03.09 Fight against drugs

1. Basic information
1.1. Désirée Number: PL0005.09
1.2. Title: Fight against drugs.
1.3. Sector: Justice and Home Affairs
1.4. Location: Poland

2. Objectives of the project
2.1. Wider objectives
Fulfilment of the obligations resulting from the EU acquis included in the Titles IV TEC and VI TEU. Reaching compliance with priorities included in the AP and the NPAA
Fight against crime
Improvement of public health and security

2.2. Immediate objectives
Laying the foundations for establishing Drug National Focal Point in accordance with the EMCDDA standards.
Improving the co-operation and co-ordination between the agencies responsible for combating the drug addiction and drug-related crimes; both on central and local level.
Reinforcement of institutional capacity of the Polish agencies and institutions responsible for combating drug addiction and drug-related offences.
Improvement in working techniques and standards aiming at supply reduction.

2.3. Accession Partnership and NPAA priority
AP: Justice and Home Affairs: Short-term objectives: Upgrade institutional capacity regarding the fight against organised crime and drug trafficking. Medium-term objectives: Upgrade law enforcement bodies ... to continue the fight against organised crime,..., drug trafficking...; ensure better co-ordination between law enforcement bodies.
NPAA: Priorities from chapter 3.7.1 – Justice and Home Affairs: Fight against organised crime (3.7.1.4), Prevention and fight against money laundering (3.7.1.6).

3. Description
3.1. Background and justification
Poland resolutely and consistently adjusts activities of the sections fighting drug addiction and drug-related crimes, aiming at reaching the compliance with the standards required by the EU. The required standards as well as the rules are specified in acquis communautaire (titles IV TEC and VI TEU) to which Poland successively and consistently adjusts its legal system. Poland is also a party of “The Pre-accession Pact on organised crime” and co-signatory of the conventions stated in this document. Poland is also aiming at meeting the standards and priorities specified in the European Union Drugs Strategy 2000-2004, signed in December 1999 in Helsinki.
On the 24th of April 1997 the Polish Parliament adopted the Act on counter-drug addiction. It provides more restrictive regulations on prevention of drug addiction and combating of illegal trade in stupefaiants and psychotropic substances. In 1999 the parliamentary commissions began working over new amendments to the above-mentioned act, which are being considered following the co-operation with the EU bodies. Among other things the amendments assume making any possession of drugs punishable. This will raise the so-far high rate of detection of drug supplies and usage. On The 29th of October 1999, the Council of Ministers approved National Programme for Counteracting Drug Addiction in Poland 1999-2001.
In order to undergo more effective activities targeted at fighting with the organised crime, Prime Minister issued the Disposition No 56/98 of 28 July 1998 creating the National Centre for Criminal Information co-ordinating the operations of various law enforcement agencies in the field of supervision of fighting against organised crime. It is composed of representatives of Police, Tax Authorities, Border Guard, General Customs Inspectorate, Military Intelligence and Military Police. Currently the Centre is in the process of reconstruction into the Centre for Criminal Information.
As the project is expected to constitute an inter-agency effort, all concerned subjects took essential steps to support Ministry of Health in the implementation of National Programme for Counteracting Drug Addiction in Poland 1999-2001. The Customs planned for stuff increase in order to reduce
smuggling. The World Customs Organisation’s Regional Intelligence Liaison Office (RILO) was set up in Warsaw; the Pharmacy Department within the Ministry of Health maintains continuous link with the International Narcotics Control Board (INCB) in Vienna, providing quarterly reports on trends in precursor control. More detailed information concerning current drug and drug addiction fight status are available.

Despite so intense actions taken, both legislative and organisational, and the effort made targeted at stopping the drug-related crime, there is a significant lack of many institutional solutions as well as the technical resources themselves. Phare programme support would surely enable us to eliminate some of the deficiencies.

In the process of accomplishing the twinning ‘99 covenant, one of the tasks to be fulfilled by PAA is to make a list of experts from Members Countries which, within the Phare 2000 project, will prepare the expertise on establishing, further operation of NFP (National Focal Point).

Moreover, within the framework of the 2001 budget, financing the activities pointed by the EU experts in the expertise on setting up and operating of NFP is foreseen. The expertise is scheduled to be produced prior to the implementation of the project, so that the institutional framework of the project will be ready for the further steps.

3.2. Linked activities

Poland, as the PHARE eligible country, took an active part in PHARE multi-beneficiary projects connected to the drug issues from 1994, 1996 and 1998 years. Polish Customs, Police, Border Guard Services as well as the importers of precursors took part in the seminars, training and study visits arranged within the framework of the projects. Moreover, the computers, printers for the Customs service, Police and Ministry of Labour and Social Policy were purchased. In 1997 a fact-finding mission was visited drugs (as the result, the report was prepared). Following the EMCDDA guidelines the filled-out information map and the national report concerning the exchange of data in the field of drugs have been created. The national team has been established for the country’s participation in a regional project of some Central European countries on “Primary Prevention of drug demand within the local community.” Since January to June 2000 the project aimed at training of the personnel fighting with the drug-related crimes is being proceeded (Drug Police Personnel Exchange Project).

Also within the twinning programme for 1998, which is just being implemented, one of the component of the covenant is the laboratory detection of the drug-related substances in the drivers’ blood.

In the project for the police services under Phare 2000, drug analysis component will also be included. In the process of accomplishing the twinning ‘99 covenant, one of the tasks to be fulfilled by PAA is to make a list of experts from Members Countries which, within the Phare 2000 project, will prepare the expertise on establishing, further operation of NFP and the regional information points.

Simultaneously the representative of this group will be involved in the strategic steering group, that is expected to be set up in the frame of technical assistance of Phare 2000 project. Moreover, the inter-agency group is going to be established aiming at current co-operation with experts working on preparation of expertise. The group will be composed of representatives of Ministry of Interior and Administration and also Police Headquarters, Ministry of Health and Ministry of Justice.

The document “Security and Public Order in Poland” does not describe the structure of NFP, that is why the above mentioned activities are indispensable to setting up NFP.

3.3. Results

Policy Development
- strengthening of the institutional capacity of drug-related agencies,
- development of an inter-agency mechanism of co-operation,
- elaboration of model of NFP taking into account Polish realities,
- preparation of recommendations for Polish administration,
- establishing the NFP - preparation of legal acts which will be entered into force.

Drug Supply Reduction
- better co-ordination of law enforcement mechanisms,
- enhanced co-operation in data exchange,
- improved data collection system on drug-related criminality,
- central data base of drug-addiction and drug-related crimes outline.

Drug Demand Reduction
- training of local experts who are enabled to share their knowledge with the personnel dealing with fighting drug-addictions and drug-related crimes,
- training for the school teachers, youth and concerned NGO’s.

3.4. Activities

Assistance in policy development
Purpose of this activity would be to assist the relevant national, regional and local authorities in strengthening the institutional capacity by developing adequate co-operation mechanisms between the different agencies dealing with drugs. This includes several aspects ranging from law enforcement (detection, investigation, and prosecution) to the collection, analysis and exchange of data. This assistance could best be made by means of exchange of expertise from EU Member States experts, carrying out an institutional audit of drug-related agencies, study visits, transfer of know how in best country practices.

Drug Demand and Drug Supply Reduction
Improving the law enforcement agencies and the inter agency co-operation by setting up the network consisting of the country-scale National Focal Point and 18 local contact points at regional level. They both aim at reducing the demand for drugs as well as the supplies of them, making use of all means – governmental and non-governmental, human and material.

Setting up of the National Focal Point
The National Focal Point should parallel the national drug centres performing in EU countries, including those co-operating with EMCDDA, which is the co-ordinator of national and international data exchange between all subjects involved in anti-drug activity. It also concerns the co-operation with the anti-drug Police. Setting up of the NFP will make possible making strategic decisions, producing reports up to EU standards, i.e. EMCDDA requirements. In order to reach compliance with the principles and performance of the European NFPs, following steps are essential to be taken:

- elaborate the organisational, legal and technical framework for National Focal Point – advice, expert findings, expertise,
- training for Polish services employed in National Focal Point concerning gathering, analysis and exchange of data with Drug National Focal Point, according to the EU standards,
- training for the Polish technical service working in National Focal Point,
- study visits to National Focal Points located in UE countries (employees from National Focal Point and from eighteen local contact points).

Establishing local contact points
Local contact points will be located in eighteen places across Poland. The regional institute of their establishment and the way in which the network will function will be decided by the Inter-Ministerial group to be defined by government Directive. The network consisting of local contact points is in conformity with the new administration division of the country. The particular emphasis of local points’ operation is on:

- inter-institutional, regional co-operation with the Police, administration, NGOs, churches, other civil society units dealing with drug problem. (mainly in the field of drug demand reduction),
- co-operation between police and other law enforcement agencies in fighting drug related crimes (especially in the field of drug supply reduction).

The goals of the local contact points, operating within the area assigned to them, are as follows:

- gathering information concerning the drugs and drug-related crimes problems,
- co-ordination of the combating drug abuse and drug-related crimes,
- conduct training referring to drug threats for the faculty, youth and other groups involved,
- co-operation with all governmental and non-governmental units and individuals dealing with drug problem – at regional level,
- preparation of the map of narcotics and drug-related crime most-threatened areas.

For the local point operation following steps are necessary to be taken:

- training for the trainers-to-be, who will share their knowledge with other concerned agencies – especially schools, local civil society units, local policemen,
- training for local Police personnel concerning the co-operation with local partners (the head of voivodship plenipotentiary, health care centres, employment and welfare offices and others.
institutions involved in National Focal Point performance) in the capacity of organisation and standards of the drug addictions and drug crimes data exchange.

**Investments**
- purchase of computer hardware and software essential for the correct performance of the National Focal Point and 18 local contact points,
- purchasing of training equipment for 18 local contact points (audio-video sets, projectors, demonstrative in-suitcase sets presenting samples of drugs).

4. **Institutional framework**

The project will be supervised by the Ministry of Interior and Administration, which is responsible for realisation of the project and who will become owner of the equipment. All the future operation of the NFP and contact points is planned to be of the inter-agency nature, engaging all the concerned subjects (i.e. Ministry of Interior and Administration, Ministry of Justice, Ministry of Health, NGOs,) into fighting against drug phenomenon.

CFCU is responsible for tendering, monitoring and co-ordination of the project, following DIS procedures.

Unit responsible for realisation of the project: Ministry of Interior and Administration, Batorego 5 St.; 02-591 Warsaw. Tel. +48226618635; fax: +48226618966, e-mail: wydzei@die.mswia.gov.pl; robert.rybicki@die.mswia.gov.pl

5. **Detailed budget**

<table>
<thead>
<tr>
<th>Institution Building (IB)</th>
<th>Investment* (I)</th>
<th>Phare total (I+IB)</th>
<th>National Co-financing (estimated)</th>
<th>IFI</th>
<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>MEUR</td>
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<tr>
<td>1. Assistance in policy development</td>
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<tr>
<td>1.1. Expertise (contract 1)</td>
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<tr>
<td>2. Drug Demand and Supply Reduction</td>
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<tr>
<td>2.1. Setting up NFP</td>
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<tr>
<td>2.1.1. Computers (software and hardware) to data gathering, analysing and processing. (contract 2)</td>
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<td>2.1.2. Training (contract 3)</td>
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<tr>
<td>2.2. Establishing local contact points</td>
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<tr>
<td>2.2.1. Equipment (contract 4)</td>
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<td>0.033</td>
<td>0.163</td>
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<tr>
<td>2.2.2. Training (contract 3)</td>
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<td>0.17</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>0.52</strong></td>
<td><strong>0.48</strong></td>
<td><strong>1.00</strong></td>
<td><strong>0.123</strong></td>
<td><strong>1.123</strong></td>
</tr>
</tbody>
</table>

The Polish authorities have assured that the Government cofinancing is available either through the reserve budget foreseen specifically by the Ministry of Finance for this purpose each year, or directly through the budget of the relevant Ministry.

6. **Implementation arrangements**

6.1 **Implementing agency**

The Ministry of Interior and Administration will monitor the implementation of the projects.

Ministry of Interior and Administration together with General Headquarters of the Police will create steering committee consisted of representatives of institutions taking part in the project.

PAO: P. Samecki, Undersecretary of State at the Office of the Committee for European Integration
Al. Ujazdowskie 9, Warsaw. Tel.: 4822 694 75 42, 4822 694 7195, 4822 694 6064. FAX: 4822 694 7194, 4822 625 0380. **CFCU**: Foundation “Cooperation Fund”, 6/12 Nowy Swiat St., 00-400 Warsaw.
The CFCU is responsible for handling tendering, contracting and payments of contracts on behalf of the Ministry of Interior and Administration which itself shall be responsible for preparing projects and managing their technical implementation.

6.2 Twinning: n.a.

6.3 Non-standard aspects: n.a.

6.4 Contracts: Expected number of contracts: 4 (computer equipment 0.44M€, equipment local contact points 0.163M€, Training 0.27M€, Expertise 0.25M€)

7. Implementation schedule
1. Preparation of TORs - 1st half of year 2000;
2. Beginning of tender procedure – 1st half of year 2001;
3. Start of project implementation – 2nd half of year 2001;

8. Equal opportunity
The Project meets the requirements in the area of “equal opportunity” as there are both women and men engaged in its implementation.


12. Conditionality and sequencing
## ANNEX 1: LOGFRAME PLANNING MATRIX FOR PROJECT

<table>
<thead>
<tr>
<th>Proj. nr.</th>
<th>Project title</th>
<th>Wider objectives</th>
<th>Indicators of achievement</th>
<th>Sources of information</th>
<th>Assumptions and risks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>fulfilment by Poland obligations resulting from the EU acquis included in the Titles IV TEC and VI TEU, reaching compliance with priorities included in the Accession Partnership and the NPAA, fight against crime, improvement of public health and security.</td>
<td>approach to the EU norms and standards, decrease of criminality, decrease in number of drug addicts.</td>
<td>reports of the EU representatives and the EC experts, reports of the Ministry of Interior and Administration, including the Police reports, Ministry of Health, criminal statistics, drug statistics.</td>
<td>For sustainability it is necessary: stable political and economic environment, supportive anti-drug legislation including improvement of the regulations within JHA, commitment of the Polish government for the efficient and successful completion of the pre-accession process, increasing drug-related crimes rate.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Immediate objectives</th>
<th>Indicators of achievement</th>
<th>Sources of information</th>
<th>Assumptions and risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>laying the foundations for establishing Drug National Focal Point in accordance with the EMCDDA standards, improving co-operation and co-ordination between agencies responsible for combating the drug addiction and drug-related crimes; both on central and local level, reinforcement of institutional capacity of the Polish agencies and institutions responsible for combating drug addiction and drug-related crimes, improvement in working techniques and standards aiming at supply reduction.</td>
<td>National Focal Point is set up, crime detection rate increased, increase in detection of the teenage drug addicts at school, lowered number of persons (school youth) addicted to drugs, reducing the amount of drugs smuggled to and produced within the country.</td>
<td>reports of the Polish government institutions, beneficiary’s reports, reports of local authorities on criminality in places where the program take place, specific analysis, statistical data.</td>
<td>providing suitable equipment for National Focal Point activity, continuing commitment of various governmental and non-governmental agencies and institutions towards the problem of drugs.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outputs/results of project</th>
<th>Indicators of achievement</th>
<th>Sources of information</th>
<th>Assumptions and risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening of the institutional capacity of drug-related agencies, Development of an inter-agency mechanism of co-operation, Elaboration of model of NFP taking into account Polish realities, Preparation of recommendations for Polish administration, Establishing the NFP – preparation of legal acts which will be entered into force, better co-ordination of law enforcement mechanisms enhanced co-operation in data exchange improved data collection system on drug-related criminality</td>
<td>data are delivered to National Focal Point, owing to the EU expertise prepared by member countries’ experts, Polish experts familiarised and instructed, Polish personnel fighting drug-addiction and drug-related crimes trained by Polish trainers, visual lessons of drug problem for Polish youth arranged, access to the central drug data base for all government and non-government agencies is made possible, drug concerned data flow is co-ordinated, limited drugs trade within domestic and European market.</td>
<td>credit bills, contractors’ reports, receivers’ reports,</td>
<td>provisions of adequate funding by the Polish government to ensure proper operations, effective and constant exchange of data between NFP and 18 local contact points, good co-operation with local administration and non-profit organisations, providing suitable technical equipment for contact points’ operation, precise TOR’s and specifications, delays.</td>
</tr>
</tbody>
</table>
central database of drug-addiction and drug-related crimes outline, training of local experts who are enabled to share their knowledge with the personnel dealing with fighting drug-addictions and drug-related crimes, training for the school teachers, youth and concerned NGO’s.

<table>
<thead>
<tr>
<th>Inputs</th>
<th>Indicators of achievement</th>
<th>Sources of information</th>
<th>Assumptions and risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>delegated experts, translation of documents, delivery, constructing and testing of equipment.</td>
<td>technical assistance in place within the deadlines, qualified staff, translated documents., equipment provided and tested in accordance with the specifications and settled time limits.</td>
<td>estimation of expert selection, reports on realisation of the project, estimation of training.</td>
<td>inadequate area covered by some non-governmental organisations’ operation, focusing on effective and proper providing of data used in establishing the database in NFP by all agencies concerned, trained staff stays at the beneficiary institutions.</td>
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</tbody>
</table>

Annex 2: Cumulative implementation, contracting and disbursement schedule

<table>
<thead>
<tr>
<th>Project</th>
<th>Fight against drugs</th>
<th>Date of Drafting</th>
<th>Planning Period</th>
<th>Year</th>
<th>Budget Allocation Cost Estimate in MEUR</th>
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<td>2000-2002</td>
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<tr>
<td></td>
<td>I       II    III   IV    V     VI   VII   VIII  IX X XI XII</td>
<td>2000</td>
<td>2001</td>
<td>2002</td>
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<td>Implementation</td>
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<td>Contracting</td>
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<tr>
<td>Disbursement</td>
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Legend: D= design of project; C= tendering and contracting; I= contract implementation and payment

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