

Summary

The purpose of this dissertation will be to analyze and estimate the effectiveness of counteracting money laundering in Poland.

It will not jeopardize the dissertation if one puts forward a thesis that there are shortcomings in the Polish legal system in terms of counteracting the aforementioned phenomenon. The analysis was conducted due to the doubts raised by the state of adopted legal solutions in Poland and relatively long period of the implementation of the national and international regulations into the Polish legal system.

The main research problem and the comparative concept of particular legal systems implied posing questions providing for specific research problems, in order to address them, specific theses were formulated, indicating the further course of the research process. The following methods were used in carrying out the research: legal-dogmatic, comparative legal, as well as sociological and statistical comparative studies.

The dissertation is composed of six chapters, preceded by an introduction and closed with the conclusion. Since it is nearly impossible to discuss the concept of money laundering without explaining it in the beginning, in the first chapter the phenomenon of money laundering and its stages has been described.

The second chapter discusses the difference between counteracting and combating money laundering and reviews international initiatives and regulations that cope with money laundering.

The third chapter characterizes the legal and institutional methods of opposing money laundering applied in selected countries. The choice of countries was determined by the willingness to present countries, which are diversified in terms of their concepts of combating money laundering and non-standard countries, i.e. these which were not sufficiently examined by researchers. The main purpose of considerations are the definitions of money laundering that have been formulated in individual countries, including criminal law regulations adopted in the legislation. Then, the country's overall regulations opposing money laundering, the state authorities and the financial intelligence units are presented. Furthermore, the scope of adaptation of the legislation to the requirements of the European Union or international organizations fighting against money laundering is discussed. In each of these parts, the

evaluation report prepared by the FATF and the priority actions that should be taken in each country to strengthen the AML / CFT requirements are briefly presented.

In the fourth chapter, an assessment of Polish institutional and legal regulations is made. The chapter begins with an analysis of historical laws criminalizing money laundering. The following section describes the crime of money laundering in the Polish penal code and the implementation of the 4th and 5th AML Directive into the Polish legal system. It is worth mentioning that the *Act of 1 March 2018 on counteracting money laundering and terrorist financing* undoubtedly introduces a lot of modifications to the legal system compared to the previous AML's directives issued by the EU. This chapter focuses in particular on the most significant changes, which at the same time raises the greatest difficulties of interpretation.

The fifth chapter describes the role of particular cooperating units, within which the following ones were analyzed: the Department of Financial Information, the National Bank of Poland, the Office of the Banking Supervision Commission, the Internal Security Agency, the Central Anticorruption Bureau, the General Police Headquarters of Poland, the Polish Border Guard, the Military Gendarmerie, the Military Counterintelligence Service, the Military Intelligence Service and the Public Prosecutor's Office.

The last chapter, the sixth one deals with the results of the research conducted among representatives of the banking sector in the following departments: AML, compliance and KYC, employees of the Financial Information Department of the Ministry of Finance and students of sociology from the Pomeranian Academy in Slupsk. The aim of the research was to obtain information about how the crime of money laundering is perceived in our country and how efficient is the system of counteracting money laundering in Poland.

International law is constantly changing, new fields of regulation emerge, including regulations¹ dealing with the subject of counteracting and combating money laundering. The subject is not only extremely interesting but also vivid. Every year in the world huge amounts of money are laundered, and the problem of fighting and counteracting money laundering is on the priority list of areas of interest for governments, institutions and regulators. It might appear to outsiders that the money laundering offense only affects third countries, and that it is certainly

¹ K. Karski, Wstęp, [w:] K. Karski (red.), *Kierunki rozwoju współczesnego prawa międzynarodowego*, Warszawa 2015, s. 1.

not an issue, for the European Union. However, recent cases in Lithuania and Estonia certainly contradict this view. After all, money laundering concerns not only obligated institutions and supervisory authorities, but also every citizen. Anyone who does not have knowledge about money laundering may become an accidental victim of criminals and that is why it is crucial to promote knowledge and participate in special courses dealing with the topic of counteracting money laundering.