (e.g. laboratory equipment, detection tools, Schengen Information System-SIS 2 hardware and software, means of transport);

training of Police and Border Guard;

assistance towards the costs of logistics and operations..

All the Schengen Facility funds had been allocated to 50 projects. The activities under all these projects were completed by the end of September 2007.

Assumptions for spending the funds in Poland

The objectives of the use of Schengen Facility funds were identical with the priorities in terms of projects admissible under the Facility.

The main goal of projects that were implemented was to pursue the strategic objective of Poland, namely full participation in the Schengen area by January 2008.

At the same time, it was assumed that the measures undertaken would not result in a new *iron curtain* at Poland's eastern border – the EU's external border.

Institutions participating in the process of implementation of the Facility funds

Ministry of the Interior plays the role of *Responsible Authority* and is accountable for the use of Schengen Facility funds.

Implementing Authority for European Programme, on the other hand, plays the role of *Intermediate Body*, responsible for direct implementation of the Facility.

Beneficiaries: National Border Guard Headquarters; General Headquarters of the Police; Office for Repatriation and Foreigners; Ministry of Justice; Ministry of Foreign Affairs, Ministry of Finance – Customs Service; Voivodes of the following voivodeships: Warmińsko-Mazurskie, Podlaskie, Lubelskie, Podkarpackie, Zachodniopomorskie, Pomorskie, Mazowieckie, Małopolskie, Kujawsko-Pomorskie; Ministry of the Interior and Administration; Implementing Authority for European Programmes.

Projects containing cross-border elements

Within the framework of Schengen Facility, the following four infrastructural projects within **Ukraine** border crossing points have been implemented: one in *Krościenko*, one in *Korczowa*, and two in *Medyka* – of the total value of ca. PLN 30.6 million.

On the border with **Belarus**, four infrastructural projects at border crossing points were carried out under the Schengen Facility, namely: in *Kuźnica Białostocka* (railway crossing, ca. PLN 52.7 million), *Białowieża* (tourist crossing, ca. PLN 5 million) and in *Terespol* (extension of the existing crossing point, ca. PLN 18 million). The total value of projects was ca. PLN 75.9 million.

Moreover, the Voivode of Podlaskie Voivodeship used the Schengen Facility financing to purchase PLN ca.8.9 million worth of equipment for border crossing points in the voivodeship, including stationary X-ray equipment for scanning TIR loads, as well as computer hardware, office and specialist equipment.

On the border with the **Kaliningrad Oblast**, three infrastructural projects were implemented under the Schengen Facility: in border crossing points in *Bezledy* (road crossing, ca. PLN 13.6 million), *Gronowo* (road crossing, ca. PLN 5.2 million) and in *Ełbląg* (extension of the clearance point in the port, ca. PLN 2.5 million) - of total value of ca. PLN 21.3 million.

The Schengen Facility was also used by the Voivode of Warmińsko-Mazurskie Voivodeship to purchase the equipment for border crossing points in the voivodeship, of total of ca. PLN 900 thousand, including computer hardware, office and specialist equipment.

The activities financed under the Schengen Facility included also the modernisation of border crossing points at the **airports** in *Cracow* (ca. PLN 10.6 million), *Gdańsk* (two project with the total value of ca. PLN 8.9 million), *Warsaw* (ca. PLN 15.2 million), and *Bydgoszcz* (ca. PLN 1.6 million). Additionally, the modernisation of *Świnoujście sea border crossing* was co-funded (PLN 4 million), and border control equipment for **sea border crossing points** in Zachodniopomorskie Voivodeship was purchased (ca. PLN 370 thousand).

Also the Border Guard financed from the Schengen Facility the purchase of equipment and infrastructure investment in the following voivodeships: Podkarpackie, Lubelskie, Podlaskie and Warmińsko-Mazurskie.
