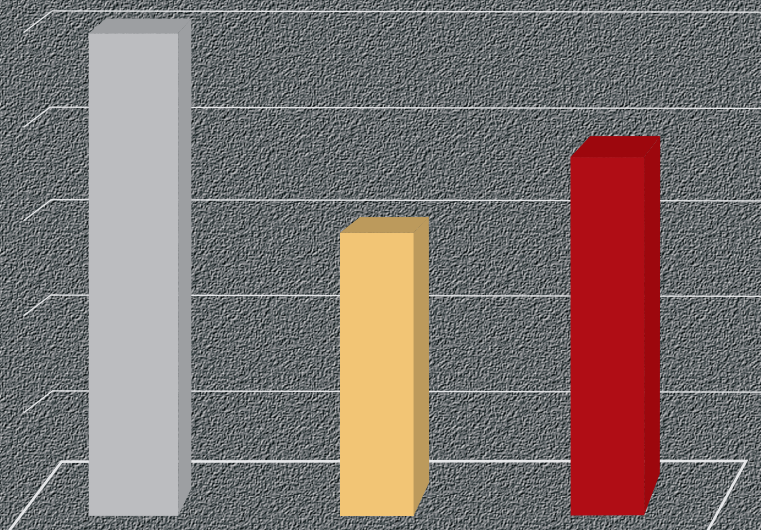




CENTRAL ANTI-CORRUPTION BUREAU

# CENTRAL ANTI-CORRUPTION BUREAU 2011 PERFORMANCE REPORT



Warsaw 2012



**CENTRAL ANTI-CORRUPTION BUREAU**

**CENTRAL ANTI-CORRUPTION BUREAU  
2011 PERFORMANCE REPORT**

Warsaw 2012

Cover design  
Danuta CZERSKA

Computer composition  
Lilianna KRÓLAK

**ISBN 978-83-62455-76-8**

Publishing House: Police Training Centre in Legionowo  
Print: Police Training Centre in Legionowo. Edition: 200 copies

## Table of contents

INTRODUCTION .....	5
I. BASIC AREAS OF THE CBA'S ACTIVITY .....	6
1. Operational and pre-trial activities .....	6
2. Control activities .....	13
3. Analytical and informative activities .....	20
II. PREVENTION .....	21
1. Publications .....	22
2. Anti-corruption training courses .....	23
3. Scientific research and development .....	23
4. Conferences .....	24
III. INTERNATIONAL COOPERATION .....	25
IV. ORGANISATION AND STRUCTURE OF THE CBA .....	27
1. Service financing .....	27
2. Logistic situation .....	27
3. Number of officers and civil servants .....	29
4. Training courses and professional development .....	29



## INTRODUCTION

In 2011, the Central Anti-Corruption Bureau focused its activities on countering threats to key public procurements, privatisation processes and accomplishment of government programmes, in particular those covered by the „anti-corruption shield”. In this regard, the Bureau’s tasks were extended with the protection of investment projects in the area of energy infrastructure. The shield was also covered the use of EU funds and the implementation of the programme of the Polish nuclear power sector. Due to the finalisation of investments related to EURO 2012, the main focus was on control procedures for receipt, as well as on the activities of the operators of the stadiums, who decide, to a large extent, on their maintenance after the Championships.

In 2011, there was an increase in the number of investigations carried out and in reported allegations. The value of the secured property significantly increased. An example of procedural effects of these measures may be the allegations on irregularities in the IT Projects of the Ministry of Interior and Administration, which was the highest bribe detected so far in Poland (1.5 million PLN).

Last year, the number of pre-control analyses and controls significantly rose. To a large extent, this was due to changes in the methodology of identification of persons whose asset declarations became of interest to the Bureau, as well as due to the transfer of the focus on the verification of the compliance of the restrictions on conducting business activities by persons performing public functions.

The CBA carried out its tasks, not only through direct prosecution of perpetrators of corruption acts or offences affecting the economic interest of the State but also by expanding the undertakings of prophylactic and preventive nature. The activity was also aimed at the improvement of the existing law by supporting the work on bills of particular importance for the interest of the State. Raising public awareness on the negative impact of corruption – not only in the public sphere, but also on the lives of individual citizens – still belongs to the priorities of the Central Anti-Corruption Bureau.

The shortage of staff had a negative impact on the implementation of the statutory tasks of the CBA. The search for candidates with high-level skills, which constitute the fundamental objective of the process of recruitment, is the reason for a significant selection of applicants. Bad housing conditions are a real impediment of the Bureau's performance. This results from, among others, long-term legal procedures on the acquisition of real property, poor condition of buildings under the CBA's permanent administration as well as limited availability of budgetary funds.

## **I. BASIC AREAS OF THE CBA'S ACTIVITY**

### **1. Operational and pre-trial activities**

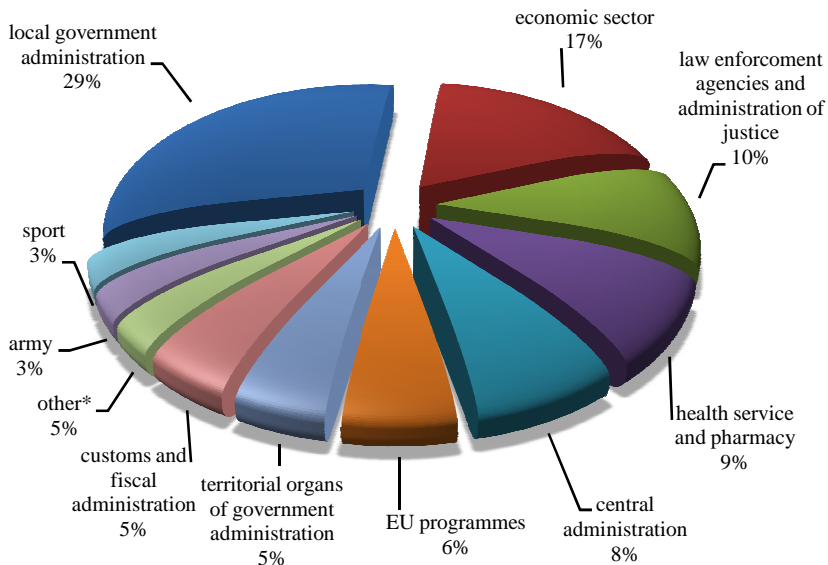
#### **Operational cases**

In 2011, the organisational units of the Central Anti-Corruption Bureau instituted **256** operational cases, and accomplished **227** ones. The total number of cases carried out was **511**.

In the same period, **248** investigations were instituted and **205** accomplished. **419** investigations were carried out. From among all instituted proceedings, 75 were assigned by the Prosecutor. The Bureau also continued 7 cases which had previously been suspended.

The investigations related mostly to the local government administration, and subsequently to the economic sector, law enforcement agencies, administration of justice and health service.

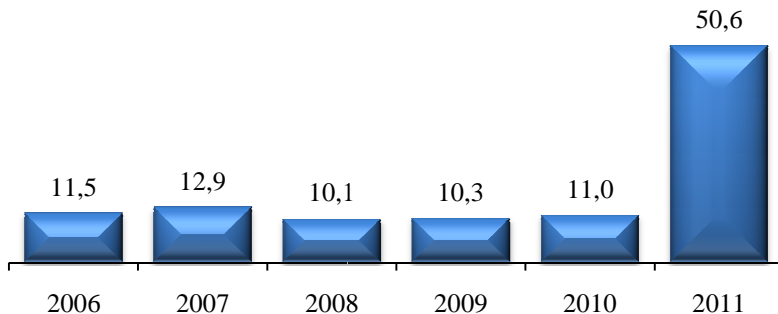
## SUBJECT-MATTER OF INVESTIGATIONS CARRIED OUT



\*The category covers, among others, education and higher education.

The value of secured property increased. The chart below presents the data by 2011.

## APPROXIMATE VALUE OF SECURED PROPERTY IN MILLION ZLOTY



In the past year, **601** persons were presented with allegations, **2131** allegations in total. The chart below presents preventative measures which were most commonly taken.



## PREVENTIVE MEASURES

TYPE OF PREVENTIVE MEASURE	number
Asset surety	132
Police surveillance	120
Ban on leaving the country	58
Temporary arrest	48
Suspension in activities or prohibition to exercise a profession	18
Social guarantee	1
Other	24

92 proceedings led to indictment against the suspects, 91 were remitted, and 22 were finalised otherwise (e.g. by submitting them to other bodies or including in other proceedings). Moreover, 15 proceedings were suspended.

A systematic increase in the number of cases finalised by indictment had been observed, which might indicate an increase in the effectiveness of the Bureau's officers' performance (2009 – 38%, 2010 – 41%, 2011 – 45%).

### **Examples of investigations carried out in 2011**

#### *Acceptance of financial advantages by the officials of the IT Projects Centre of the Ministry of Interior and Administration*

In an investigation carried out from July 2011, the highest yet advantage of 1.5 million PLN was detected. Among the suspects were: the former Director of the IT Projects of the Ministry of Interior and Administration, and previously Director of the IT and Communication Bureau at the Police Headquarters, former Deputy Director and former Manager of the Department of Promotion of the IT Projects Centre and the directors in charge of sales of large IT companies. In the years 2007–2011, the main suspect accepted undue financial advantages from the representatives of IT companies in return for favouritism

in public procurements managed by him and accomplished by both entities. The bribes were transferred to the accounts of the Director's family members. The advantages were also in the form of trips to exotic countries as well as electronic equipment and household appliances. In the continuing investigation, 6 persons were detained and 8 decisions on entering pleas were issued (e.g. power abuse, non-compliance with obligations, bribery, money laundering and fencing charges). A preventive measure in the form of provisional arrest was applied against 3 suspects, and against the others: police surveillance, property surety in the amount of 25 thousand dollars and suspension in activities. Moreover, chattel was secured (Toyota RAV4, Nissan Qashqai, the BMW motorcycle K1200) and real estate in Warsaw with the total value of about 1.2 million PLN.

*Acceptance of financial advantages in connection with the privatisation of PLL LOT SA and STOEN SA*

The cooperation between the Central Anti-Corruption Bureau and the Central Bureau of Investigation resulted in filing charges against six persons, among others against the former Minister of State Treasury, 26 charges of participation in an organised crime group, corruption, money laundering and acting to the detriment of different business entities were brought. Financial advantages amounted to 10 million PLN. Bribes were received on the basis of fictitious advisory services rendered by domestic and foreign entities connected to the suspects. Property surety in the total amount of 8 million PLN was applied in the case, as well as the ban on leaving the country and passports seizure.

*Irregularities in the activities of the Police Academy in Szczytno*

The Head of Investment and Real Estate Management of the Academy disclosed the details of bids submitted by other bidders to one of the tender participants and demanded a financial advantage from one of the subcontractors (30 thousand PLN) in return for the contract award. The evidence gathered in the case resulted in charging the suspect with power abuse and failure to comply with the obligations. The analyses of the information gathered in the course of the investigation resulted

in control activities instituted in the Police Academy in Szczytno, with reference to the compliance with procedures for taking and implementing decisions on public procurements and regularities and accuracy of asset declarations.

*Acceptance of financial advantages in the course of public procurements organised in the Polish Army*

Officers of the Bureau conduct proceedings in relation to abuse of powers and non-compliance with official obligations as well as acceptance of financial and personal advantages by persons performing public functions. The value of contracts ordered by the Polish Army, to which the investigations refer, amounted to almost 21 million PLN. Civil servants as well as professional soldiers unduly performed oversight of the accomplishment of the works and dishonestly commissioned them, which resulted in the payment for tasks which had not been performed in the scope and terms specified in the contract. Among the suspects there are: the management board member of a company subject to the Ministry of National Defence, civil servants of the army, members of the tender committee, head of the public procurements section of a military unit, a secretary of the tender committee, 6 professional soldiers, including a commander of a unit, as well as owners of private companies. They were charged with offences of abuse of powers, participation in an organised criminal group, disclosure of state secret in relation with the performed function, the attestation of an untruth in a document as well disruption of public tender in order to obtain a financial advantage. The Prosecutor applied preventive measures in the form of police surveillance, property surety of a total value of 320 thousand PLN, ban on contacts with indicated individuals and suspension in activities. Property protection of the total amount of 100 thousand PLN was applied in relation to suspects. In the course of the proceedings, 39 allegations were presented to 22 suspects.

*Acceptance of a financial advantage by customs officers at the border crossing point in Krościenko*

The proceedings conducted by the CBA revealed new areas vulnerable to corruption – based on criminal relationships between border

guard officers and Polish and Ukraine police officers as well as members of organised criminal groups involved in smuggling. The loss of the State Treasury due to the depletion of public liabilities in the excise duty amounted to not less than 250 thousand PLN. The officers facilitated as well independently organised smuggling of excise products. In return for bribes, goods from theft, weapons, drugs as well as illegal emigrants were smuggled. The practise might have lasted about eight years. Customs officers cooperating with organised criminal groups recruited other officers to cooperate, resorting to punishable threats and violence. Officers of the Customs Chamber in Przemyśl were presented with allegations of venality and abuse of powers in order to gain financial advantages. Two people, including an entrepreneur from Krościenko, were accused of bribery and tax offenses.

#### *Abuse of powers by the mayor of the Kleszczów Borough*

In the course of the investigation, the CBA found out that the mayor and her family received an undue financial advantage in the amount of approximately 5 million PLN. The practice involved the use of information on the alterations in land use planning and parcels intended for residential housing to be sold and then resold to the borough – with the profit amounting to several hundred percent. Charges of an offence of abuse of powers and failure to comply with the obligations as well as disclosure of the state secret were presented to three individuals. Temporary arrest, afterwards changed to property surety in the amount of 500 and 200 thousand PLN, was applied in relation to 2 suspects. Property surety in the amount of 10 thousand PLN was applied in relation to the third suspect. Another investigation was carried out against the mayor, which referred to providing untrue declarations on lack of circumstances resulting in the exclusion from tender procedure. It was found out that the suspect was a member of the supervisory board of an entity applying for the public procurement award. The indictment was submitted to the court.

*Irregularities in CEBEA, Research and Development Centre for Cooling Equipment Construction in Kraków*

The activities of the officers of the CBA resulted in presenting allegations to the members of the social committee and the CEBEA director in Kraków. The employees of the Research and Development Centre, partners of the established staff association, awarded assistance grants from the Social Fund being aware that the grants would be misused. The financial means were used to finance the employees association, which was meant to overtake the centre in the course of privatisation. The prosecutor presented an allegation of an attestation of an untruth against the member of the company's social committee, in order to gain a financial advantage. In the course of the investigation, 43 charges were presented, and the estimated damage exceeded 220 thousand PLN. The indictment was filed with the court.

*Attempts to bring about the adverse disposition of confiscated property of the Lublin Agency for Entrepreneurship Support in Lublin*

The activities of the CBA prevented from an extortion of almost 2 million PLN from the Lublin Agency for Entrepreneurship Support. In the course of investigation, the president of one of the companies intended to obtain the subsidy from the European Regional Development Fund to subsidise a project referring to launching production of oxy-biodegradable foil bags. Therefore, he submitted unreliable documents related to the purchase of a production machine. The prosecutor charged him with an attempt of fraud and applied property surety and ban on leaving the country.

*Administration of untruth and concealing the truth in asset declarations submitted by the mayor of Żory*

The investigation conducted by the CBA led to an indictment filed against the mayor with the court. In the asset declarations, the mayor concealed information on financial liabilities exceeding 10 thousand PLN. He also undervalued the real estate, which he owned, by about 300 thousand PLN and in the subsequent years he did not indicate it at all. It was also found out that he administered untruth in relation to his finances. The mayor was presented with 4 charges of submitting misrepresentation.

## 2. Control activities

Control activities aim to disclose corruption cases in public agencies, abuse by persons performing public functions as well as activities detrimental to the economic interest of the State. Controls are carried out according to an annual control schedule as well as by way of an application of summary procedure, instituted upon the regulations of the Head of the CBA.

Most often, control initiation is subject to the results of a pre-control analysis, which aims at an initial verification of information indicating irregularities – administering the untruth or concealing the truth in assets declarations, non-compliance with the procedures of public procurement under the law, overestimating the value of contracts. The activities aim mainly to estimate the legitimacy of the application of summary procedure or placing it in the following year's schedule.

Last year, the methodology of indicating the persons who should be subject to pre-control analysis of the correctness and truthfulness of asset declarations was changed. System analyses were implemented and oriented at particular socio-professional categories. In 2011, such analyses were applied to, among others, members of parliament, court enforcement officers and employees of Local Tourism Organisations. The activities resulted in the creation of an initial list of persons who should be subject to detailed analyses.

In 2011, **681** pre-control analyses were initiated and **618** finalised. From among 863 conducted ones, over 67% related to asset declarations and compliance with the provisions restricting the undertaking and conducting of business activities, submitted by persons performing public functions. They mostly referred to regional government officials at the borough level as well as the employees of the units subject to the borough, further on to regional government officials at the voivodeship level and the employees of units subject to voivodes and members of parliament.

Pre-control analyses in connection with taking and implementing business decisions most often related to the area of public procurements, similarly to previous years. The other areas are presented in the chart below.



## PRE-CONTROL ANALYSES OF BUSINESS DECISIONS

THE SUBJECT-MATTER OF DECISIONS	NUMBER OF ANALYSES
public procurements	136
disposal of state and community property	57
public fund governance	35
financial support	34
permission award	8
privatisation	5
other	6

The conducted analyses resulted in further activities:

- in 150 cases, controls of asset declarations or compliance with restrictions on conducting business activities by public persons were instituted as well as controls of business decisions.
- w 28 cases, the analyses provided grounds for submitting a notification of committing a crime to the prosecutor's office,
- in 31 cases, the analyses provided grounds for submitting the gathered documents to other organisational units of the Central Anti-Corruption Bureau in relation to other activities conducted in the case,
- in 22 cases, detailed analyses were initiated or analyses in another area,
- in 15 cases, notifications were submitted to competent authorities, including tax offices, in order to institute explanatory or control proceedings,
- in 10 cases, the documentation was submitted directly to the authorities conducting the proceedings, including the prosecutor's office, in order to attach it to the pre-trial proceedings.

In one case, information on infringement of procedures in the course of preparation and passing of a resolution on local land use planning was submitted to the voivode. The remaining analyses did not indicate significant irregularities requiring undertaking of further activities.

In 2011, the CBA’s officers carried out **165** controls, **123** controls were initiated. Till the end of the past year, 108 controls were accomplished. Most of them (87%) were conducted in summary proceedings. Planned controls constituted 13% of the total number of proceedings. Such proportions indicate that the Bureau reacts effectively to current affairs and information obtained from different sources.

In 92 cases, asset declarations and compliance with restrictions on conducting business activities by public persons were controlled. The controls referred to regional government officials as well as the employees of the units subject to regional governments, managers and employees of public administration offices.

#### **CONTROL OF ASSET DECLARATIONS**

TYPE OF PERFORMED PUBLIC FUNCTION	NUMBER OF CONTROLS
borough government officials and employees of units subject to boroughs	38
poviat government officials and employees of units subject to poviat governors	20
managers and employees in public administration offices	9
members of parliament	8
Voivodeship government officials and employees of units subject to voivodes	7
other*	10

\* *The category covers, among others, the employees of public administration agencies and state-owned companies.*

The highest number from among 73 controls of business decisions referred to public procurements, disposal of public funds and financial support.

## CONTROL OF BUSINESS DECISIONS

SUBJECT-MATTER OF DECISIONS	NUMBER OF CONTROLS
public procurement	
public funds management	
financial support	
disposal of state and social property	
award of exemptions, redemptions, allowances	
privatisation of municipal premises	

Findings made in the course of controls constituted the grounds for:

- 37 notifications of a suspected offense,
- 23 applications for a removal from the occupied position or termination of employment,
- 23 applications to the controlled body/individual or an authority supervising their activities on the statement on infringement of provisions in the controlled unit,
- 7 notices relating to the disclosure of activities not within the competence of the CBA,
- 3 pieces of information to the relevant control body when in need of conducting a control of a wider range.

As a result of the CBA's notifications, the authorities appointed to conduct pre-trial proceedings issued 26 decisions on instituting proceedings, 5 persons were charged and 2 indictments were submitted to competent courts.

The information obtained from the bodies and managers of organisational units to which the Bureau submitted the requests, applications, information and notifications, gave rise to their undertaking of activities which resulted in:

- 19 persons were removed from their positions or their employment was terminated,
- 5 persons performing public functions resigned from owning more than 10% shares in commercial companies, performing the

function of the president of a company or sitting in the board of directors or supervisory board,

- 2 persons resigned from performing a public function referred to art. 1 and 2 of the Act on Restrictions on Conducting Business Activities by Persons Performing Public Functions,
- in 3 cases, competent bodies instituted explanatory or verifying proceedings,
- in 2 cases, the controlled units undertook activities aiming at compliance with the provisions of the public procurement law or made organisational changes.

One of the controlled voluntarily surrendered to tax and penal liability and paid the due tax together with interest.

In another case, the governor gave the penalty of reprimand to the poviat construction control inspector. The Regional Fund for Environmental Protection and Water Management in Zielona Góra imposed a financial correction in the amount of 25% of eligible costs of the contract, i.e. 13 million, on the recipient of funding from the European Union.

Control activities of the CBA's officers disclosed damage in the State Treasury or the units of territorial government in the amount of not less than **202.5 million PLN**.

### **Examples of conducted controls**

#### *Modernisation of the Municipal Stadium in Poznań*

The control conducted by the CBA allowed to institute an investigation on their regularities in Poznań Sport and Recreation Centres (POSiR). The CBA's controllers found out that tender for the accomplishment of projects of three Municipal Stadium stands in Poznań were conducted groundlessly, in the „unrestricted” mode, which caused the city's loss in the amount of 4.6 million PLN. The contract was signed with an indicated contractor and therefore fair competition as well as the principle of equal treatment were precluded. Moreover, the director of POSiR administered the untruth in the correspondence with the President of the Procurement Office by stating that the selected contractor was the owner of copyright of the

construction project of the Municipal Stadium in Poznań while the copyright had belonged to POSiR since 2007.

*Control of asset declarations submitted in relation to the performance of the member of parliament mandate and the ministerial function*

In the course of declaration controls submitted in the years 2005–2010, it was found out that the controlled did not enumerate the funds gathered on his wife's account in the USA. However, he indicated funds that were not confirmed in the accounts of financial institutions. He failed to disclose his rental income from foreign real estate, as well as loans and donations (amounting to 369 thousand PLN and co-ownership of an apartment located abroad). The notification on offence perpetration, among others on submitting untrue declarations, was filed with the District Prosecutor's Office, which refused to institute an investigation. As a result of the court's decision, taking into consideration the complaint lodged by the Head of the CBA, the investigation was finally instituted.

*Redemption of social insurance contribution liabilities in the 2<sup>nd</sup> ZUS (Social Insurance Institution) Department in Łódź*

The control of procedures referring to the redemption of social insurance arrears as well as execution activities undertaken in relation to selected payers in the years 2005–2010 revealed that the department director redeemed the arrears on the basis of incomplete documentation. In the course of control it was found out that he did not use full powers, for example, while carrying out the required checks, the use of liens on the property of the contributors or activities aiming at withholding the limitation of claims. His activity resulted in the loss of 5 million PLN. The findings gave grounds for submitting the notification on offence perpetration to the prosecutor's office.

*Road access improvement project to the Gdańsk Port –construction of Sucharski Route*

The total loss of the City of Gdańsk identified in the course of the CBA's control of the correctness of the procurement implementation amounted to almost 11.5 million PLN. The representatives of the municipal community Gdańsk EURO 2012 Community Investments contracted a design of a tunnel construction by the drift TBM method under the Dead Vistula River, which was inconsistent with the previously concluded agreement and the SIWZ (Specification of Significant Procurement Conditions) provisions. It also infringed the Public Procurement Law. Thus, the city lost the opportunity to apply for EU funds for this part of the project (about 10 million PLN). The decision taken without a fair verification of the „Analysis of the options for the tunnel construction under the Dead Vistula River” and „Feasibility Study” exposed the City of Gdańsk to increased costs of investment implementation estimated by an expert to amount to several million. The building and executive project, inconsistent with the agreement, was received and paid for in the amount of 10 million PLN. The City of Gdańsk paid also almost 1.5 million PLN for geotechnical examination of land although the burden was on the contractor.

*Non-compliance with the provisions of the Act on restriction of conducting business activities by local government officials and civil servants in Lublin voivodeship.*

Upon the CBA's request, the Regional Council of Lublin Voivodeship passed a resolution to revoke the vice-speaker from his position. In the course of controls it was found out that he performed the function of a member of an audit committee of a production company by which he infringed the prohibition arising from the Act on Restrictions of Conduction Business Activities by Persons Performing Public Functions. Moreover, in the asset declaration, he provided incorrect information on the shares in a commercial company. Due to the control results, the voivodeship speaker analysed his subordinates' asset declarations with respect to the compliance with the provisions restricting the conduct of business activities,



which gave rise to the revocation of two managers of voivodeship organisational units. Following the disclosure of the fact in the local media, three officials resigned from their functions or from conducting activities non-compliant with the performed public function in the local government.

*Award of public procurements by the Central Statistical Office (Główny Urząd Statystyczny – GUS).*

The correctness controls of selected public procurement procedures and the implementation of concluded contracts resulted in submitting a notification of offence perpetration to the District Prosecutor's Office in Warsaw. It was revealed that the documents relating to the contracts for the supply, assembly and installation of computer equipment, office equipment and software for census tasks arising from the 2010 Agricultural Census and the 2011 National Population and Housing Census, as well as contracts for the purchase of, among others, inks, toners for printers, copiers and fax machines may have resulted in providing the untruth and falsification. The Central Statistical Office did not enforce contractual penalties for delayed execution of contracts. It was also found out that the representatives of the companies executing the contract could have attested an untruth in the contract documentation.

### **3. Analytical and informative activities**

Analytical and informative activities were oriented at the identification of irregularities and threats for the economic interest of the State as well as submitting appropriate notifications to the Prime Minister and, if necessary, to other officials performing key public functions. The CBA's analysts submitted 9 special reports and 4 pieces of whistleblower information. Recommendations on legal and organisational solutions as well as indicated activities were crucial elements of those analyses. They were meant to prevent from or eliminate threats.

Within the „anti-corruption shield” programme, activities aiming to cover the most important privatisation processes and public

procurements were continued. Moreover, threats to the implementation of „My Football Pitch – Orlik 2012” („Moje Boisko – Orlik 2012”) and „Happy School” („Radosna Szkoła”) government programmes were identified. At the initiative of the Bureau, the beginning of 2011 gave rise to inclusion of the area of the EU funds utilisation in the programme. Moreover, the implementation of the Polish nuclear power programme and investment projects in energy infrastructure of four state-owned companies were covered.

Interest extended to the legislative processes relating to adjustment in the reimbursement of medicines and in pharmaceutical law as well as related to the implementation of offset agreements.

The CBA also carried out tasks related to replies to inquiries, interpellations and parliamentary interventions. The Bureau received 95 applications of that kind.

One way of obtaining information used in analytical work is accepting applications on possible irregularities. In 2011, the CBA received 7174 signals of that kind. All entries for actions affecting the economic interest of the State or abuse by public officials and corruption offences were reviewed in compliance with laid down procedures. 441 signals were submitted to competent organisational units of the CBA, 198 notifications were sent to prosecutor’s offices, and 147 were submitted to other authorities. The content of the remaining signals did not allow either to undertake further actions by the CBA or to indicate another competent authority.

## **II. PREVENTION**

The Central Anti-Corruption Bureau accomplishes its tasks not only through direct prosecution of corruption perpetrators but also by paying more and more attention to preventive and educational activities, carried out in cooperation with other agencies and NGOs involved in fighting corruption, e.g. The Stefan Batory Foundation, The Institute of Public Affairs and The Sobieski Institute.

## 1. Publications

As in previous years, the Bureau prepared several publications on corruption prevention. In May 2011, „The Anti-Corruption Handbook for Entrepreneurs. Entrepreneur in Corrupt Environment” was first presented at the Europoltech 2011 International Fairs. The handbook presents the phenomenon of corruption, examples of irregularities and tips on how an entrepreneur, who found himself in a corrupt situation, should behave.

Autumn 2011 brought the third edition of „Corruption Map”, which contains statistical data on corruption offences in Poland in the years 2009–2010. It presents the results of social research conducted on the CBA’s request in 2010, corruption mechanisms as well as the most endangered areas of the public life. Moreover, on the basis of the analyses of court records referring to finally ended criminal proceedings, the characteristics of a corruption offence perpetrator was presented.

In order to familiarise the public with manifold institutional solutions within combating corruption in countries representing all continents, the publication titled „Institutionalised Anti-Corruption Activity in the World” was prepared. It presents updated and extended elaboration of the publication titled „Anti-Corruption Institutions in Selected Countries of the World”.

Speeches made at the 1st Anti-Corruption Conference organised by the CBA on 9 December 2010 were published in the „Post-Conference Materials. 1<sup>st</sup> International Anti-Corruption Conference”. The publication is an attempt to popularise the conference participants’ opinions on corruption.

In 2011, the first issue of „The Anti-Corruption Bulletin” appeared. The representatives of public and local government agencies as well as of the world of science, business and NGOs present their proposals of combating corruption and exchange their views on corruption itself. The English language version was also issued.

The above mentioned publications are available in an electronic version on the CBA’s websites ([www.antykorupcja.edu.pl](http://www.antykorupcja.edu.pl), [www.antykorupcja.gov.pl](http://www.antykorupcja.gov.pl), [www.cba.gov.pl](http://www.cba.gov.pl)). Last year’s novelty was the edition in the form of audiobooks.

Some of the CBA's publications are available in the English language („The Central Anti-Corruption Bureau Guidebook”, „The Anti-Corruption Handbook for Entrepreneurs”, „Anti-Corruption Recommendations on Public Procurement Procedures”, and „The Central Anti-Corruption Bureau 2010 Performance Report”).

## **2. Anti-corruption training courses**

In 2011, the officers of the CBA conducted over 500 training courses for about 12 thousand civil servants in 212 institutions. The training programme was prepared on the basis of „The Anti-Corruption Handbook”, issued in autumn 2010. The training courses presented different forms of corruption as well as the consequences resulting from becoming corrupt. In addition to the review of the provisions of the law, the officers of the CBA presented situations illustrating corrupt behaviours. The civil servants were informed how to react when exposed to corruption attempts.

## **3. Scientific research and development**

The Central Anti-Corruption Bureau terminated its participation, commenced in August 2009, in the research project titled „Anti-corruption strategy and anti-corruption activities in Poland in the years 2009–2011”, which was one of eight components of the project titled „Prevention of and fighting against organised crime and terrorism in the conditions of safe, accelerated and balanced social and economic development”.

The component accomplished by the Bureau consisted of 18 sub-components, out of which 17 were of research, analytical, preventive and educational nature, and one was a logistic task.

The effects of the project, including reports on opinion polls, *de lege ferenda* proposals within the scope of anti-corruption provisions, many interpretations of existing provisions, results of criminological research as well as reports on the range of scale of the threat of corruption offences and their impact on the social and economic existence of the State, constitute a valuable source of knowledge

needed while formulating the assumptions of anti-corruption policy as well as while defining the direction of the Central Anti-Corruption Bureau's activities.

Works created within the Project were presented in „Corruption and Anti-Corruption – Selected Issues”.

#### **4. Conferences**

Due to the 9 December International Anti-Corruption Day, the CBA organised the *2<sup>nd</sup> International Anti-Corruption Conference* in cooperation with the European Commission. It took place in the Presidential Palace and approximately 200 participants appeared, including over a dozen foreign delegations.

At the conference, the Head of the CBA announced a competition for the best MA and PhD dissertation on corruption. The competition was aimed to draw attention to corruption, indicate identifying methods, prevent and disclose as well as disseminate knowledge on corruption. The outcome of the competition will be announced in December 2012.

At the conference titled *10<sup>th</sup> International Congress on Internal Control, Internal Audit, Fraud and Anti-Corruption Issues*, which took place in the Cracow Academy from 14 to 16 September 2011, an officer of the CBA made a speech titled *The CBA as an Element of Corruption Prevention System in Poland*.

On 8 October 2011, at the *Gdańsk Science and Technology Park as a Park of 3<sup>rd</sup> Generation. Energetics, Biotechnology, Commercialisation, also from the Perspective of Individuals Endangered with Social Exclusion*, the CBA organised a discussion panel titled *Anti-Corruption Challenges in Public Administration and Business*.

A representative of the CBA participated in the *European Integrity Systems 2010–2012 Evidence Based Action against Corruption* – project conducted by the Institute of Public Affairs in cooperation with Transparency International. From February to September 2011, the researchers evaluated the system of corruption prevention in 28 European countries, based on the TI *National Integrity System* concept.

The CBA participated in the International Fair of Technology and Equipment for the Police and National Security Services, organised by the Gdańsk International Fair Co. in cooperation with the Police Headquarters. The CBA was not only one of the exhibitors but it also prepared a seminar on good practices in conducting and implementation of public procurements. It was aimed to discuss the impact of competition on the risk limitation of pathologies in public procurements, to indicate good practices in the regional absorption of EU funds and to present public procurements as the area of the CBA's interest.

### **III. INTERNATIONAL COOPERATION**

In 2011, the CBA obtained, under the provisions of the Act, the consent of the Prime Minister to cooperate with authorities and services of 37 countries, in the field of fighting corruption, activities detrimental to the economic interest of the State, prevention, education and anti-corruption information.

The CBA also obtained consents to cooperate with NGOs and institutions:

- 1) European Partners Against Corruption/European Anti-Corruption Network - EPAC/EACN (exchange of experience, elaboration of standards of anti-corruption services);
- 2) Group of States against Corruption – GRECO (the participation in the works of the Group covers, among others, the participation in the evaluation of other states);
- 3) International Anti-Corruption Academy – IACA (forum for the exchange of experience with foreign partners);
- 4) European Anti-Fraud Office – OLAF (cooperation within the scope of technical assistance which enables to raise the skills of the officers of the CBA);
- 5) European Police Office – EUROPOL (exchange of information within criminal intelligence);
- 6) International Criminal Police Organisation – INTERPOL (access to computerised worldwide system of information exchange);



- 7) United Nations Office for Drugs and Crime – UNODC (cooperation within the scope of education, information and anti-corruption prevention);
- 8) Organisation for Security and Co-operation in Europe – OSCE (participation in development programmes);
- 9) EUROJUST (assistance in the accomplishment of requests for legal assistance, coordination of the works of so called joint investigation teams);
- 10) The World Bank (providing opinions on analytical materials).

30 officers participated in 18 international conferences, training courses and seminars organised abroad, in Austria, the Czech Republic, France, Spain, Morocco, Moldova, Germany, Turkey, Ukraine and Great Britain. The Head of the CBA participated in the conference titled „European Standards for EPAC/EACN Members” in Budapest (13–14 April). 8 officers made speeches at conferences and training courses in Montenegro, Georgia, Uzbekistan and Lithuania. Representatives of the CBA continued their working contacts with liaison officers of foreign services accredited in Poland.

International events taking place in Poland are a crucial element of international cooperation. In 2011, the CBA hosted many meetings, among others with the Director of the Anti-Corruption Bureau in Serbia, Director of Latvian anti-corruption service KNAB, a representative of the Office for Combating Corruption of the Slovak Police, Anti-Corruption Commission KACC from Kenya, Information and Decision Support Centre from Egypt. The Head also received the Vice-President of The World Bank as well as representatives of the Eastern Partnership countries. The meetings aimed to exchange experience and information on investigation and prevention.

On 8 December 2011, the Head of the CBA signed a Joint Statement on cooperation with the Head of the European Union Border Assistance Mission (EUBAM). The cooperation is intended to cover, among others, training courses within the scope of corruption prevention, control activities, operational and investigative activities, strategic and criminal analysis, study visits and educational undertakings.

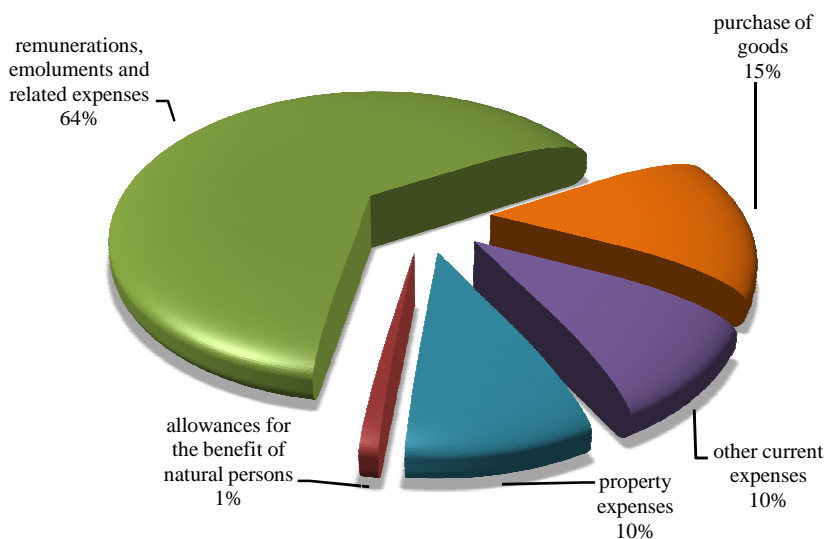
## IV. ORGANISATIONAL ISSUES OF THE SERVICE

### 1. Service financing

Pursuant to the Budget Act, in 2011 the Central Anti-Corruption Bureau was provided with the amount of 108 million PLN. The planned expenses were almost entirely used.

Remunerations and related expenses constituted the largest part of the budget. However, it was a smaller part of the budget than in 2010 (67%).

**BUDGET STRUCTURE OF THE CBA**



### 2. Logistic situation

Last year's most important task which the Bureau accomplished in the organisational area was the implementation and commencement of the ERP class<sup>1</sup> – IT Tool for Administration Support – meant to support

---

<sup>1</sup> Determination of the class of information systems to support company management or collaboration of groups of cooperating companies, through data collection and enabling operations on the collected data.

logistic services in the field of payroll and personnel, finance and accounting as well as material management. The Bureau conducted the reorganisation of mobile telephony and optimisation of its functioning. Moreover, the CBA developed documentation defining the standards of the construction of IT infrastructure on the premises of the Bureau.

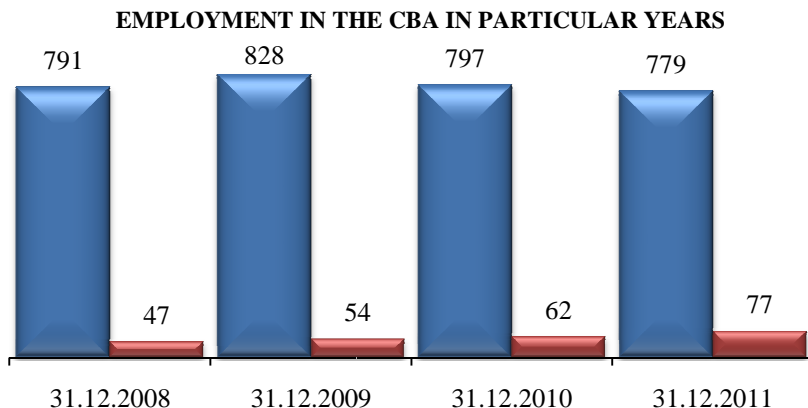
In order to unify the solutions of the design and implementation of the plans referring to the residential conditions of Regional Offices of the CBA, the Bureau worked out most of the *Guidelines on technical, functional and utility standards applicable in field offices of the Central Anti-Corruption Bureau*. Further works on the document were suspended until the issuance of the Prime Minister's regulation on the requirements of physical security measures applied to secure classified information, in which criteria for, among others, creating protection zones, requirements for organisation and functioning of secret offices will be set forth.

The residential conditions of the Bureau did not improve significantly. Due to the general condition of the buildings under the CBA's permanent administration as well as durability of planning procedures and obtaining due consents and permissions, despite the continuation of investment and renovation tasks, a significant part of these tasks remained uncompleted. The improvement of residential conditions was not subject to the alteration of real property administration, e.g. in Katowice, where the previously rented premises were purchased. The lengthiness of legal procedures relating to real estate purchase, particularly in case of field units, obstructed from improving the difficult residential conditions. It is still a common case that the officers in field offices work on premises of floor area non-compliant with any norms and additionally in a bad technical condition. The situation can be changed only after necessary investments.

The Bureau still does not possess one seat in Warsaw which would meet the requirements of a head office of the service. The effectiveness of activities is limited by the necessity of ensuring transportation between the two distant seats, which also has an impact on the operating costs.

### 3. Number of officers and civil servants

As of 31 December 2011, the Central Anti-Corruption Bureau employed 779 officers and 77 civil servants.



Employment reached 78.96% of the envisaged level. The total number of the employed decreased by 3 persons in comparison with 2010 (859 persons).

In 2011, 47 officers and 1 civil servant left the service. At that time, 32 officers and 17 civil servants were employed. Employment of civil servants reached the envisaged level. There are 23.7% of vacancies for officers.

In organisational units dealing with logistic, financial and secretarial matters, basically civil servants are employed.

### 4. Training courses and professional development

Current needs connected with the implementation of statutory tasks of the CBA define the nature and number of training courses organised by the Bureau. In 2011, 381 training courses were organised, from among which 371 were in-service courses, 8 specific purposes courses and 2 basic. Altogether there were 3257 participants.

Part of the training courses conducted at the CBA is oriented towards tasks performed by the officers of the Bureau. These include e.g. preliminary investigation instruction. More popular training courses include, among others, shooting instruction or instruction on handling database systems applied by the CBA.

The CBA's officers and employees improved their professional skills also by participating in university programmes and legal apprenticeships.