

mgr Anna BIELIŃSKA

## **DOCTORAL DISSERTATION SUMMARY**

**Title: „Security system for documents being subject to the Border Guard verification and modern falsification trends”**

The considerations in this thesis focus on the problem of systems of special security features of documents and the analysis of modern trends related to their falsification. Public documents are a very important element of the state security system and social order. They have a special role in building the sovereignty of the state and its citizens, that consists, among other things, of the verification of persons, identification of objects, proper assignment of persons to the rights they use and are entitled to, confirmation of legal status and the person protection against identity theft.

Thus, the purpose of this thesis is to offer an insight into some issues related to the security of public documents being subject to the Border Guard verification, to make an assessment of the level of special security features of documents issued by the European Union member states as well as third countries, to compare and analyze existing special security features against counterfeiting in terms of their effectiveness and functionality, to discuss technological progress in the area of public documents security and to project the directions of its development. The doctoral thesis objective is also a thorough analysis of crimes against those documents credibility and the identification of trends related to their falsification.

A document is nowadays one of the most important elements of social life, as it is a kind of an only guarantor confirming that a certain person is the one he/she claims to be and so enables the citizen to function in the society as an individual and enjoy inalienable rights to civil liberties, moving or disposing of one's goods and property. As an instrument of authorization, it enables access to many social, economic and legal mechanisms. Therefore it constitutes a kind of legal institution that is legally protected. Given the increasing number of modern world threats of crime, identity theft, population growth, migration problems and financial frauds, the ability to protect against the outcomes of using a stolen identity is a key element of securing own interests and right for any person.

This thesis assumes that one of the basic conditions for the proper functioning of the state, for assuring reliability of legal and economic life, and for ensuring safety for citizens is the development of documents credibility system and taking care of their safety. Despite the unquestionable technological progress and increasingly effective methods of protecting documents against counterfeiting, there is a constant increase and dynamics of crime aimed at their credibility. The above-mentioned security of public documents consists of the number of factors constituting a full-value, complex system of document security, assuring the protection against attacks and assaults on their credibility. That system is not limited only to the technical aspect of documents in the form of their graphic design and special security features against counterfeiting implemented in them, but should be managed by implementing a comprehensive state security policy, consisting in exercising care and supervision on documents throughout their entire life cycle, from the moment of manufacturing by specialized authorized institution, in taking care for high quality of production, personalization, storage and maintenance, as well as in eliminating from circulation and possibility of further use of expired documents. The key issue is also the command of principles of proper and effective authentication of documents by officers of law observance, civil servants and citizens, as well as the cooperation both on national and international level in the exchange of information on the latest counterfeiting trends and the modus operandi of the perpetrators. The integrated, comprehensive system of document protection against counterfeiting includes also a broadly understood problem of spreading national education in the area of document authentication, and the adoption of single legal act intended to standardize the issues related to public documents.

This doctoral dissertation includes six chapters as well as the introduction and the conclusion that summarizes the considerations and findings of the thesis. The thesis also presents the issues related to the problem of naming and the way of understanding the role of a document in the framework of legal regulation and scientific studies. The analysis of regulation then reveals that on the doctrinal basis there have been many definitions of the document developed, however they are not subject to uniform, consistent juridical regulation. The dissertation also addresses the issues related to human identity, as well as those related to breeder documents. It should be noted here, that while the identity and travel documents are equipped with a massive system of special security features against counterfeiting, primary documents usually lack any of those features.

The doctoral dissertation also discusses counterfeiting trends related to document credibility, with the regard to their types. Undoubtedly, one of the most dangerous crimes is the identity theft, enabling those committing prohibited acts to enter into financial, economic or legal transactions, causing severe losses and harm both to individuals and the state. The thesis presents the phenomenon of morphing and the use of documents by non-holders. It also addresses the problem related to the lack of legal regulation in the area of production and circulation of pseudo documents and so-called collector's documents.

In addition, given its key importance, the issues of biometrics have been addressed, the latter being aimed at the elimination of falsifications resulting from the lack of clear bond between the document and a given person, considering the complexity of the problem.

The thesis offers the analysis of possibilities and legal solutions aimed at the increase of the security of public documents credibility, while the last chapter has been devoted to the issues of statutory criminal sanctions for crimes against the document credibility, to system failures in providing education programs addressed to both the public and representatives of government administration as well as to future organizational and legal solutions.

It should be mentioned that Polish legislation lacks consistent, clear and transparent regulation on the issues related to public documents. Therefore, there is a need to develop and implement regulation in the area of clarifying terminology of public documents, the definition and restriction of their patterns, special security features and methods of their implementation, personalization methods, rules of ordering, issuing, production and invalidation of public documents, in order to guarantee the proper level of security for the state and the users of the documents.

At this moment, there is no law consistent and comprehensive in regulating the problem of public documents. There are also legal loopholes, consisting in the lack of legal regulation and case-law related to fantasy, camouflage, fictional and so-called collector's documents. Also the security level of some so-called source (primary) documents is not sufficient, while those documents are the basis for issuing identity and travel documents. In addition many other, equally important documents lack special security features against counterfeiting that are adequate to their functions, resulting in the possibility of processing or counterfeiting them.

A future, new direction of improving state security and ensuring full and reliable identification and verification of human identity should be determined by the introduction of biometric documents with an electronic layer containing personal data of their holders. Implemented biometric information are aimed at the formulation of the inseparable, reliable

bond between the documents and their holders, as well as at eliminating the possibility of their use by non-holders. However, given the above considerations, the importance of existing, traditional special security features of documents, constituting their integral technical dimension should be emphasized. It allows for a smooth and effective control and authentication by officers of law observance, while the care for the reliable level of special security features of documents as well as their development should be a domain of state authorities.