

The Safety and Security of International Trade as a Determinant of *the Business Strategy of the Polish Customs Service*

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The aim of the paper is to analyze the influence of safety standards in the international trade of goods on the activity of the customs administrations on the example of the Polish Customs Service.

The safety of trade of goods in the international market is one of the main aspects affecting the actions taken by the customs administrations worldwide. The safety is most often defined as a condition in which the vast majority of risks associated with the conducted activity, have been identified, the probability of specific adverse events has been defined, accepted and special measures have been taken to limit the risks. In the era of globalization and trade liberalization the concept of risk analysis in the international trade and improving safety in the international supply chains is particularly important for all areas of business, as well for the public administration activity. Therefore Author of the paper is going to search for answers to the questions: To what extent the need to increase the safety of international trade in goods determines the customs service's activity? What initiatives are undertaken by the customs administrations in order to define and to reduce the risk of goods trading? Searching for answers to these questions in first part of the paper Author will define the concept of safety of contemporary international trade by referring to the World Customs Organization Safe Framework of Standards to Secure and Facilitate Global Trade (WCO, 2007). The second part of the paper deals with the nature of the customs service and its activity by stating that in the era of liberalization the international trade of goods the competition and the role of customs authority has evolved. The third part of the paper is focused on the impact of safety standards in the international trade on Polish Customs Service activity. In this part of the paper specific strategic document: Business Strategy of The Polish Customs Service will be analyzed. The new business services offered by customs administrations, which aim is to ensure the safety of the international goods trade, will also be indicated and the effort to evaluate the effectiveness of these services will be taken.

In this paper, the following research methods were used: a descriptive method, an analysis of literature and a statistical inference.

KEYWORDS: international trade, safety of the international trade, customs administration, strategy.

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Abstract



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Introduction

Trade and security, as well as safety are fundamentally interconnected in the foreign trade policy of states. Over times, as new forms of trade policy and new concepts of international cooperation come into being, the international security and safety environment has also evolved. In the traditional sense security was understood primarily as a military security concerns the military defense of state interests and territory. But in an increasingly globalized world understanding and meaning to the notion of security has changed considerably. Trends that are observed in the contemporary globalized and liberalized trade, including increasingly free movement of goods, new models of trade such as: global supply chains or *dropshipping*¹, rising expectations of economic operators especially in terms of minimizing the costs of their activity and reducing time of customs services, increasing participation of developing countries in global trade, a growing number of customs and tax crimes such as: undervaluation of goods customs value and falsification of invoices value, increase of unfair competition in trade, unpredictable specificity of criminal activity, terrorist attacks and piracy attacks cause the more and more increasing diversity of security threats. As a consequence of a diversity of threats in contemporary world, in literature and in discussions about that problem, there is a new security notions: "human" security and "non-traditional" security, which concepts are focusing more on the security of the individual, both on people and on entrepreneur, and not, as in the case of the traditional concept, on the state sovereignty (Aggarval & Govella, 2013). Both "traditional" security, "non-traditional" as well "human" security and safety are directly linked to world trade. However, contemporary as the most dangerous, both for the state and for the individuals. activity of organized criminal groups is regarded. For this reason, many initiatives are taken, both nationally and globally, in order to develop the principles and conditions for secure safe international trade. Particularly involved in these initiatives is the World Customs Organization (WCO) and customs administrations of the Member states. Customs administrations are in a unique position to provide increased security and safety to the global supply chain and to contribute to socio-economic development through revenue collection and trade facilitation. Nowadays the role of customs administration has changed significantly. From typical fiscal administration, it has evolved and focuses mainly on protecting the market and ensuring the safety and security of international trade.

This paper addresses the problem of threats in today's international trade and the role of customs administrations in ensuring the security and safety both, of the international goods flow and of the international market. The aim of the paper is to analyze the influence of safety and security standards in the international trade of goods on the activity of the customs administrations, on the example of the Polish Customs Service.

The aim is pursued by addressing the following objectives:

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| <ol style="list-style-type: none"> 1 Identifying threats to the contemporary international trade. 2 Defining the concept of security and safety of contemporary international trade by referring to the World Customs Organization Safe | <ol style="list-style-type: none"> Framework of Standards to Secure and Facilitate Global Trade (WCO, 2007; WCO, 2012). 3 Discussing the peculiarities of tasks and competitions of the modern customs service, on example of the Polish Customs Service. |
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Scientific originality and practical significance of the article:

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| <ol style="list-style-type: none"> 1 The increasing significance of security and safety standards as well as practices for international trade. 2 Analysis of the practical solutions developed by customs administration for the | <ol style="list-style-type: none"> implementation WCO SAFE Framework of Standards to Secure and Facilitate Global Trade. 3 The lack of scientific studies addresses the impact of risks and threats in international trade on the activity of the customs service. |
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¹ Dropshipping is a new logistic model, used primarily in international trade. It consists in the delivery of the goods from producer directly to buyers, bypassing the distributor and its warehouse. Notion of dropshipping is not defined yet in Encyclopedia Britannica or in Collins English Dictionary (Nowak & Stanisławiszyn, 2015).

The research methods: analysis of scientific literature, official documents and law regulations, secondary analysis and synthesis of official information and data.

Security and safety most often is defined as a condition in which the vast majority of risks associated with the conducted activity, have been identified, the probability of specific adverse events has been defined, accepted and special measures have been taken to limit the risks (Zięba, 1997). Security is usually dealt in relation to a particular entity. In the case of international trade, security entities are: enterprises, international supply chains, consumers and the state budget. With regard to international trade should be talking about both: security and safety.

Security in international trade is directly related to the economic security of countries involved in that trade, which is defined as a „...such state of development of the domestic economic system, which ensures high efficiency of its functioning and the ability to resist effectively the external threats, which may lead to developmental disorders of the whole economy (Stachowiak, 1994). Economic security consists in keeping the basic indicators of development and ensuring comparative balance with the economies of other countries (Książopolski, 2011; Żukrowska, 2013). It guarantees conditions for the harmonious development, which allows to build sustainable prosperity as well the welfare and safety of citizens. In reference to the above, security in the international trade should be defined as the conditions enabling business activity in a free and adjustable way, with the autonomy of the will of the operators engaged in that activity and the necessity to maintain existing volume of risk by maintaining limited confidence in the economic and legal relations between the contracting parties also between internal and international environment (Raczkowski, 2014). In the context of transnational threats such as terrorism and smuggling, security is also defined as the physical protection of technical infrastructure of the company, as well cargo security and security of any information associated with it. The object of security are therefore IT systems, harbors, warehouses, terminals, transport means and also staff operating all this infrastructure (Wieteska, 2011; Manuj & Mentzer, 2008; Sarathy, 2006).

Both, safety and security in international trade are directly connected with the threats that can be defined as direct or indirect destructive effects on the trade operators or on goods. In general, threats can be divided into political, military, economic, social and environmental. Today, the main threat to the international trade is illegal intentional human activity, including terrorist attacks, organized mafia activities, illicit arms trafficking, smuggling and thefts. The second group of major disruptions in the trade are natural disasters, lack of food, raw materials and even lack of water, uncontrolled population growth, epidemics, significant disparities of economic development. The last group of threats includes disruptions of technical infrastructure failures, fires, explosions, traffic accidents (CFO, 2009). Actually, the most common threat to the security of international trade is organized criminal activity. Crime in international trade are defined as intentional acts which aim to achieve measurable financial benefits by entities committing offenses or, in the case of terrorist attacks, also to achieve certain political decisions and resolves.

Typical crimes that threaten the security of the international trade in goods are (Ahokas & Hintsu, 2012; Ahokas, Hintsu, Männistö & Sahlstedt, 2010):

- _ theft, including the theft of goods, theft of all vehicles and kidnapping for ransom,
- _ intellectual property infringement, trading in counterfeit and pirated goods,
- _ violation of the customs legislation, including the goods smuggling, customs value undervaluation, customs and tax crimes,
- _ tax fraud, especially VAT fraud and excise duty fraud,
- _ industrial espionage,
- _ corruption,
- _ terrorist and pirate attacks,
- _ crime related to human trafficking and illegal immigration.

Safety and security in the context of international trade

The most dangerous for the security and safety of the international trade is terrorism². First of all due to the scale of possible damages in case of a terrorist attack, even though the probability of such incidents in goods trade is relatively low. However, all of those threats cause certain costs or financial losses for enterprises affected by these threats or by the risk of such threats. All costs which can be result of threats are difficult to quantify when the risk of threat or particular threat has not happened yet (Jażdżewska-Gutta, 2014a; 2014b). This is due to the fact that international trade in goods nowadays are carried out within supply chains that take the form of a wide network of transnational connections, and therefore it is difficult to evaluate how potential disruption or threat will affect the work of individual companies in the supply chain and how the consequences of these disruptions will affect its environment, including other supply chains. Furthermore criminal activities in the supply chain are unpredictable, thus reducing the predictability of supply. That is why, to avoid the adverse events and losses or costs related with them, both companies as well as international institutions and organizations initiate several actions to minimize the risk of threats to the international trade.

As the consequence of the high risk of the crime threats in international trade and international transport, especially after the terrorist attacks of 11 September 2001., the costs of cargo insurance in international transport have substantially increased, as well as the insurance conditions have changed significantly. The cost of security against theft of goods during storage and transportation, among others, are also high as a result of the use of special mechanical security and monitoring systems or employment of security personnel.

Potential threats to international trade, in addition to organized crime, are also acts of force of majeure, including hurricanes, earthquakes, tsunamis, fires, floods, which as in case of criminal attacks may also cause significant disruptions in the international flow of goods. There are many examples of such natural treats, which in recent years have disrupted international trade: epidemic in Europe due to the sales of bean sprouts with dangerous e-Cola bacteria or volcanic eruptions in Indonesia and Iceland, which resulted in volcanic ash that paralyzed air transport almost all over the world. Such events affect not only the individual supply chains, but they can cause destabilization of the global economy which is confirmed, in some cases, by significant reactions of stock exchanges worldwide (Wieteska, 2011).

Security and safety in trade also means the need to ensure continuity and stability particular processes carried out in the supply chain, including: supply, production, storage and transportation also flow of information. This can be ensured through prevention and contingency procedures, prepared in case of adverse events, as well as for emergency situations, where the danger stems from the unpredictability and lack of complete control of the specified events occur in the future. In this way, international trade operators tend to develop appropriate risk management skills of occurrence of unexpected and unprofitable interruptions in supply chains, which means that even in the case of apparent risks of such interruptions, customer service will be realized at the intended level. This, however, causes the already mentioned costs for the operators, which can also lead to a rise in commodity prices on the international market.

Besides the financial costs, there are also lots of other consequences for customers arising from the disruptions in international trade, such as, for example threat to human health or life and to the natural environment. Goods that are sold illegally, that are smuggled, as well as those that infringe intellectual property rights, mostly do not comply with the required standards in terms of safety and health. Particular dangerous threat to the human health and life are alcoholic beverages and tobacco from illegal factories, counterfeited medicines, cosmetics, food and toys, but also counterfeited auto parts and electronics.

² According to Terrorism Tracker, a collaborative project between Aon (the leading global provider of risk management) and The Risk Advisory Group, terrorism incidents affect businesses globally twice every day (AON, 2014).

The economies of individual countries and in particular their budgets are also exposed to the negative effects of threats to international trade. Organized criminal activity, which aims to achieve enormous financial benefits at the same time leads to serious budgetary losses. An example of such activity is smuggling of goods, which trade on fiscal grounds is controlled by the state, as in the case of tobacco, alcohol and fuel. Each year illegal trade in those goods leads to losses millions of dollars in the budgets of most countries of the world. Another example of criminal activity that leads to serious budgetary losses is the undervaluation of the customs value of imported goods. This problem is particularly evident in import from China. The practice of undervaluation of the invoice value of goods, subsequently leads to undervaluation of customs value of those goods. It should be remembered that the customs value of goods declared by the importers, is the basis for the customs services in calculation of import duties, including duties and taxes on goods, services and excise duty as well. Obviously, undervaluation of invoice value and customs value of goods is an action against the state budget. On the other hand, it's also an act of unfair competition against companies that fairly comply with customs duty and taxes (Laszuk, 2014).

View of the foregoing it proved necessary to take global action to reduce the risks and improve the security and safety of international trade. Significant result of initiatives undertaken to the topic of security and safety on the international forum are norms and safety standards in international trade formulated and laid down by the World Customs Organization. The later in the article will be analyzed the impact of those standards on the activities of modern customs services, on the example of Polish customs administration. To this analysis the strategic documents that determine the extent of activities of Polish customs officers such as *Customs Service Business Strategy* will be used.

World Customs Organization as a global organization, is involved in the processes taking place in the global trade and endeavor to ensure the safety and security of international trade, while maintaining implemented facilitation and transparent procedures for customs services (Grottel, 2013a). The most important for the global trade result of this activity was the development and implementation in 2006. Standards to Secure and Facilitate Global Trade (WCO, 2007; WCO, 2012), known as the *WCO SAFE Framework*³. The basic premise for formulation of such global security standards in trade were terrorist attacks in USA in 2001. *WCO SAFE Framework* became an important base for the development of global procedures for safety and security in international trade and provide the basis for all actions taken with regard to the security of international trade by individual member states of the WCO and WTO. These standards have also become the basis for the development of strategic documents laying down detailed rules for the organization of work and the statutory tasks of customs administrations in the member states of the WCO, and also contributed to the development and implementation of partnership programs, that define and lay down the principles of cooperation between international business operators and customs administrations. An example of such program is: *Customs-Trade Partnership Against Terrorism - C-TPAT*⁴ in the US (US CBP 2004, US CBP 2014) or *Authorized Economic Operator - AEO* (WCO, 2010; WCO, 2014) and *E-Customs Programme* (E-Customs) in the European Union (COM, 2005).

The role of the World Customs Organization in the process of securing the global trade

3 This is the WCO SAFE Framework of Standards to secure and facilitate global trade, hereafter referred to as the "SAFE Framework".

4 The U.S. Customs-Trade Partnership Against Terrorism (C-TPAT) seeks to safeguard the world's vibrant trade industry from terrorists, maintaining the economic health of the U.S. and its neighbors. The partnership develops and adopts measures that add security but do not have a chilling effect on trade, a difficult balancing act. The program began in November 2001. Today, there are more than 10,832 certified companies. These companies account for over 54 percent (by value) of what is imported into the United States.

Implementation of the principles of the WCO Framework aims to:

- _ establishing standards that provide supply chain security and facilitation at a global level to promote certainty and predictability,
- _ enable integrated and harmonized supply chain management for all modes of transport,
- _ enhance the role, functions and capabilities of customs to meet the challenges and opportunities of the 21st Century,
- _ strengthen co-operation between customs administrations to improve their capability to detect high-risk consignments,
- _ strengthen Customs/Business co-operation,
- _ promote the seamless movement of goods through secure international trade supply chains.

The SAFE Framework consists of four fundamental elements:

- 1 It harmonizes the advance electronic cargo information requirements on inbound, outbound and transit shipments.
- 2 Each country that joins the SAFE Framework commits to employing a consistent risk management approach to address security threats.
- 3 It requires that at the reasonable request of the receiving nation, based upon a comparable risk targeting methodology, the sending nation's customs administration will perform an outbound inspection of high-risk cargo and/or transport conveyances, preferably using non-intrusive detection equipment such as large-scale X-ray machines and radiation detectors.
- 4 The SAFE Framework suggests benefits that customs will provide to businesses that meet minimal supply chain security standards and best practices.

Based on those four fundamental elements, the SAFE Framework rests on the twin pillars of Customs-to-Customs network arrangements and Customs-to-Business partnerships. The pillars involve a set of standards that are consolidated to guarantee ease of understanding and rapid international implementation. Moreover, this instrument draws directly from existing WCO security and facilitation measures and programs developed by Member administrations.

WCO Safe Framework formed the basis for the development of new methods for customs control and for the development of new tools that increase the share of customs administrations in the creation of economic and social security of individual WCO Member states. It provides a consolidated platform which will enhance world trade, ensure better security against terrorism, and increase the contribution of customs and trade partners to the economic and social well-being of nations. It will improve the ability of customs to detect and deal with high-risk consignments and increase efficiencies in the administration of goods, thereby expediting the clearance and release of goods. Adoption of the SAFE Framework brings the above mentioned benefits to governments, Customs administrations and the business community alike (Sobieski, 2006).

WCO Standards enables customs administrations to facilitate the movement of legitimate trade and improve and modernize customs operations. This, in turn, improves revenue collection and also the proper application of national laws and regulations. This instrument therefore supports economic and social protection, and enables foreign direct investment. The SAFE Framework also encourages the establishment of co-operative arrangements between customs and other government agencies and assists governments to ensure coordinated border management and control. Then again, one of the main aim of the SAFE Framework is to establish and enhance Customs-to-Customs network arrangements. These network arrangements will result in the exchange of timely and accurate information that will place customs administrations in the position of managing risk on a more effective basis. This allows to improve the ability of customs to detect high-risk consignments, it also enables customs administrations to improve their controls along

the international trade supply chain and make for better and more efficient allocation of customs resources. The Customs-to-Customs network arrangements will also strengthen co-operation between customs administrations and enable administrations to carry out controls earlier in the supply chain, e.g. where the administration of an importing country requests the administration of the exporting country to undertake an examination on its behalf. The SAFE Framework also provides for the mutual recognition of controls under certain circumstances. Through the application of this instrument it is possible the adoption a broader and more comprehensive view of the global supply chain and creation the opportunity to eliminate duplication and multiple reporting requirements. Also important is that SAFE Framework will enable customs administrations to cope with the challenges of the new international trading environment by putting the building blocks in place to undertake customs reform and modernization. What is most important for business, the SAFE Framework creates, amongst other things, the conditions for securing international trade, but also facilitates and promotes international trade. This encourages and makes it easier for buyers and sellers to move goods across borders. The SAFE Framework takes account of, and is based on, modern international production and distribution models such as Authorized Economic Operators (AEOs) Programme which reaps benefits, such as faster processing of goods by Customs, e.g. through reduced examination rates. This, in turn, translates into savings in time and costs. One of the main tenets of the SAFE Framework is to create one set of international standards and this establishes uniformity and predictability. It also reduces multiple and complex reporting requirements. These processes will ensure that AEOs see a benefit to their investment in good security systems and practices, including reduced risk-targeting assessments and inspections, and expedited processing of their goods. WCO guidelines and AEO Programme were implemented into EU legislation in 2006 (European Commission, 2006). It involves to use modern and innovative methodology that allows to carry out a comprehensive risk assessment of threats to trade and risk management, both on the national and international levels. AEO program can be used not only to protect the fiscal interests of a Member state of the EU, but also to protect the non-fiscal interests, including: the protection of external borders, the security of the internal market, supply chain security, natural environment, human health and life, and as well to combat illegal and criminal activity in trade. Operator applying for the AEO status has to, in accordance with its risk management model and organization, implement systems and procedures, conditions and requirements laid down in EU regulations⁵ (Grottel, 2013b). Another example of an EU initiative aimed at improving the safety and security of international goods trade is the *Electronic Customs Programme*. Its aim is to create optimal conditions for the functioning of EU companies within the customs union through the implementation of electronic customs services to handle export and import transactions, including implementation of the innovative programs for risk analysis and risk management, which enable effective monitoring and customs supervision of trade operators activity and goods flow as well. Total implementation of *E-Customs Programme*, planned in 2016, will help to create the conditions for efficient and secure data exchange between trade operators, customs administrations of other Member States and the European Commission. It will also allow better functioning of the customs authorities in the Member states, will eliminate paper documents, simplify customs formalities, thereby will accelerate goods flow and will increase the competitiveness of EU companies in the international

5 The rules establishing the institution of authorized economic operator within the European Union, which define conditions and criteria to be met by any trade operator granting AEO status, entered into force on 1 January 2008 (based on a regulation amending Regulation EEC No 2454/93 laying down regulations for the implementation of the Community Customs Code EC No 648/2005 of the European Parliament and of the Council of April 13, 2005 amending Council Regulation EEC No 2913/92, which established the Community Customs Code, and on the basis of Commission Regulation EC No. 1875/2006 of December 18, 2006 amending Regulation EEC No 2454/93). Program AEO was introduced to the EU regulations in 2008, in Poland it is being implemented since 2008.

market (Rękowski, 2012). The aim of the program is also increase the efficiency and friendliness of the process of charging and collecting customs duties and taxes. Finally, electronic services within the *E-Customs Programme* will be implemented in all areas of international trade activities, including: risk management, collecting customs duties and taxes, customs control, security and safety of goods flow. Implementation of

E-Customs Programme also ensures the improvement of conditions for the functioning of EU enterprises, what will be possible by shortening:

- _ time necessary for the execution of formalities relating to customs clearance, larly improves the cash flow of trade operators,
- _ time necessary to carry out a trade transaction, especially to transport goods and to rent the means of transport, what particularly improves the cash flow of trade operators,
- _ time of customs control the reliable and fair entrepreneurs possible thanks to integrated risk analysis.

It also allows to make a customs declaration of exported or imported goods at any customs office in the area of the customs union,

The process of implementation of WCO safety and security standards for international trade requires financial investment for specific infrastructure and qualified personnel, which in the case of developing countries can be a difficult and expensive process. The increase in the cost of running and handling the foreign trade due to the additional safety and security procedures could lead to a weakening of the competitiveness of the products offered by those countries when compared to other products sold on the international market (Swedish National Board of Trade, 2008). Accordingly, the World Customs Organization in 2006, has developed a special *Columbus Programme* that aims to assist developing countries in the implementation of the *WCO SAFE Framework Programme*, as well as in the implementation of other WCO initiatives and best practices in the field of customs procedures and services (WCO, 2008).

Security and safety of the internal market as a statutory task of Customs Service – case of Poland

Contemporary customs administration fulfills three functions: fiscal function, protective function and control function. However, the fundamental and primary is fiscal function, it is important to note that the process of liberalization and globalization of international trade, new trends in global trade, internationalization of enterprises and goods production, integration processes, expectations of trade operators for customs handling system significantly reduces the importance of the role of customs as a fiscal and administrative tool of trade policy. Thus, the fiscal function of customs administration losing its significance nowadays. While the increasingly important functions of customs policy become: protection, control and social function, related to the protection of national interests, such as: interests of producers and of trade operators, interests of writers and of artists, protection of life and health of citizens, protection of cultural heritage and of the natural environment. In carrying out the protective and control function the customs administration controls the scope and degree of implementation of customs tools in import and in export of goods, what means that the customs officers are responsible for: collecting and verifying the customs declaration, goods and documents control, import duties calculation and collection. Carrying out a social function, the customs administration protects the life and health of citizens, as well protects the natural environment, through a detailed inspection and revision of imported and exported goods carried out not only on the customs borders, but also on the whole territory of the internal market of EU.

All tasks and objectives carried out by the Polish Customs Service are consistent with the guidelines set out in the *Strategy for the Evolution of the Customs Union* (COM, 2008). Therefore, Customs in Poland is obliged to achieve such objectives as: protection of the financial and social

interests of all EU Member States, strengthening the competitiveness of EU companies in the international market, implementation of facilitation and simplification of customs procedures and services, administration and monitoring the goods flow within the international supply chains. maintaining, developing and improving the quality of cooperation with the customs administrations of EU Member States.

Current tasks of Polish Customs Service have been identified and formulated in the Law on Customs Service in 2009. (Ustawa o Służbie Celnej, 2009). According to provisions of Article 2 of this Act, the detailed tasks of the Customs in Poland are as following:

- calculation and collection of charges related to export and import of goods, including customs duties, VAT on import of goods and excise duty,
- calculation and collection of gaming tax and the implementation of other tasks resulting from the Polish Gambling Act (Ustawa o grach hazardowych, 2009),
- compiling statistics relating to goods trade with foreign countries, as a result of Community legislation,
- identifying, detection, prevention and combating of crime activity such as illegal import and export of goods, which was restricted or prohibited due to national or international security and safety. In this group of commodities are particularly waste, chemical products, nuclear materials, drugs and psychotropic drugs, weapons, ammunition, explosives and technologies of strategic importance for the national economy,
- identifying, detection, prevention and combating of crime against human life and health, cultural property, intellectual property rights, nature and environment.

In accordance with the provisions of Art. 72 of the Law on Customs Service, in order to effectively carry out these tasks special powers and rights have been granted to customs administration (Laszuk, 2013). Moreover the customs administration cooperates with other public administration authorities (Rada Ministrów, 2009) as well as with state and with local government organizational entities that are obliged to ensure the customs administration free technical, operational and substantive assistance in carrying out statutory tasks. The customs authorities carrying out statutory tasks in the field of protection of the internal market and ensuring security and safety of international trade, cooperate first of all with Police, Border Guard, Internal Security Agency, Central Investigation Bureau and with Road Transport Inspectorate, but also with other specialized services that are responsible for detecting, fighting and preventing crime, such as: Prosecution, Central Anticorruption Bureau and Intelligence Agency. The scope and principles of this cooperation are laid down in the agreements concluded between the Minister of Finance, directors of customs chambers and representatives of collaborating departments. Customs Service also cooperates with the territorial government administration authorities – voivodes. Under the provisions of the Regulation, which regulates the responsibilities of voivodes concerning the financing and maintenance of the border crossing points (Rada Ministrów, 2005), voivod is required to ensure customs administrations suitable office space and technical equipment necessary to carry out an effective and efficient customs control, detection and prevention the customs offenses, and thus implementation the protective function for the internal market.

Protecting the internal market is the main statutory task of the Polish Customs Service, it is being implemented through a number of special rights, in cooperation with organizations and institutions whose activity is related to the economic and social security and safety.

Global trade security and safety as the main objective of *Business Strategy for Polish Customs Service*

Since October 1999 the directions of action for Polish Customs Service are defined based on strategic documents. Particularly important in the context of safety and security of the international trade was document "Strategy 2015+" (Ministerstwo Finansów, 2010), prepared on the basis of Art. 11 of the Law on Customs Service⁵ and published as a decree of the Minister of Finance. The guidelines set out in the "Strategy 2015+" referred to the provisions contained in the three EU documents: *Multi-Annual Strategic Plan - MASP* (European Commission, 2013), *Strategy for the evolution of the Customs Union - Future Customs Initiative*⁶ and *E-Customs Programme*.

The strategic objectives formulated in the "Strategy 2015+" have been developed based on the *Balanced Score Card* and concentrated in three perspectives: the perspective of the customer (external perspective), perspective of business processes (internal perspective) and the perspective of development (Kaplan & Norton, 2004). The main aim of the activities carried out by the individual units of the Customs Service was:

- _ protection of the financial security of Polish and EU budget,
- _ support for legal business activity, through facilitation and simplification of customs services,
- _ ensuring the safety of society and the natural environment, through protection against the dangers of the processes of globalization and liberalization of international trade.

In that document, 17 strategic initiatives were formulated, which implementation was planned for period 2010-2013. 9 of those initiatives were fully implemented until the end of 2013 and the rest of them were in the process of implementation, including:

- _ *E-Customs Program*,
- _ Modernized Customs Code,
- _ business processes increasing efficiency of customs service, most of all simplifications and facilitations of customs service,
- _ coherent risk management system for customs control and for the conduct of the audit processes,
- _ integrated human resources management system,
- _ integrated system of border management,
- _ the Single Window / One Stop-Shop,
- _ extension of competences in the fight against corruption.

A significant success that has been achieved in the implementation of strategic initiatives in the area of security and safety of international trade, defined in the "Strategy 2015+" was the increase efficiency of activities taken in the area of risk analysis and risk management.

However, the adoption in 2013. *Strategy for Efficient State in 2020* and the establishment of new digital perspective within the Operational Programme Digital Poland for the period 2014-2020 indicate a necessity to verify the priorities set out in the "Strategy 2015+". The document *Business Strategy for Customs Administration for 2014-2020* was approved by the Minister of Finance in December 13, 2013. (Ministerstwo Finansów, 2013). The basis for the formulation of a new strategy became strategic expectations of clients of the customs services, which are: entrepreneurs, state budget and the EU budget, as well the society including travelers. In 2014-2020, the Polish Customs Service seeks to achieve four overarching strategic objectives:

5 Art. 11 Law on Customs Service - "... in order to carry out the tasks of the Customs Service, and bearing in mind the effectiveness of its activities, the minister responsible for public finance will, by law regulation, formulate Business Strategy for the Customs Service and the way of its implementation." (Ustawa o Służbie Celnej, 2009).

6 Strategy for the evolution of the Customs Union (also known as Future Customs Initiative or 'FCI') was supported by the Council and the European Parliament, Communication (COM) No169/2008 of 1 April 2008.

- 1 Support to the economic activity of trade operators by reducing costs and administrative burden, increasing the scope and availability of simplification, increasing transparency, consistency and cohesion of compliance with the law and raising the legal awareness of clients.
- 2 Raising customer service standards by increasing the availability and diversity of e-services and reducing the customs clearance time, using the capacity of finance ministry.
- 3 Increasing market safety, security and protection by reducing the amount of illegal excise and customs goods on the market, and as well illegal gambling activities, also by reducing the illegal cross-border trade in dangerous goods and raising awareness of society about risks and threats to safety resulting from the illegal trade, especially in counterfeit goods.
- 4 Providing for the effective and efficient collection of the revenues by the reducing the customs and tax gap in revenues collected by the customs administration, by increasing the level of collection rate and increasing the cost-effectiveness of administration's actions.

According to the defined strategic goals and strategic direction of the customs administration's activities focused on the client, the key programs are those addressing the trade operators. The following programs will be established:

- 1 Customs Service Relations, that allows to create the tools enabling the registration all data and information about clients and trade transactions, as well the development the rules on data management, what is necessary to build the relations with trade operators.
- 2 E-Border, which means the creation the comprehensive organizational solutions and tools such as integrated customer service system and establishing the environment for the integrated, IT-based customer service on the borders, that finally allows to achieve increase the efficiency and effectiveness of customer services on borders.
- 3 *E-Customs Programme*, the aim of which is creation the comprehensive organizational solutions and tools such as integrated customer service system, as well establishing the technical and legislative environment that will enable the increase the efficiency and effectiveness of office-based customer services.

Implementing the strategy objectives, customs administration uses innovative solutions including knowledge, innovative tools, electronic and digital environment which enhance the safety and security of goods trade.

Therefore, the Polish Customs Service has also developed an internal program of modernization "3I", based on three priorities - *INTERNET*, *INTELLIGENCE*, *INNOVATION*, which are treated as tools for increasing the effectiveness of the activities carried out by the customs authorities (Ministerstwo Finansów, 2012).

The results of research conducted by the European Commission, published in the Flash Eurobarometer 399 Report "*The electronic customs implementation in the European Union*"⁸ (European Commission, 2014) show that among the EU countries, Polish entrepreneurs are most satisfied with e-services implemented by the Customs Service. Entrepreneurs in particular pointed out the impact of electronic services on the simplification customs procedures, reducing the costs of business activity and increasing security within the supply chains. Polish entrepreneurs also believe that by implementing i-services they become more and more competitive, they may extend the range of activity and easier enter the foreign markets. The effect of supporting entrepreneurship is a lot of new electronic services and facilities for entrepreneurs introduced by the Customs

⁸ Eurobarometr is an international project to regular public opinion surveys carried out for the European Commission. The European Commission report is based on research evaluating the implementation the electronic services for entrepreneurs carried out by the customs administrations of the EU. The survey was conducted in 2014, in 17 EU countries.

Service in recent years. Among the most important services that use innovative technologies particularly noteworthy is:

- _ online customs declarations - 100% of customs declarations for export, import and transit is submitted in electronic form,
- _ online Intrastat declaration - more than 92% of these declarations is online,
- _ online TAX FREE document management system,
- _ E-Booking BUS System that allows for booking the time of border clearance via the Internet, it is dedicated for organized groups traveling by buses and minibuses, as well activating the E-Booking TRUCK System, that enables the booking of border clearance time via the internet,
- _ E-Attachments System, which allows the trade operators to transfer to the customs office all documents necessary for customs clearance (eg. certificate of origin, licenses, certificates) via the internet,
- _ Center for Official Customs Clearance, which gives the possibility of making customs clearance online within a specified customs department while being able to deliver the declared goods to carry out customs control to a place convenient for entrepreneurs.

Currently, the Customs Service also works intensively on pursuing strategic initiatives formulated in the "Strategy 2015+", including strategy for Integrated Border Management, "Single Window / One-StopShop" System and implementation of the coherent risk analysis system as a base for carrying out customs controls and revisions.

Implementation of all of tasks and challenges in the area of security of goods trade requires that customs administration works closely with the business environment. An example of such cooperation are regular seminars and conferences for business such as "Customs Service for Business" and "Customs Facilitations for business ", which offer an ideal opportunity to exchange experiences and observations about solutions implemented to the customs service system and give companies opportunity to get help from customs experts in solving current technical or procedural problems. There are also training programs and courses for representatives of business practice and special meetings with business organizations, such as .: Business Centre Club, the National Chamber of Commerce, the Chamber of Customs, Logistics and Shipping, while the customs topics are discussed. Another important project implemented by Polish customs administration in cooperation with business representatives was the setting up of the Advisory Council of the Customs Service (Ministerstwo Finansów, 2014). It is a consultative-advisory body established by the Minister for Finance. The members of Council are representatives of entrepreneurs, especially exporters, importers, carriers, forwarders, and customs agents. The special role of the Council is visible when significant changes are carried out in customs law, such as changing the law on Customs Service, implementation of *E-Customs Programme*, simplification and facilitation of customs procedures, or implementation of new customs services to support trade operators at the customs borders. Council's activity allows both customs administrations and business to solve effectively common problems that relate the security and safety of the international trade.

To conclude, in accordance with the objectives formulated in strategic documents, Polish Customs Service aims to apply a comprehensive approach to the client, provides innovative customs services, improves standards of customs service, customs control and risk analysis. Customs administration supports the legal and reliable entrepreneurs through the implementation of facilitation and simplification to improve the quality of customs services as well.

Analyses and reflections conducted by the author of the article allows to formulate the following conclusions:

- 1 The basis for the effective and efficient functioning of the contemporary world trade is safety and security in all its areas, and therefore we can observe an increase in interest in this issue both at international and national levels, as well in government initiatives and actions undertaken in the private sector.
- 2 All types of threats are a significant barrier to international trade, lead to higher costs of commercial activity and extend the time of goods flow and raw materials flow. They are also dangerous for human health and life, especially in the case of goods flow as those do not meet certain quality, health and phytosanitary standards, distribution of which leads to the spread of infectious diseases, bacteria, viruses, and dangerous chemical substances.
- 3 Nowadays terrorism and organized international crime activities that increasingly affect the international trade are becoming more of a threat to the order and security of not only individual countries but also of the whole international environment.
- 4 Ensuring the safety of international trade is one of the priority tasks for customs administrations. It is carried out by taking action to assess the risks of irregularity in the activities of trade operators and to eliminate all those risks using modern risk management tools that ensure shortening the time and reducing the cost of customs services.
- 5 Considering number of customs regulations relating to safety and security in the international trade and the ensuing procedures and costs of those can be concluded that they are a serious barrier to the development of cooperation between enterprises, as well barrier to the international trade of raw materials, products or *kno-how*. But one must not forget that all of those regulations and procedures can also create benefits such as: higher level of security, the ability to avoid risks or ability to continue trade operations even if the adverse circumstances will occur. Through this procedures companies raise the level of its services within the supply chain, and participation in various programs and initiatives related to safety and security allow them to reach certain benefits. However, to achieve expected benefits it is necessary to harmonize the rules for safety and security standards and to implement the mutual recognition of initiatives to increase the security of trade undertaken in different countries or regions.
- 6 The effect of international cooperation in the field of security and safety in global trade are the SAFE Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) adopted in June 2005 by the WCO Council, that would act as a deterrent to international terrorism, secure revenue collections and promote trade facilitation worldwide.
- 7 WCO SAFE Framework were implemented into the Polish Customs Service Business Strategy, which formulated main objectives and tasks for Polish Customs: protection of the financial security of Polish and EU budget, support for legal business activity, through facilitation and simplification of customs services and ensuring the society safety and the natural environment.
- 8 Polish Customs Service carries out the strategic objectives using innovative technologies and innovative risk management system, which are coherent with WCO guidelines and European law regulations. It also implements international standards such as AEO Programme and E-Customs Programme, at the same time develops an internal program of modernization "3I", based on three priorities - *INTERNET, INTELLIGENCE, INNOVATION*, which all are treated as tools for increasing the effectiveness of the activities carried out by the customs authorities for ensuring the security and safety in the international trade.

Conclusions

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