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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

30 January 1981

MEMORANDUM FOR: The Director of Central Intelligence
FROM : John N. McMahon
Deputy Director for Operations
SUBJECT : [redacted] Report

1. Enclosed is a [redacted] report. For convenience of reference by NFIB agencies, the codeword [redacted] has been assigned to the product of certain extremely sensitive agent sources of CIA's Directorate of Operations. The word [redacted] is classified [redacted] and is to be used only among persons authorized to read and handle this material.

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John
[redacted]
JOHN N. MCMAHON

FIRDB-312/00067-81

TS #818014
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Page 1 of 35 Pages

HR70-14

RELEASE IN PART
EXEMPTION: HR70-14
DATE: 08-18-2008

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Page 2 of 35 Pages

FIRDB-312/00067-81

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Page 3 of 35 Pages



Intelligence Information Special Report

COUNTRY Poland

FIRDB- 312/00067-81

DATE OF INFO. October 1980

DATE 30 January 1981

SUBJECT

Martial Law Procedure in Poland

SOURCE Documentary

Summary:

This report is a translation of a SECRET Polish document entitled "Official Memorandum Pertaining to a State of Martial Law." Martial law may be declared when there is an external or internal threat to Poland. Included in the document is information on martial law objectives and effects on military service, conscript service, civil defense, militarized units, and services performed on behalf of defense. Also included are three attachments on martial law guidelines of the Chief of the General Staff of the Polish Armed Forces, a directive of the National Defense Committee Chairman on militarization when martial law is in force, and general information on defense activities undertaken during a state of martial law.

[Note: For related information, see FIRDB-312/00268-81 and FIRDB-312/00269-81.]

End of Summary

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FIRDB-312/00067-81

Page 4 of 35 Pages

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Official Memorandum
Pertaining to a State of Martial Law*

I. General Data on Martial Law

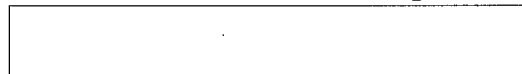
1. The constitution of the Polish Peoples Republic establishes in article 33, subsection 2, that "the State Council may introduce martial law in a part or the entire PPR territory if required for reasons of national defense or national security. For these same reasons the State Council may proclaim partial or general mobilization."

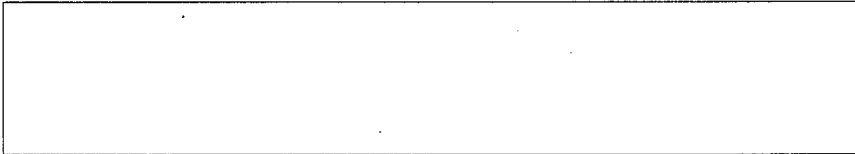
Martial law within part or the entire PPR territory for reasons of national defense will be introduced in the event of an external threat, and for reasons of national security--in the event of internal threat.

* [Translator's Note: The expression "martial law" is an arbitrary translation of the Polish stan wojenny, literally "military or wartime state." This is a state of wartime law, lying between stan wojny (state of war) and stan wyjątkowy (state of emergency or martial law). The term stan wyjątkowy applies to capitalist countries or pre-communist Poland, and is not used in the present Polish regime. Stan wojenny is defined by the Encyklopedia Powszechna (General Encyclopedia) as a state law, the introduction of which suspends certain civil rights, and increases government authority and obligations of citizens. Martial law has certain consequences in internal state conditions, because of external or internal threat. In Poland martial law may be introduced by the Council of State on part or all of the PPR territory, if this is in the interest of state protection or security. Introduction may be in the form of a Council of State resolution, and the results of this state may be defined by law.]

TS #818014
Copy # 10

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2. In accordance with the decisions of the National Defense Committee, the introduction of martial law within part or the entire PPR territory takes place on the basis of a State Council resolution.

3. The moment a state of martial law is proclaimed for reasons of national defense, legal acts associated with this state will be published in compliance with the 1979 resolutions of the National Defense Committee, namely:

a) pertaining to the activities of organs of state authority and administration:

- a constitutional law on the particular method of operation of organs of state authority and administration when martial law is in effect and in time of war;

b) pertaining to preservation of national security and public order:

- decree on preservation of national security and public order when martial law is in effect;

- order of the Council of Ministers on principles and methods of confinement of individuals considered a threat to national security or public order when martial law is in effect;

- order of the Minister of Internal Affairs on compulsory registration and recording of the population when martial law is in effect;

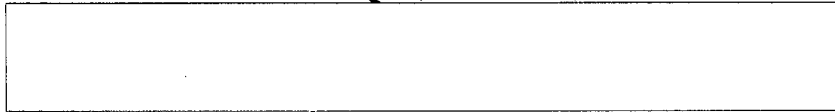
c) pertaining to daily subsistence of the population:

- decree on food economy and market supplies, and subsistence services for the population, when martial law is in effect;

- order of the Council of Ministers on the responsibility for deliveries on behalf of the State and responsibility for cultivation, and limitation of turnover and transport, of specific agricultural products;

TS #818014
Copy # 10





- order of the Council of Ministers on scope, principles, and manner of supply control for the population;

d) pertaining to work obligation:

- decree on work conditions when martial law is in effect;

- order of Council of Ministers on the general work obligation when martial law is in effect;

e) pertaining to utilization of premises and properties:

- decree on utilization of premises and properties when martial law is in effect;

f) pertaining to public finance:

- decree concerning the state financial system for the period martial law is in effect;

- resolution of the Council of Ministers concerning budget management when martial law is in effect;

- resolution of the Council of Ministers concerning a socialized economy operating in accordance with principles of economic accounting, as well as of their superior units, when martial law is in effect.

4. In conformity with article 237 of the law on general obligation to defend the PPR "when a state of martial law is in effect, regulations that are obligatory during wartime are applied, in the event that the Council of State initiating martial law does not decide otherwise; these regulations pertain to the obligation of military service, service in civil defense, service in militarized units, and services on behalf of defense."





FIRDB-312/00067-81

Page 7 of 35 Pages

In regard to the above the following general decisions should be adopted:

a) In the event of a declaration of a state of threat to national defense, no restrictions are anticipated in applying regulations for mobilization and wartime pertaining to military service, service in civil defense, service in militarized units, and services on behalf of defense;

b) In case of a declaration of a state of martial law for reasons of national security, institute the application of these same regulations for mobilization and wartime with certain restrictions proposed in part II of the memorandum.

5. In case of introduction of a state of martial law for national defense reasons the following regulations will be applied pertaining to:

a) Obligation of military service:

- Order of the Council of Ministers concerning the daily efforts of members of military families in time of war (a draft directive has been received by the Commission of the Office of the Council of Ministers; however, it requires further elaboration);

- Directive No. 111 of the Chairman of the Council of Ministers, dated 27 October 1971, concerning wartime reactivation of military registration of persons subject to general defense duty (also requires further elaboration);

- Directive No. 13/MON of the Minister of National Defense, dated 7 February 1973, concerning the conduct of conscription (there is also a need to revise this directive);

- Directive No. 16/MON of the Minister of National Defense, dated 22 December 1971 concerning military registration during wartime of persons subject to general defense obligation;

TS #818014
Copy # 10



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FIRDB-312/00067-81

Page 8 of 35 Pages

- Directive No. 017/MON of the Minister of National Defense, dated 30 December 1971, concerning performance of wartime military service by enlisted men and NCO's;

- Directive No. 013/MON of the Minister of National Defense, dated 14 July 1972 concerning wartime military training;

b) Obligation of service in civil defense: [REDACTED]

- Resolution No. 111/73 of the Council of Ministers, dated 18 May 1971 concerning civil defense (this resolution is in the process of being revised);

- Resolution No. 112 of the Council of Ministers, dated 18 May 1973, concerning training of the population in general self-defense;

- Resolution of the National Defense Committee, dated 21 December 1971, concerning the formation of self-defense;

- Minister of National Defense Directive No. 3/MON, dated 15 January 1973, concerning the formation of self-defense;

c) Obligation of service in militarized units:

- Resolution No. 02/70 of the National Defense Committee, dated 24 March 197[?], concerning militarization (currently a new draft is being prepared);

- Minister of National Defense Directive No. 011/MON, dated 25 June 1970, concerning the assignment of organizational-mobilization allocations to units anticipated for militarization and militarized units, as well as concerning the callup for training of units anticipated for militarization (the directive requires revision);

TS #818014
Copy # 10

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FIRDB-312/00067-81

Page 9 of 35 Pages

d) Services on behalf of defense:

- order of the Council of Ministers, dated 3 September 1971, concerning services on behalf of national defense: (a new draft of the order has been prepared);

- Resolution No. 185/69 of the Council of Ministers, dated 16 October 1969, concerning the principles and procedures of transferring transport means, machines, and equipment for national defense needs;

- Resolution No. 06/69 of the National Defense Committee, dated 30 October 1969, concerning the duties of local organs of state administration and certain work establishments associated with the need for immediate augmentation of the armed forces;

- Resolution No. 01/70 of the National Defense Committee, dated 16 January 1970, concerning the fulfilment by organizational units of state administration and socialized economy of mobilization tasks for the needs of the armed forces;

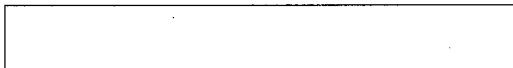
- directive of the Ministers of National Defense, Internal Affairs, and Communications, dated 15 December 1975, concerning fulfilment by local organs of state administration, military organs, Citizens Militia units, and postal-telecommunications offices, of tasks associated with the need for immediate augmentation of the armed forces;

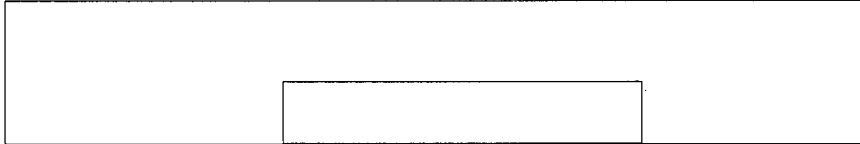
- directive of the Minister of National Defense issued for the execution of the normative acts mentioned above, pertaining to:

= transfer of transport means, machines, and equipment for national defense needs;

= principles, method, and procedures for transferring aircraft and watercraft for national defense needs;

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 10 of 35 Pages

▪ assurance of fulfilment of undertakings associated with preparation of motor vehicles and machines for transfer for national defense needs;

▪ introduction of a military insert to the civilian registration certificate of motor vehicles assigned for armed forces needs;

▪ introduction of a military insert to the civilian book of machines assigned for delivery for armed forces needs.

II. The Aims and Effects of Introduction of a State of Martial Law in a Part or in the Entire PPR Territory for Reasons of National Security in the Field of Military Service, Alternate Conscript Service, Service in Civil Defense, Service in Militarized Units, and Services on Behalf of Defense.

1. In the Field of Military Service

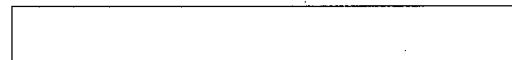
The introduction of a state of martial law for reasons of national security in the field of military service should lead to application of regulations of the law on the general obligation to defend the PPR, pertaining to military service, in the event of an announcement of mobilization and in time of war (articles 110-117 and article 133, subsection 1).

The PPR Constitution, in article 33, subsection 2, authorizes the application of these rules.

The adoption of such a provision gives rise to:

a) replacement, by virtue of the law, of basic military service, military training of students and graduates of higher schools, military exercises, and periodic military service--with active military service in the event of announcement of mobilization and in time of war. Active military service is characterized by the fact that it is of unlimited duration and served under a system of more severe penal sanctions for military service violations;

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 11 of 35 Pages

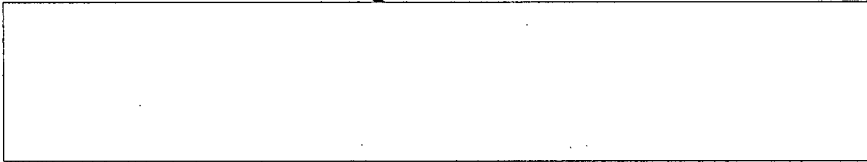
b) halt in release of personnel completing basic military service, military refresher training, military exercises, and periodic military service until cancellation of the proclaimed state;

c) mobilization augmentation of military units with reservists and motor vehicles from the national economy in quantities according to operational needs dictated by the current internal situation of the country. The callup of reservists to active duty and the requisition of motor vehicles would be accomplished in accordance with the general principles mandatory during mobilization, that is, with disregard for the yearly established quotas of conscripts and reservists called to military service, and quotas of motor vehicles requisitioned for the designated time. The callup of reservists and the requisition of transport means would be conducted in a selective and concealed manner, in amounts according to requirements. Military units selectively established could be expanded in toto or in part through mobilization, depending on the necessity emanating from the internal domestic situation and the tasks. Notices for callup of reservists and owners of transport means would be forwarded, in principle, through postal-telecommunications offices. The permanent location of military units would serve, in this instance, as the place of mobilization as well as the place for reporting for duty and requisition of transport means;

d) changes in the organization and conduct of conscription, depending on the provincial military headquarters taking over these tasks from the local organs of state administration. In the event the introduction of a state of martial law coincides with the conscription time--the Minister of National Defense issues the order for conscription, and it is conducted by regional and provincial conscription commissions appointed by the chiefs of provincial military headquarters, the composition of which is specified by the Minister of National Defense;

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 12 of 35 Pages

e) introduction of principles for deferment of conscripts from military service only for health reasons. The granting of deferment because of providing direct care for a member of the family, sole support of the family, education, profession, and farming becomes invalid by virtue of the law. This does not mean, however, that such conscripts would be immediately called for active duty in the event of introduction of mobilization and in time of war;

f) exemption from military service of reservists covered by [defense work] deferment. In the event of declaration of martial law, because of national security, this may be applied without an exemption certificate prepared in peacetime.

g) exemption from active military service of personnel on obligatory duty after cancellation of martial law would be made by authority of the Minister of National Defense. This does not exclude the possibility of exempting personnel during a state of martial law because of national security, which would also be done by authority of the Minister of National Defense.

Fulfillment of measures in the field of military service would proceed on the basis of the law on general obligation for defense of the PPR, specific normative acts in point 5a of the first section of the memorandum, and in the field of conscription based on the authority of chiefs of provincial military headquarters to establish regional and provincial draft boards, and notices on conscription in the area of the military replacement command.

It would be expedient to suspend only the authority of the Minister of National Defense in military training which in a state of martial law, because of national security, should continue according to principles anticipated in peacetime.

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 13 of 35 Pages

In addition, new laws on trade unions should guarantee undisturbed fulfilment of tasks stemming from the law on the general obligation of defending the PPR at the time of strikes. This would mean that persons pledged to fulfill their obligation of defense or called to perform services on behalf of defense, including military service, during a state of martial law cannot be protected from fulfilling this obligation by the right to strike.



In the event of the introduction and existence of martial law due to national security, intensive effort should be undertaken in the armed forces to clarify the substance and nature of the martial law introduced as well as the duties and authority of personnel resulting from the changes in the method of performing active duty. This effort should be conducted on the basis of the guidelines of the Chief of the General Staff of the Polish Armed Forces.

2. In the Field of Alternate Conscript Service

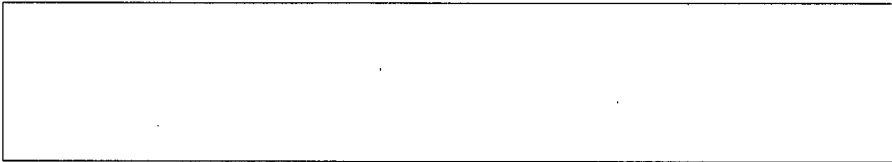
Alternate conscript service, in conformity with the general obligation for defense of the PPR, is performed by conscripts only in peacetime.

It seems to be meaningless to suspend this service the moment a state of martial law is declared for national security reasons. This problem can be resolved in two ways:

a) the moment martial law is declared this type of service can be replaced by a work obligation, which would be introduced on the basis of a decree of the Council of State and an order of the Council of Ministers pertaining to this matter (point 3, page 2--Part I of the Memorandum). At that time the conscripts performing alternate conscript service would become employees of the same plants; however, they would be covered by a particular work obligation. This principle should be included in both the decree mentioned above on work conditions when martial law is in effect and the order of the Council of Ministers concerning the general work obligation when martial law is in effect;

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 14 of 35 Pages

b) In the event the general work obligation is not introduced during the period of martial law for national security reasons, no other changes should be made in the manner of performing alternate conscript service; it should not be suspended, but continued in accordance with principles established in peacetime. This is in conformity with the principle that martial law for national security reasons will be declared as a rule during peacetime, whereas this same state for defense reasons can be declared by law during peacetime when there are indications of external threat.

3. In Civil Defense Service

Introduction of a state of martial law in the area of civil defense service, because of national security, should be brought about by applying regulations on the general obligation for defense of the PPR pertaining to active service in civil defense if mobilization is declared, and in wartime (article 142 point 2, article 157, and article 167 subsection 3).

The adoption of such directives will bring about the following:

a) substitution, by virtue of the law, of basic service in civil defense and exercises in this defense--with active civil defense service if mobilization is declared, and in wartime. Active service in civil defense denotes the following:

- conscripts in basic civil defense service will remain with no time-limit being fixed. How these conscripts should be employed, and organizationally drafted into units in which they will serve, should be determined by a Council of Ministers resolution on civil defense, both in part pertaining to civil defense unit organization, as well as in part defining regulations on active civil defense service for the period when mobilization is declared, and in wartime;

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 15 of 35 Pages

- reservists, and other individuals who have received their organizational mobilization assignments to service in civil defense, are obligated to perform this service for the duration and in a capacity deriving from civil defense tasks. The essence of service for these individuals consists in being in constant combat readiness for performing civil defense tasks, as well as being obligated to appear for every call of civil defense organization commandants, manager of the work place, or town chief, irrespective of the time of day and other circumstances, as well as for the purpose of performing tasks in connection with protection of the population and places of employment and also assisting victims. Civil defense formations consist of plant, regional and special civil defense units;

b) confining certain civil defense units to barracks for operational purposes, as ordered by the competent minister or provincial governor;

c) bearing penal responsibility for offenses committed in connection with this service, in accordance with regulations pertaining to personnel on active duty in case mobilization is declared and in wartime.

Active duty in civil defense on a national scale can include as many as 1 million people, about 40,000 of which are conscripts (about 20,000 in the current 2-year term service) who, prior to introduction of the state of martial law would be in basic civil defense service.

Implementation of these measures would have to be on the basis of the law on general obligation for defense of the PPR, and also normative documents specified in point 5b--page 4--part I of the memorandum.

All resolutions specified in this point will be superseded by a newly prepared document on civil defense, and the Chief of the National Civil Defense will define the detailed civil defense organization and manner of service.

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 16 of 35 Pages

In case a state of martial law is proclaimed because of national security, it would be necessary to carefully update organizational mobilization assignments of individuals envisioned for performing active service in civil defense units in coordination with competent military replacement headquarters on numbers and categories of conscripts and preconscripsts, as well as reservists prescribed by the Minister of National Defense (article 150 subsection 2 of the law on general defense obligation), depending on requirements, to form new units, or increase personnel strength of existing formations.

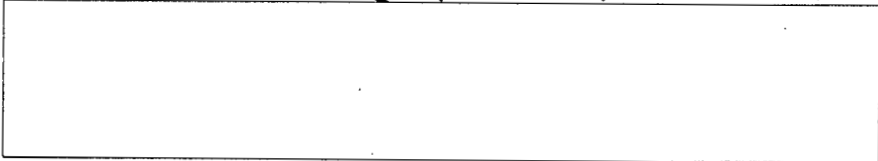
In addition, simultaneously with the introduction of this state, there would be the issue of guidelines of the Chief of National Civil Defense on the matter of conducting an explanatory campaign among conscripts, reservists and persons assigned to civil defense service, on the type and essence of martial law in active service within the civil defense system, rights and obligations of persons in service, quartering of these individuals during service, duties when executing orders of superiors, as well as their penal responsibility for not performing their duties in active civil defense service. It is assumed that such guidelines should be compiled in advance by the National Civil Defense Inspectorate and urgently delivered to plant managers or local leaders as soon as the state of martial law is put in effect.

4. In the Field of Service in Militarized Units

The introduction of the state of martial law for national security in the field of service in militarized units should apply only to units proposed for militarization, to which in peacetime organizational-mobilizational assignments are not made. These are the organizational units and components cited in Attachment 2 of National Defense Committee Resolution No. 02/70, dated 24 March 1970, and subordinate to the Ministers of: Transportation; Forestry and Timber Industry; Communications; Administration, Local Economy and Environmental Protection; Foreign Trade and Maritime Economy; Agriculture; Light Industry; and Domestic Trade and Services; and also [subordinate] to the Chairman of the State Council of Material Economy.

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 17 of 35 Pages

The introduction of the state of martial law would not apply to existing organizational units of state administration and national economy, newly formed specialized organizational units of civil defense formations, cited in attachment No. 1 of this Resolution, to which, in peacetime, organizational-mobilization assignments are made.

Nevertheless, in the event the need should arise to include in militarization certain of these units, to which in peacetime organizational-mobilizational assignments are made, it would be necessary to authorize the Chairman of the National Defense Committee to make these decisions on the basis of proposals from the ministers or provincial governors (presidents of provincial-level cities), as well as on the basis of a proposal of the Minister of National Defense in reference to units subject to transfer to the armed forces for a given period of time, or designated to perform specific missions on their behalf.

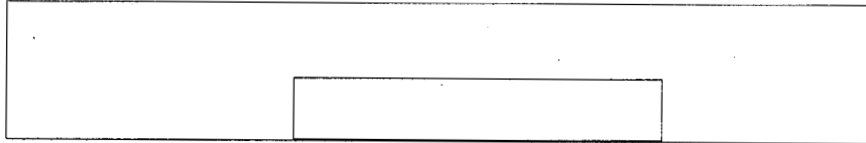
In connection with the first group covered by militarization, the requirements of the law of universal obligation for the defense of the PPR applicable to militarized service would be applied in the event of a proclamation of mobilization and in time of war (articles 183, 186-189, 191-198 and 234 of the law on the universal obligation for the defense of the PPR).

The application of such a course of action would cause:

- a) The callup of persons employed in these units to service in militarized units on the basis of law;
- b) the introduction into work conditions for individuals assigned to such service, of forms and methods approximating organized service and military discipline;
- c) the application, in connection with such individuals, of a special work obligation, which specifies that individuals called up for such service cannot unilaterally terminate the service relationship and establishes the right to: establish the duration of their service according to requirements stemming from the defense assignment; legally assign them to another position, to transfer them to other units, and, depending on requirements, place time in billets.

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 18 of 35 Pages

d) their assumption of penal responsibility for offenses committed in connection with this service, according to regulations applicable to personnel on active military duty in the event of a proclamation of mobilization and in time of war.

On the basis of proposals described above, the number of citizens who would be involved in militarized unit service for national security under martial law would approximate 1,100,000.

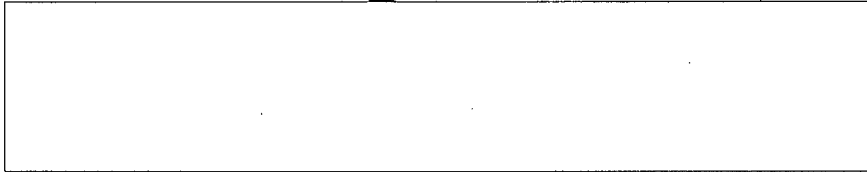
Implementation of these proposals would be on the basis of the law of universal obligation for the defense of the PPR, and on the basis of documents, applicable in the event of the introduction of a state of martial law in the interest of national defense, specified in Part I of the Memorandum (point 5c).

In addition, in the Council of State resolution on the declaration of martial law in the interest of state security, it would be necessary to authorize the Chairman of the National Defense Committee to designate specifically units projected for militarization, which are to be militarized during martial law.

On this basis, it is essential to prepare an appropriate National Defense Committee order which would accomplish the following: determine units to be included within militarization, and obligate ministers and provincial governors to notify workers employed in subordinate work establishments that the plants are subject to militarization, to call up workers for service in militarized units, to suspend existing work conditions, advise on obligations and rights of persons on duty in militarized units, as well as on responsibilities in the event of failure to meet obligations resulting from this service. A draft for a National Defense Committee order, together with data on consequences of introducing militarization, is in Attachment No. 2.

TS #818014
Copy # 10





5. Services on Behalf of Defense

Declaration of a state of martial law because of state security should also determine the basis for promulgating legal regulations on the general obligation for defense of the PPR pertaining to personal and material services (articles 203-207), transfer of transport means, tools, machines and equipment for national defense needs (articles 208-213), and special services at the time of declaration of mobilization and in wartime (articles 214-216).

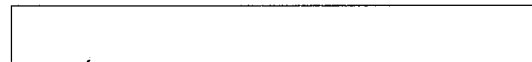
Acceptance of such an assumption would permit mobilization of combat units to take advantage of planned personal and material services in case of mobilization. This would create a basis for requisitioning from the national economy, as needed, transport means, tools, machines and equipment by military units undergoing mobilization, as well as militarized units. In necessary cases in this state special services for the armed forces could also be carried out, such as delivery of callup papers to reservists, and performing courier and messenger service with personal vehicles for local government administrative organs, forming of military units based on state institutions and enterprises, as well as collective organizations.

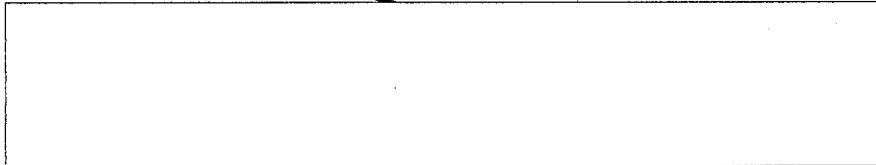
In addition, for personal and material services, state administrative organs and civil defense units, especially specialist CD units, may be used on this same basis.

These measures would be based on laws on the general obligation for defense of the PPR, and normative documents applicable at the time martial law is declared because of national defense, mentioned in part I of the memorandum (point 5d).

Declaration of martial law because of national security requires introduction of an extensive interpretive effort for the entire public.

TS #818014
Copy # 10





FIRDB-312/00067-81

Page 20 of 35 Pages

This effort should explain to the public the effects and various aspects of this state, about which they should be informed and with which they should comply.

The proper means for conducting this work should be the mass media. It appears that these media should begin this interpretive effort after a pronouncement of the representative of the supreme government authority of the PPR, in which he would explain the declaration of a state of martial law because of national security, and also the principal reasons for this declaration and its effects.

Attachment 3 is a draft of general information concerning only defense obligations which exist in consequence of the declaration of martial law because of national security, designed for use by the mass media.

Attachments:

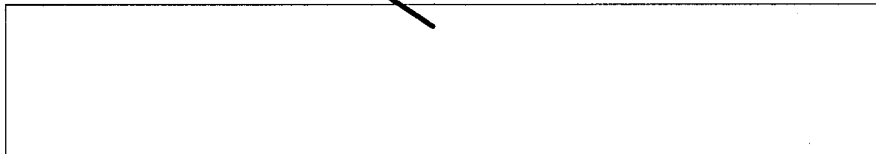
1. Guidelines of the Chief of General Staff of the Polish Armed Forces Aimed at Clarification of Consequences Arising from Introducing Martial Law Based on Concern for National Security in Regard to Military Service Obligation.

2. Draft Directive of National Defense Committee Chairman No.... dated 19.. on Scope of Militarization in the Period when Martial Law is in Force which was Proclaimed for National Security Reasons, and Guidelines on Notification of Individuals on Callup to Service in Militarized Units in Connection with a Proclamation of Martial Law in the Interest of National Security...

3. General Information on Measures in the Defense of the PPR During the Period when Martial Law is in Force for Reasons of National Security (for Mass Media).

TS #818014
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FIRDB-312/00067-81

Page 21 of 35 Pages

Attachment 1

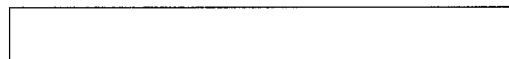
GUIDELINES
of the Chief of General Staff of the Polish Armed
Forces on Activities Aimed at Clarification of
Consequences Arising from Introducing Martial
Law Based on Concern for National Security in
Regard to Military Service Obligation

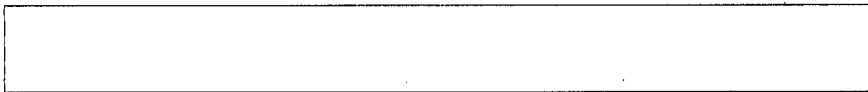
Introduction by the Council of State of martial law due to concern for security requires that we conduct in the armed forces units intensive explanatory activity with all the military personnel on active military duty as well as reservists called to active duty. This work must also be done among civilian army employees and among persons performing personal and material services on behalf of military units.

The aim of this work is to clarify for military and other personnel concerned the reasons that martial law was introduced and remains in force out of consideration for national security, to clarify the consequences which followed introduction of martial law, particularly those pertaining to military duty to familiarize them with obligations and rights of military service resulting from performing it during martial law as well as to inform them about more severe penal liability for violation or inadequate performance of defense obligation during the period martial law is in force.

The explanatory work should be based on materials published by mass media centers in connection with introduction and applicability of martial law out of consideration for national security; it should also be based on positions and principles established by these guidelines.

TS #818014
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FIRDB-312/00067-81

Page 22 of 35 Pages

Principles of the explanatory work are:

1. On the basis of article 33, subsection 2 of Constitution of the Polish Peoples Republic the Council of State established, through the resolution of 19.., martial law because of concern for national security for all (or part) of the national territory. Discuss causes given in mass mdia centers.

2. In accordance with decisions of the above-mentioned resolution and provisions contained in article 237 of 21 November 1967 on General Obligation to Defend the Polish Peoples Republic--persons performing their conscript service, military retraining, military exercises, and temporary military duty have become soldiers during their active military duty upon the proclamation of mobilization or in time of war. This service is of unlimited duration and ceases when the state of martial law is lifted.

3. Personnel on active duty may be released only by a medical military commission when they are declared to be permanently incapable of performing military service. Thus, personnel on active duty may be released:

- a) when a medical military commission declares them temporarily incapable of performing military duty;
- b) as a result of deferment;
- c) upon order of the Minister of National Defense.

4. Conscripts, declared capable of military duty as well as reservists, regardless of their former designation within civil defense or in militarized units, may be called at any time to active military duty under martial law occasioned by national security.

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FIRDB-312/00067-81

Page 23 of 35 Pages

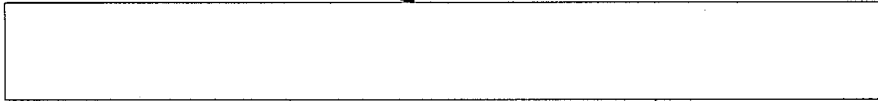
5. Family members who are dependents of personnel on active military duty during a period of threat of war proclaimed for national security reasons are subject to special entitlements defined in the Council of Ministers decree of 19.. dealing with matters of military benefits.

6. Individuals called to active military duty upon proclamation of mobilization or in time of war who have not reported for this duty in the specified time and place, with intent to avoid this duty for a longer time or permanently, and for offenses connected with this duty, are subject to penal liability ranging from deprivation of freedom up to and including the death penalty.

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FIRDB-312/00067-81

Page 24 of 35 Pages

Attachment 2

DIRECTIVE OF NATIONAL DEFENSE COMMITTEE CHAIRMAN
No., dated 19.. On the Scope of Militarization
in the Period when Martial Law is in Force for
National Security Reasons

On the basis of Council of State resolution of 19.. on
Proclamation of Martial Law for National Security Reasons, the
following directive is issued:

Section 1

1. Units planned for militarization specified in Attachment
2 of Resolution No. 02/70 of the National Defense Committee of 24
March 1970 On Matters of Militarization (Committee of National
Defense Bulletin No. 20-1 item 108 and No. 24-A item 122) are
herewith constituted as militarized units.

2. Expanding militarization procedures to include units
planned to be militarized as specified in Attachment No. 1 of the
resolution referred to in subsection 1, may depend on needs
consonant with proposals of ministers or provincial governors
(presidents of city-provinces) as well as proposals of the
Minister of National Defense in regard to units subject to
transfer to the armed forces for a specific period of time or
designated to perform specific tasks for the armed forces--all
this in accordance with the decision of the National Defense
Committee Chairman.

Section 2

1. Ministers and provincial governors (presidents of
city-provinces) will inform directors of subordinate units
envisaged for militarization of the fact that these units are
subject to militarization; they will also ensure that employees
of work establishments covered by militarization are informed on
callup to service in militarized units, on duties and rights
connected with this service, and on the liability of punishment
for offenses committed in connection with this service.

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FIRDB-312/00067-81

Page 25 of 35 Pages

2. Notification of employees on matters referred to in subsection 1 should be made in accordance with guidelines in the annex to this directive.

Section 3

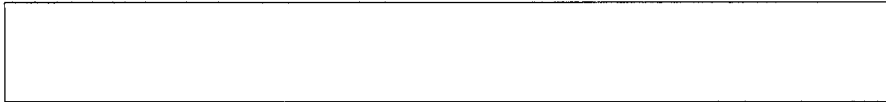
The directive comes into force as of 19..

Chairman of
the National Defense Committee

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FIRDB-312/00067-81

Page 26 of 35 Pages

Annex to Attachment 2
(Directive of National Defense
Committee Chairman)

GUIDELINES

On Notification of Individuals of their Callup
to Service in Militarized Units in Connection
with a Proclamation of Martial Law in the
Interest of National Security

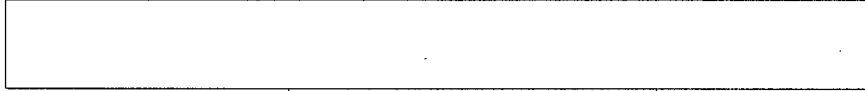
1. Individuals called to serve in militarized units in connection with proclamation of martial law in the interest of national security should be notified of the fact that this law was proclaimed, that the given organized unit is subject to militarization and of the consequences for individuals concerned.
2. This information is forwarded by the director of the organizational unit envisaged for militarization, and he becomes as of that moment director of the militarized unit.
3. The director of the militarized unit, forwarding this information, makes use of the guiding principles presented below.

Topics of Information

1. The Council of State of the Polish Peoples Republic has proclaimed on the basis of article 33 subsection 2 of the Constitution of the Polish Peoples Republic, by resolution dated 19..., martial law in the interest of national defense and security in a part (if so, which) or the whole territory of the nation. Discuss reasons for proclamation of martial law.
2. In accordance with the Council of State resolution on proclamation of martial law and in connection with provisions of article 237 of the resolution of 21 November 1967 on the general obligation to defend the Polish Peoples Republic during the period martial law is in force, individuals employed in units subject to militarization are legally called to perform service in militarized units.

TS #818014
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FIRDB-312/00067-81

Page 27 of 35 Pages

3. (Our) or (use name of) plant is hereby militarized on the basis of Resolution No. 02/70 of the National Defense Committee of 24 March 1970 on the subject of militarization, and on the basis of directive of the National Defense Committee No.... of 19.. on the scope of militarization in the period when martial law, proclaimed for national state security reasons, is in effect.

This means that persons employed at this plant have been called to service in militarized units.

4. Callup for service in militarized units suspends for the duration of martial law the present work relation initiated on the basis of labor code provisions, and service (present work) in these units becomes henceforth military service both in regard to performance of tasks (work) as well as in responsibility for breach of obligations connected with this service.

5. Performing service in military units means that:

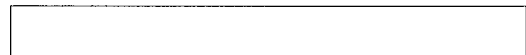
a) the individual called to this service and performing this service may not unilaterally sever the service relation with the unit;

b) release from duty in militarized units may occur only in case of loss of capability for performance of work, or attaining the age of 65 by men or 60 by women. However, even in these cases, the director of a militarized unit may retain the services of persons with particular qualifications who have attained the age mentioned above but whose health allows them to continue performance of duty;

c) this duty may be performed in barracks or non-barracks form.

Notification should be given to the plant regarding the form in which service is performed as decided by the appropriate minister or provincial governor (president of city-province);

TS #818014
Copy # 10





d) there is a possibility that individuals may be transferred to a different type of work in the same unit, or that they may be transferred from one militarized unit to another in accordance with a decision by a superior organ.

6. On the basis of a decision by a minister (provincial governor) our unit is subject to the following work schedule. Discuss here the work hours, rest breaks, principles for discharge from work, and other rules of this type.

7. Duties of persons subject to service in the militarized units:

a) persons serving in militarized units are obligated to follow orders of their superiors in duty matters;

b) other duties and instructions resulting from specific tasks of the work establishment as defined by superior units or a unit director.

8. Rights of persons serving in the militarized units are as follows:

a) persons called to perform this service may not receive pay less than that which they received prior to their call to duty;

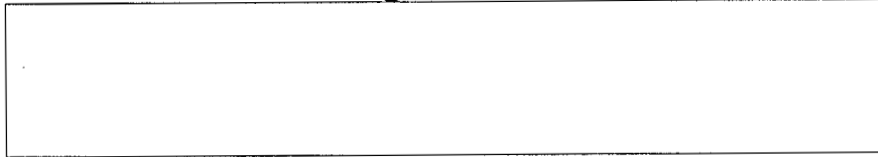
b) individuals living in barracks are entitled to a level of subsistence defined by the National Defense Committee. Service individuals living in barracks should be given details on this matter;

c) other rights based on performance of service in militarized units (bonuses, leave, etc.).

TS #818014
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FIRDB-312/00067-81

Page 29 of 35 Pages

9. Penal liability.

Persons obligated to perform service in militarized units who do not report in a specific time and at a specific place for duty, or who for a longer time or permanently attempt to avoid the service obligation, or who do not execute or refuse to accept orders of their superiors in regard to duty matters--all are subject to punishment by deprivation of freedom including for 2 years and up to the death penalty, as specified in criminal regulations.

TS #818014
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FIRDB-312/00067-81

Page 30 of 35 Pages

Attachment 3

GENERAL INFORMATION

On Measures Taken for Defense of the Polish Peoples Republic During the Period Martial Law is in Force for Reasons of National Security (for mass media centers)

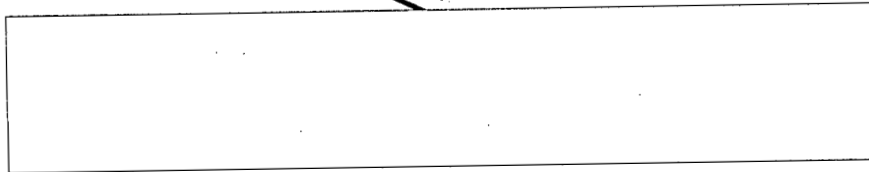
Due to the appearance of a serious internal threat to national security the Council of State of the Polish Peoples Republic has proclaimed by its resolution No.... of 19.. based on article 33 subsection 2 of Polish Peoples Republic Constitution martial law in part of the (or the whole) territory of the nation.

It is publicly announced that proclamation of martial law has the following consequences in regard to defense obligation, functioning of organs of authority and administration, safeguarding national security and public order, provision of basic food and industrial articles, labor obligation, financial management,(we should list all economic, political and other facets of life which will undergo changes and about which the public should be well informed).

In accordance with article 237 of the resolution on the general obligation to defend the Polish Peoples Republic in connection with the proclamation of a state of war threat, there will be applied regulations normally in force in wartime particularly in connection with the obligation of military service, civil defense service, and service in militarized units, as well as services on behalf of defense. The essence of these regulations--and particularly duties and rights of citizens resulting from their promulgation--is being discussed in this portion of the [general] information.

TS #818014
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FIRDB-312/00067-81

Page 31 of 35 Pages

In connection with the defense obligation and as a result of proclamation of the state of war threat the following changes will be made in regard to fulfillment of this obligation by the citizens of our country.

1. In the field of military service obligation the proclamation will bring about:

1) replacement, based on the law, of basic military service, military training of students and graduates of higher schools, military exercises, as well as periodic military service, with active military service as soon as mobilization is announced and in wartime. Active military service is considered unlimited in duration and performed under a system of more severe penal sanctions applied for breaches of military service obligations;

2) suspension of discharge of personnel on basic military duty, in military refresher training, military exercises or periodic military service until such time as the existing martial law is lifted;

3) callup to active military service in each case of a specific number of reservists, and requisitioning from the national economy an established amount of transport means and machines;

4) carrying out conscription by the Ministry of National Defense (if the conscription order is simultaneous with the proclamation of martial law). Up to now, in time of peace, conscription has been carried out by local organs of state administration; but it will now be carried out by regional and provincial conscription commissions whose composition is determined by the Minister of National Defense, and which are activated by the chiefs of the provincial military headquarters;

TS #818014
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FIRDB-312/00067-81

Page 32 of 35 Pages

5) introduction of the principle of deferment from military service of conscripts only for reasons of health. Deferments granted up to now because conscripts provide direct care for their family members, are the sole supporter of their families, attend educational institutions, are in trade or do farm work--all lose their legal validity;

6) discharge from active military service of personnel now in service as the result of their normal military obligation will occur as a rule after martial law is lifted on order of the Minister of National Defense.

Variant I, pertaining to alternate conscript service

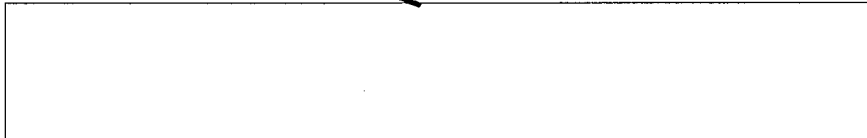
2. Alternate service of conscripts is performed only in peacetime. As soon as martial law is proclaimed, the service form is replaced with the work obligation which is introduced simultaneously with martial law promulgation on the basis of the Council of State decree and Council of Ministers order issued on the subject of work obligation. Conscripts performing their alternate service become at this moment employees of the same work establishments with the difference that they are now subject to a specific work obligation. The work obligation of these conscripts and of persons subject to it specifies that these persons may not unilaterally dissolve the service relation, and creates the possibility of establishing their work time to suit needs resulting from defense tasks, official assignment to other positions, transfer to other units, and, if necessary, quarter them in barracks.

Variant II, pertaining to alternate conscript service

Proclamation of martial law does not necessitate introduction of changes in the manner of performing alternate conscript duty, except for its duration which is now unlimited, i.e. until martial law is lifted. Discharge from this service will be at that time in a manner determined by Minister of National Defense directive.

TS #818014
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FIRDB-312/00067-81

Page 33 of 35 Pages

3. In the field of civil defense service the following will occur:

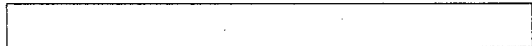
1) replacement by force of law of basic civil defense service and exercises with active military service in civil defense as soon as mobilization is announced and in time of war. Active service in civil defense means that:

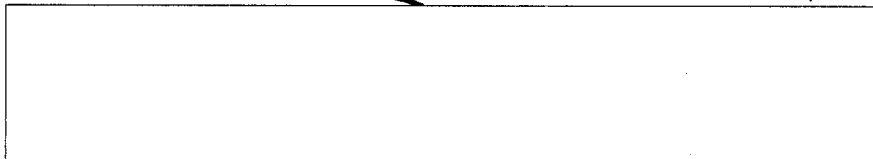
- conscripts performing this service will continue in it indefinitely;

- reservists and other persons with organizational-mobilizational assignments to civil defense service are obligated during the time, and in the capacity called for, by civil defense tasks. The essence of this service for these individuals consists of remaining in constant readiness to perform civil defense tasks and an obligation to respond to each summons of the civil defense unit commander, factory director or commune manager [naczelnik gminy] regardless of the time of day or other circumstances; he also stands ready to perform tasks whose aim is to safeguard the population and work establishments as well as to give aid to victims. Reservists and persons called to this service could be housed in barracks if necessary. In such case they are provided with food.

4. Service in militarized units will be introduced in units expected to be militarized and in existence already in peacetime. These are units subordinate to the Ministers of Transportation, Forestry and Timber Industry, Communications, Administration, Local Economy and Environmental Protection, Foreign Trade and Maritime Economy, Agriculture, Light Industry, as well as Domestic Trade and Services, and also the Chairman of State Council for Materials Economy. If militarization so requires, other administrative units may be subordinated by decision of the Chairman of the National Defense Committee.

TS #818014
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FIRDB-312/00067-81

Page 34 of 35 Pages

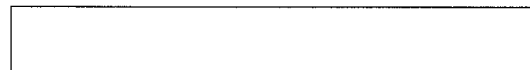
Service in militarized units consists of:

- 1) calling up persons employed in these units to militarized service by force of law;
- 2) introduction into the work relations of persons assigned to this service of forms and methods related to organization of military service and discipline;
- 3) application, in regard to these individuals, of a special work obligation specifying that persons called to this service may not unilaterally sever their service relation; this application also creates the possibility of determining the time of their work in accordance with needs arising from defense tasks, officially transfer them to other positions, or to other units, and, if necessary house them in barracks.

5. Persons called to civil defense service as well as to service in militarized units are liable to punishment for misdemeanors in connection with these services in accordance with regulations pertaining to personnel on active military duty when mobilization is announced and during war. Violations or failure to complete an obligation during the period of general defense obligation will be met with more severe sanctions defined in wartime penal provisions.

6. Proclamation of martial law for state security reasons also forms the basis for enforcement of these provisions of the law on general obligations to defend the Polish Peoples Republic, which refer to personal services and requisitioning of transport means, tools, machines, and facilities for national defense needs. In connection with this it should be pointed out that institutions and state establishments as well as cooperative and social organizations and, finally, all citizens called upon to render personal or material services are obligated on pain of punishment to implement them immediately or during a specified period. Execution of these services will be on the basis of appropriate summons of local organs of state or military administration or of directors of work establishments in accordance with specific regulations in this regard.

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FIRDB-312/00067-81

Page 35 of 35 Pages

7. It is publicly announced that individuals obligated or called upon to fulfill their defense obligation are not protected from nonfulfillment of these duties by the right to strike.

TS #818014
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