ADMINISTRATIVE APPROACH IN POLAND

Ministry of the Interior and Administration
Republic of Poland

MAIN POINTS OF THE PRESENTATION

1. General context

2. A historical case (study)

3. New push for AA promotion in Poland:
   a) Why?
   b) What has been done (so far)?
   c) Lessons learned (so far)

4. Ideas for the future

5. Key takeaways

GENERAL CONTEXT

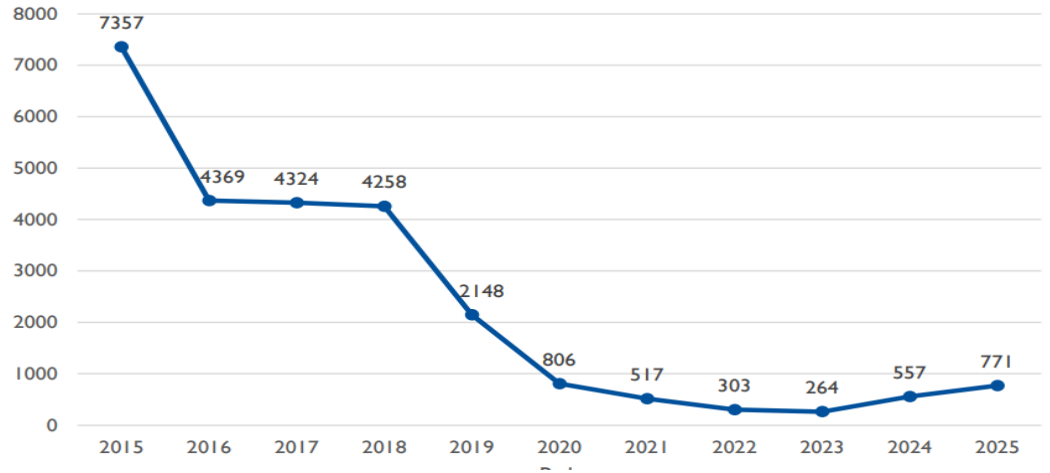
- In Polish legal system, **the idea to use administrative measures** to prevent and combat crime is **relatively new** (for historical reasons).
- Still, the **criminal law measures prevail** and the idea of administrative approach is not commonly known, understood and used.
- However, in **several sectors, particularly prone to criminal infiltration**, administrative measures are quite well established now (e.g. in gambling sector, or in liquid petrols commerce).
- Administrative measures were an important part of Poland's **response to the designer drugs**, especially between 2008 and 2020.
- However, there is **no comprehensive legislation** on the Administrative Approach in Poland. There are many provisions resorting to the AA, but dispersed.
- In February 2026, Ministry of the Interior and Administration organized **first national coordination meeting on the AA**, in a push to promote the concept and its' practical application among LEAs and administrative bodies.

DESIGNER DRUGS' CASE (HISTORICAL)

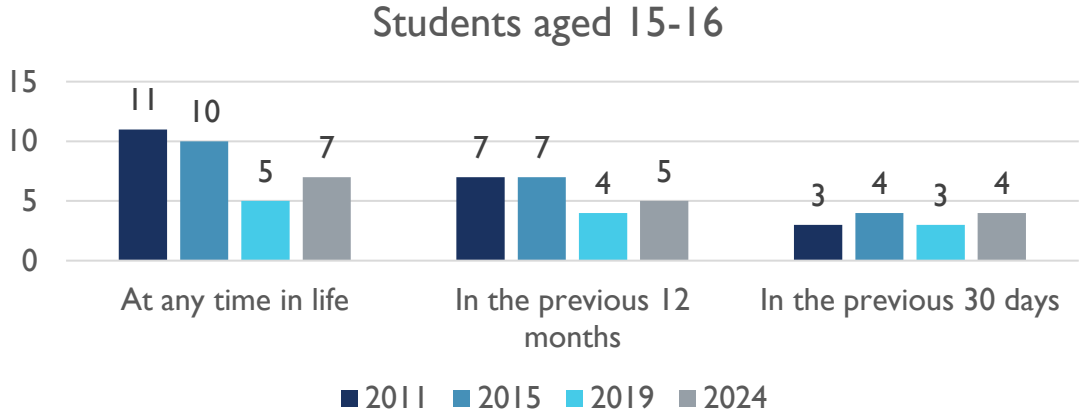
- Designer drugs / legal highs – a **serious social challenge that persisted** in Poland especially between 2008 and 2019/20, causing harm especially among young people, including those under 18 years.
- Second half of 2010 – over 1.300 shops selling designer drugs, increasing numbers of poisonings linked with these drugs, **heavy media coverage of the issue**, more dangerous ways of using designer drugs (injections).
- **State's response included elements of various approaches** – criminal law, information campaigns, but also administrative approach involving especially the State Sanitary Inspection.
- Before laws were amended, the government resorted to the provisions of the Act on State Sanitary Inspection – based on Article 27, **dating back to 1985** (due to urgent need to deal with the issue), which actually gave the sanitary inspectors the power to close a facility in the event of a direct threat to human life or health, due to the breach of hygiene or health regulations.
- In November 2010, **systemic legal changes** took effect, focusing on active forms of the State's reaction to the designer drugs persistence, including more administrative powers for the State Sanitary Inspection (administrative fines up to 1 mln PLN, decision on withdrawing a product from the market for up to 18 months, if there is a reasonable suspiction that they can be harmful for human life and heatlh).
- **Results**: change in designer drugs' manufacturers modus operandi (opening of hidden points of sale etc.), increased number of site controls by sanitary inspectors, increasing capacities of the State Sanitary Inspection (incl. creation of a dedicated department).
- This is **not the end of the story**. Further legal and organizational amendments proved necessary (including **register of poisonings and agreement on information sharing**). But in the end of the day, the phenomenon was largely contained. Yet, this is a historical case, since in recent years, due to changed circumstances, the role of sanitary inspectors is less prominent than a few years ago.

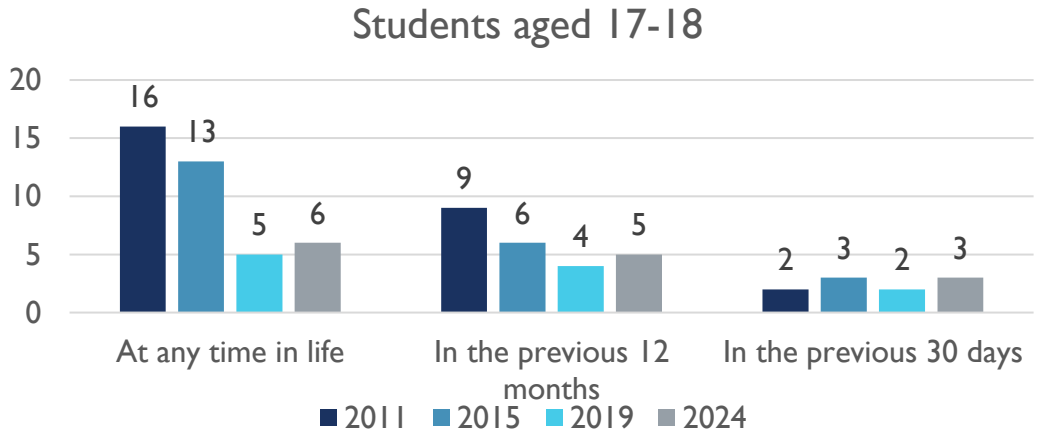
RESULTS IN NUMBERS

Disclaimer: of course, it cannot be asserted that the elements of AA included in the State's response to the issue of designer drugs explain the positive changes in the overall picture of the problem. It is out of the scope of this presentation to ponder on the causal effect between the State's response and the observed changes. However, we still believe that it is important to take a holistic approach to the issue, and AA is an important part of it.



Intoxications linked with the designer drugs consumption in Poland in 2015-25
Source: Chief Sanitary Inspector report concerning poisonings with NPS and substitutes in Poland, in 2024





Designer drugs consumption among students aged 15-18 in Poland.
Source: ESPAD surveys 2011, 2015, 2019, 2024

NEW PUSH TO PROMOTE THE ADMINISTRATIVE APPROACH: WHY?

- Internal factors:
  - **foreigners' crime**, social anticipation of an effective response, so there is a plenty of room for complementing the crimal law response with administrative measures;
  - **tip-offs** from both LEAs and administrative institutions **on challenges** (esp. **information exchange**, both domestically and internationally).

- External factors:
  - **shared challenges** at the EU level and transnational nature of organized crime;
  - more engagement at the EU fora dealing with the AA, during the **Polish EU Presidency**;
  - **rising profile of the AA** at the EU level (incl. initiatives by ENAA, esp. field visits which enable us to understand solutions in place in other MS)

RECENT ACTIONS TO PROMOTE THE ADMINISTRATIVE APPROACH

- One of most important things is to **engage political level**. We took the opportunity of the ENAA actions to deliver a message to the hierarchy during the Polish Presidency in the EU Council.

- Thanks to activities offered by the ENAA and its' Members, we were able to gain **in-depth knowledge of administrative approach in the experienced Member States** (field visits in Italy, the Netherlands, a planned one in Germany).

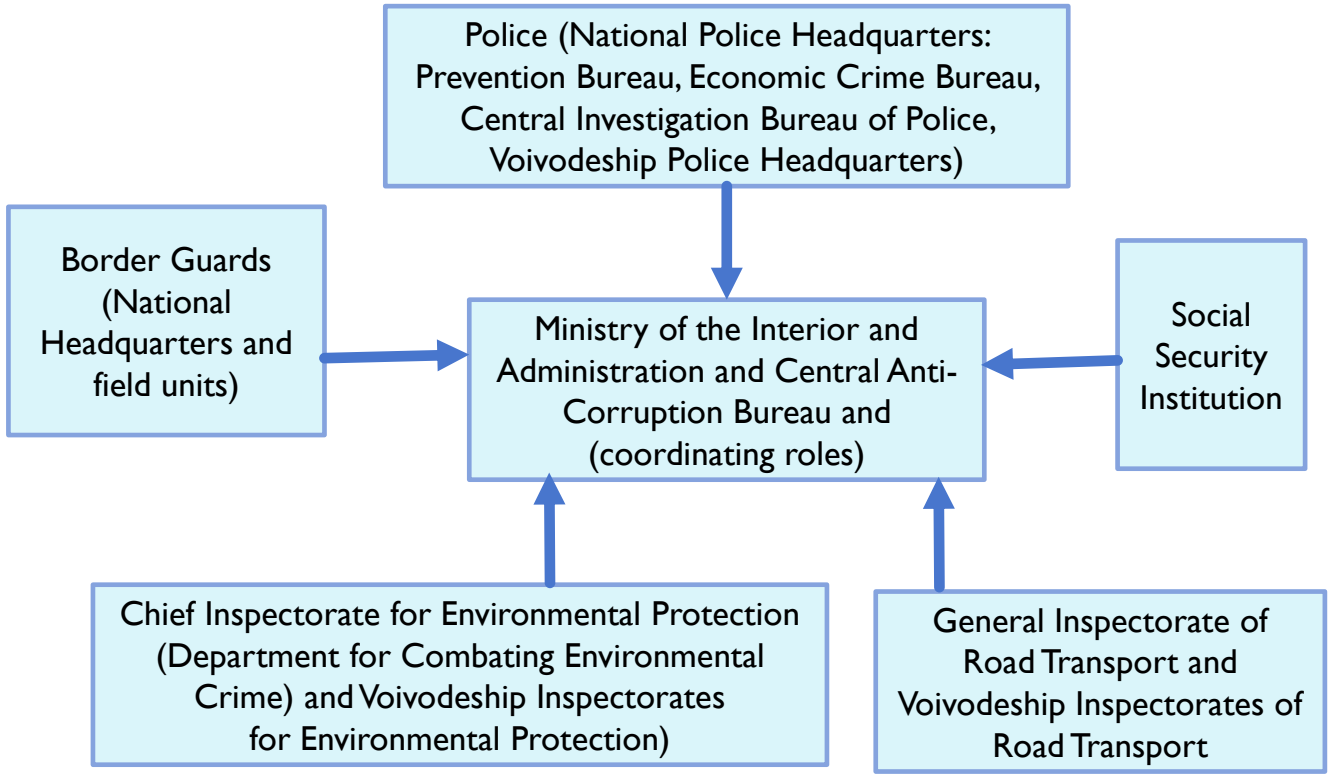
- We received a green light to organize **the first national coordination meeting on the administrative approach**, which took place in February 2026. We presented the concept of the AA, examples of other EU MSs use of it, distributed some materials produced by the ENAA, and discussed concrete issues, including Poland's participation in the first EMPACT Action Days on Prevention and Administrative Approach. Also, participants presented their experiences and asked questions.

- As a follow-up we established **a list of contacts in all the institutions involved**, and extended the cooperation to several more, based on tip-offs from those who took part in the meeting. We share all the reports (esp. from field visits and ENAA meetings), and gather relevant information from institutions (e.g. we took stock of the available administrative measures, which might be used to fight serious and organized crime).

- **Participation in the EMPACT Action Days** allowed for closer contacts, including also practical aspects of the administrative approach, and better cooperation between a numer of stakeholders.

- We were actively involved in **drafting a paper, by a group of Member States**, addressed – among others – to the European Commission – on the importance of the administrative approach and the need for EU-Level solutions.

PARTICIPANTS AND RESULTS OF EMPACT ACTION DAYS 2026 IN POLAND



Results (chosen):

- **250 tons** of illegal waste disclosed,
- **508 traffic fines** based on the Road Traffic Act issued,
- **1196 traffic fines** based on the Road Transport Act issued,
- **41 decisions** obliging persons to leave Poland issued,
- actions against **35 members of an organised criminal group**,
- detention of **5 straw men**, including 3 Russian-speaking, being members of an organized criminal group (gaining money from prostitution),
- disclosure of **assets of estimated value of PLN 2,800,000**, and a motion for securing these assets was filed.

Additionally, institutions which took joint actions with those filing reports, were involved, on a case-by-case basis.

HOW DO WE FARE WITH REGARD TO THE SIX STEPS IDENTIFIED BY THE ENAA?

Action	Status
Take stock of available instruments	√ (ENAA survey)
Put into practice what you can	In progress
Spread the word at the local level	X (ongoing debate on how to reach the local level effectively)
Set up an organizational structure with partners	√ (not an istitutionalized one)
Ensure a strong information position	In progress
Set up joint actions on the ground	√ / in progress (participation in the first edition of EAD)

LESSONS LEARNT (RECENTLY)

- In terms of opportunities, the fight against serious and organized crime is a subject which **catches the attention**; the effects of the AA use can be visible, easy to understand and measure. This alone makes for a good starting point.

- However, a pitfall is that in most EU MSs it seems that the systemic use of the AA came about after certain kind of serious/organized crime proved too difficult to contain with criminal law measures alone. **A dilemma**: is it only then when the AA should enter the scene? This question pops up as soon as the discussions on the AA start.

- Apparently, we learnt what is the added value of administrative approach – **cooperation** is at its' core.

- Important to look for a **common understanding** of the AA among the stakeholders – not in theory, but referring to a specific issue; identyfing **common goal(s)**; and identyfing **concrete actions**, which each of the stakeholders could undertake.

- Naturally, regardless of what each of stakeholders can bring into the cooperation, some are more willing, and some more reluctant to engage, which – to a certain degree – is due to the human factor. It takes time to convince all those who can contribute, to actually do so.

- **Coordination** highly enhances its' effectivenness (no one-fits-all solution as to where the coordination centre should be placed, different models possible, e.g. there can be Police-led administrative approach; in Poland coordination by the Ministry of the Interior and Administration seems to have the biggest potential).

- A challenge remains how to engage with the **local authorities**. This will be different in each MS (actually, many aspects of the AA use will be different). In Poland, we have thousands of potential partners at the local level, and challenges include – inter alia – information sharing (legal limitations regarding Police information, in particular), and structuring the cooperation – since we do not have a national policy on the AA.

IDEAS FOR THE FUTURE

At the **expert level** several ideas have emerged. Their actual implementation will be subject to approval at the higher ranks of the government hierarchy. These ideas include:

- participation in the next years' **EMPACT Action Days**,
- promoting the administrative approach at the **local level**, possibly at the fora and channels of cooperation which are already in place and which are chaired or manager by the Ministry;
- organizing the **second national coordination meeting** on the Administrative Approach (first quarter of 2027?);
- discussing **potential legal amendments** (esp. to allow the LEAs to share more information with the local level).

Also, we will continue our engagement in the **activities undertaken/offered by the ENAA**, including field visits, which have proved to be a valuable source of information / inspiration.

KEY TAKEAWAYS

What points I recommend you remeber?

- Engaging **political level** (fighting OC is actually in high-demand, and **numbers** are eye-, (and mind-, catching)
- **Cooperation** as the added value of the AA
- Very possibly, many administrative measures are **already in the legislation** – start by finding out,
- There is no **one-fits-all-MSs** solutions,
- A lot of inspiration can be found in what **ENAA and experienced EU MSs** offer,
- **Need for solutions at the EU level** (due to transnational nature of the OC – we all share challenges posed by it)
- (last, but not least!) **Value** those who cooperate with you.

THANK YOU FOR YOUR ATTENTION

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