2003/005-710.01.03 Strengthening of the implementation of the Anti–corruption Strategy

1. Basic Information
1.1. CRIS Number: 2003/005-710.01.03 Twinning number: 2003/IB/OT/05
1.2. Title: Strengthening of the implementation of the Anti–corruption Strategy
1.3. Sector: Administration
1.4. Location: Poland

2. Objectives
2.1. Overall objective
The overall objective of this project is to assist the government of Poland and especially the Ministry of Interior and Administration with the strengthening of the activities undertaken during the implementation of the Anti-corruption Strategy (Annex no 4).

2.2. Immediate objectives
- an overview of the current anticorruption legislation and development of the system of co-ordination between the ministries in order to strengthen the legal execution;
- creating a monitoring system for implementation of Anticorruption Strategy;
- working out an advisement system for the local authorities units;
- improving the awareness of ethical issues within the public administration

2.3. Accession Partnership and NPAA priorities
The staff of public administration plays a very important role in the process of Poland’s preparation to EU membership. The ability of co – operation of the officials of public administration with Community institutions and administrations is a priority both in the AP and in the NPAA. The preparation in the matter of ethical issues and anticorruption strategies is of a great importance. AP: Political criteria. Democracy and rule of law: implement a comprehensive anti-corruption policy.

In the 2002 Regular Report on Poland’s Progress Towards Accession it is stressed out that to increase the ability to assume the obligations of membership it is necessary to strengthen Poland’s efforts to battle corruption

2.4. Contribution to the National Development Plan: n.a.
2.5. Cross Border Impact: n.a.

3. Description
This project is aimed to intensify the fight against corruption, focusing on ensuring a coherent approach to the problem and above all developing an administrative and business culture, which can resist corruption. We are planning to make an overview of the current legal regulation regarding anticorruption and to develop the legislative changes (described in “Anticorruption Strategy”), prepare proposals and effective monitoring of the strategy implementation and to work (with voivodship offices and self-government) on the control methods for implementation of the results and to advise local authorities on ethical matters. We are planning to introduce the necessary changes in organization in order to create in MIA the permanent secretariat for Anticorruption Team. We are also planning to start educational and Information activities.

3.1 Background and justification
The importance of strengthening all actions against corruption is becoming widely recognisable in Poland. Corruption, occurring more and more frequently, seems to be the rule rather than an exception. It leads to distortion of implementation of rights, rules and regulations. Corruption, especially corruption in public administration, has the negative impact on the national economy and a country’s image. The acts of corruption are the criminal acts that should be combated by any accessible means. Additionally the Polish side is obliged to orient its actions against corruption in accordance with the Polish government's integration policy, including its negotiating obligations. The point is not to adopt a particular model of fighting this phenomenon, but to achieve efficacy in its implementation. From Poland's point of view, the most important conclusion stemming from the official statement of the European Commission to the Council and Parliament of Europe concerning EU policy against corruption is the need for EU candidate countries to develop anti-corruption programs.

On 17th September 2002 the Council of Ministers approved the program of fighting against corruption “ Anti-corruption Strategy”. Multi-ministerial anti-corruption team, led by the Minister of Interior and Administration, prepared document, that covers a group of solutions and activities, which are to be put into practice to fight against corruption. The text of the above mentioned document is attached as an Annex 4 to the project fiche. The majority of the conception included in that document is identical with the main assumptions of the guidance document prepared by the European Commission: Ten principals for improving the fight against corruption in the candidate
countries, e.g.: not only creating the law but first of all successful implementing by competent and visible bodies, the need of the transparency in the public administration, the necessity of increasing the public intolerance of corruption. Both documents, beside the Civil Service Code of Ethics will be the base for training program and materials.

All operations carried out under the frames of this project are to strengthen all activities undertaken during the implementation of the Anti-corruption Strategy and develop methods and tools of fighting against corruption and unethical behaviours within public administration. In relation to the recommendations of the monitoring mission for a negotiating area JHA the Minister of Interior and Administration had decided to institutionalise the monitoring system for implementation of the Anticorruption Strategy.

The works on developing the Minister’s ruling, which would create in the Ministry of Interior and Administration a permanent secretariat for the Anticorruption Team, are in progress. The implementation of a twinning will be supported by training materials, which are being currently developed.

3.2 Linked activities
Anti-corruption issues are being dealt with in twinning programmes carried out by the Police and Border Guard since 1998;

The project builds on the results achieved under several previous and ongoing initiatives not covered by Phare programs, but financed by the state budget and co-ordinated by Office of Civil Service.

In the frame of Phare 2003 the following project will be implemented “Rising the Civil Service Awareness of Ethical Dilemmas”- Preparation of Polish Civil Service to membership in the EU in the context of ethical issues.

3.3 Results

Results of twinning:
- changes in current legal system was assisted;
- the system of co-ordination between the ministries in order to strengthen the legal execution was developed and implemented in a pilot phase;
- monitoring system for implementation of anticorruption strategy was created;
- the Ministry of Interior and Administration in implementation the issues concerning the anticorruption strategy was strengthened;
- an advisement system for the local authorities units was developed and implemented in a pilot phase;
- the standards of ethical conduct for different types of local officials from self-government were prepared;
- the awareness of ethical issues within the public administration was improved;
- making a decision about the criteria and selecting employees of each public administration unit so they could become trainers- “ethical advisors”;
- the system of training the administration by the trainers-“ ethical advisors” was elaborate;
- a group of officials from MIA and central administration responsible for implementation of Anticorruption Strategy was trained.
- a conference on the anticorruption issues, addressed to the public administration will be organised.

Results of Technical Assistance Contract
- 16 people from voivodship offices and 30 people from self-government offices were trained, so they could become trainers and ethical advisors
- 16 general directors from voivodship offices were trained on ethical issues and on how to avoid the conflict of interests;
- 40 people were trained to become trainers for prosecutors and officials involved in public procurement;
- guide on rules of work ethics in public administration was elaborated and printed and used for training;
- educational film was produced and used in training;
- brochures and leaflets were prepared and delivered to self-government units.

3.4 Activities

Twinning activities
- analysis of the current legal status on anticorruption;
- developing system, which provides a co-ordination of co- operation between the ministries and their services in order to strengthen the efficiency of executing law;
- preparing the most effective proposals for the monitoring system of the implementation effects of Anticorruption Strategy by MIA and working on the supervision methods for implementing solutions;
- working, in co-operation with MIA and national self-government organisations, on advisement proposals for self-government regarding ethics;
- developing a formal/organisational concept of selecting and choosing the trainers “ethical advisors” in each public administration unit;
- working out a training system for the trainers-“ethical advisors”;
- developing content for the training program for a group of officials from MIA and central administration responsible for implementation of Anticorruption Strategy.
- organising a conference on the anticorruption issues, addressed to the public administration
- an overview and update of the content of a guide on Ethics in Public Administration, prepared in 2003 by MIA, to a legal status from the beginning of a training programs and providing it with a necessary content on Civil Service,
- assist in the preparation of Terms of Reference for the TA contract
- closely co-operate with the chosen TA contractor's activities

The PAA post is expected in the framework of twinning. The successful candidate for PAA should have sufficient experience in the above-mentioned matters and management skills and be fluent in speaking and reading English language (also Polish language would be advisable). The PAA will be involved in:
- securing the effective co-ordination and implementation of the twinning projects objectives and the delivery of planned outputs by day to day management of the project;
- securing necessary support and back-up required for the implementation of the project in consultation with relevant representatives of European Commission, the Polish authorities and the twinning partners;
- assisting the Polish Ministry of Interior and Administration in implementation of the project objectives (selecting a group of people from the institutions, which are involved in this project, to take part in a training programs, selecting a group of trainers, making an overview of the legal regulation and the competencies of certain entities involved in implementation of Anticorruption Strategy in order to make the necessary legal and institutional changes);
- preparing thesis on conducting the training programs concerning a current legal status of: general directors and other concerned individuals;
- evaluating a progress in implementing activities described in Anticorruption Strategy.

The PAA will be placed in the Ministry of Interior and Administration for a 18-month period.
Short-term experts involved in activities are expected to have vast knowledge of EU anticorruption acquis in the subjects covered by this Twinning project, adequate professional experience and abilities to use active methods of training.

Technical Assistance Contract
- conducting a training programs for the “ethical advisors” in 16 voivodship offices and in 30 self-government offices
- conducting training programs on ethics, avoiding the conflict of interest, including these based on international experiences from U.E countries, for general directors in 16 voivodship offices;
- conducting training programs for a group of 40 trainers- prosecutors and people responsible for public procurement in government and self-government offices;
- conducting the training program for a group of officials from MIA and central administration responsible for implementation of Anti-corruption Strategy
- elaborating and printing updated version of guide on rules of work ethics self-government official, member of the council (radny), officials of Civil Service;
- preparing and producing a short educational film on recognition conflict of interests;
- developing and printing brochures and leaflets on anticorruption issues for citizens.

PAA and the TA contract’s experts (service providers) will have to closely co-operate with each other.
3.5 Lessons learned
Any Phare projects in the matter of anticorruption issues haven’t been implemented by the Ministry of Interior and Administration so far.

4. Institutional framework
The Ministry of Interior and Administration will be in charge of co-ordinating and supervising of the execution the whole project. Department of Public Administration (MIA) will be responsible for the management of the project.

5. Detailed budget in EUR

<table>
<thead>
<tr>
<th></th>
<th>Investment</th>
<th>Institutional Building</th>
<th>Total PHARE</th>
<th>National Co-financing</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twinning Covenant</td>
<td>-</td>
<td>1 000 000</td>
<td>1 000 000</td>
<td>100 000</td>
<td>1 100 000</td>
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<tr>
<td>TA Contract</td>
<td></td>
<td>1 000 000</td>
<td>1 000 000</td>
<td>100 000</td>
<td>1 100 000</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>2 000 000</td>
<td>2 000 000</td>
<td>200 000</td>
<td>2 200 000</td>
</tr>
</tbody>
</table>

Co-financing for project implementation will be available.

6. Implementation arrangements

6.1. Implementing Agency
PAO: Tadeusz Kozek, Under-secretary of State at the Office of the Committee for European Integration, Aleje Ujazdowskie 9, 00-918 Warszawa; phone +4822 455 52 41.
CFCU: Foundation “Co-operation Fund”, Górnoslaska Street, Warsaw: phone: +4822 622 84 64, fax: +4822 537 76 99
The CFCU is responsible for handling tendering, contracting and payments of contracts on behalf of the MIA. Dorota Zebrowska, Director of Department of Public Administration will be nominated as the Polish Project Leader and SPO.

6.2. Twinning
Contact person: Ms Dorota Zebrowska, Department of Public Administration, Ministry of Interior and Administration; Wspólna 2/4 street; 02-514 Warsaw, Phone: +48 22 661 88 22; Fax: +48 22 661 87 53
e-mail: dap@mswia.gov.pl
The CFCU will be in charge of the financial management.

6.3 Non-standard aspects
Provision of the Twinning Manual will be followed.

6.4. Contracts
Twinning covenant 1 000 000 EUR. Co-financing 100 000 EUR. Co-financing covers direct and indirect cost of the beneficiary administration in compliance with Twinning Manual.
TA: 1 000 000 EUR. Co-financing 100 000 EUR

7 Implementation schedule
7.1. Covenant signing: 4 Q 2003
7.2 Start of project activity: 1 Q 2004
7.3. Completing the project: 4 Q 2005

8. Equal opportunities:
All activities of the project respect equal rights of men and women. The project ensures equal participation in work on standards and dissemination work for men and women. Training courses will allow equal participation men and woman. Women participation results from employment structure of the institutions involved in the project implementation, where women constitute approximately 50 % of staff. Participation of women in the project will be measured by percentage ratio of women participating in training programmes and seminars.


11. Investment criteria: n.a.

12. Conditionally and sequencing
- The covenant is planned to be signed in the 4 Q 2003.
- Activities are planned to be realised between 1 Q 2004 and 4 Q 2005.
- The projects will be co-financed from the budgets of beneficiaries for 2004-2005.
- The Steering Committee will meet quarterly to monitor the implementation of the project.
- Close co-operation between PAA and TA experts
- Continuous implementation of the Anti Corruption Strategy and publication of the implementation reports, for which sufficient resources should be made available.
### Annex 1:

#### LOGFRAME PLANNING MATRIX FOR

<table>
<thead>
<tr>
<th>Programme name and number</th>
<th>Contracting till 30/11/2005</th>
<th>Disbursement till 30/11/2006</th>
<th>Total budget: 2,12 M€</th>
<th>Phare budget: 2 M€</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening of the implementation of the Anti-corruption Strategy</td>
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<td></td>
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<tr>
<td><strong>Overall objective</strong></td>
<td><strong>Objectively verifiable indicators</strong></td>
<td><strong>Sources of Verification</strong></td>
<td><strong>Assumptions</strong></td>
<td></td>
</tr>
<tr>
<td>The overall objective of this project is to assist the Government of Poland and especially the Ministry of Interior and Administration with the strengthening of the activities undertaken during the implementation of the Anti-corruption Strategy.</td>
<td>Standards and methods of dealing with corruption elaborated in co-operation with the whole public administration; Changing of the public approach towards corruption</td>
<td>Reports of the EU representatives and the EC experts; reports of the MIA, specialised analysis.</td>
<td>Assumptions: - financial obligations will be kept on time; - effectiveness of contractors and procedures. Risks: - lack of engagement and commitment from the polish side; - low effectiveness and low quality of the provided actions; - not enough effective co-operation with EU partners.</td>
<td></td>
</tr>
<tr>
<td><strong>Project purpose</strong></td>
<td><strong>Objectively verifiable indicators</strong></td>
<td><strong>Sources of Verification</strong></td>
<td><strong>Assumptions</strong></td>
<td></td>
</tr>
<tr>
<td>an overview of the current anticorruption legislation and development of the system of co-ordination between the ministries in order to strengthen the legal execution; creating a monitoring system for implementation of Anticorruption Strategy; working out an advisement system for the local authorities units; improving the awareness of ethical issues within the public administration</td>
<td>Implementation of international experiences concerning combating corruption The awareness of ethical issues strongly improved</td>
<td>Reports of the EU experts; beneficiary’s reports; specific analysis.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Results</strong></td>
<td><strong>Objectively verifiable indicators</strong></td>
<td><strong>Sources of Verification</strong></td>
<td><strong>Assumptions</strong></td>
<td></td>
</tr>
<tr>
<td>Twinning:</td>
<td>- decreased number of corruption and unethical behaviours - legislative changes were implemented - timely implementation of Anticorruption Strategy</td>
<td>EU experts’ reports, beneficiary’s reports.</td>
<td>Financial, logistical and human resource commitment of beneficiaries of the project; efficient co-operation between MS experts and national officials and experts; realisation of the activities according to the Twinning Covenant; risk: implementation delays</td>
<td></td>
</tr>
<tr>
<td>- changes in current legal system was assisted; - the system of co-ordination between the ministries in order to strengthen the legal execution was developed and implemented in a pilot phase; - monitoring system for implementation of anticorruption strategy was created; - the Ministry of Interior and Administration in implementation the issues concerning the anticorruption strategy was strengthened; - an advisement system for the local authorities units was developed and implemented in a pilot phase; - the standards of ethical conduct for different types of local officials from self-government were prepared; - the awareness of ethical issues within the public administration was improved; - making a decision about the criteria and selecting employees of each public administration unit so they could become trainers- “ethical advisors”; - the system of training the administration by the trainers-“ ethical advisors” was elaborate; - a group of officials from MIA and central administration responsible for</td>
<td>- existing and implemented ethical standards of conduct among employees of public administration - one person from each administrative unit will become trainer</td>
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| 6 |
implementation of Anticorruption Strategy was trained.

**Technical Assistance Contract:**
- 16 people from voivodship offices and 30 people from self-government offices were trained, so they could become trainers and ethical advisors.
- 16 general directors from voivodship offices were trained on ethical issues and on how to avoid the conflict of interests;
- 40 people were trained to become trainers for prosecutors and officials involved in public procurement;
- guide on rules of work ethics in public administration was elaborated and printed and used for training;
- educational film was produced and used in training;
- brochures and leaflets were prepared and delivered to self-government units.

- in each administrative unit an ethical advisor is employed;
- trained specialists will conduct courses for employees of public administration on ethical issues;
- trained specialists will conduct courses for prosecutors and officials involved in public procurement on ethical issues;
- there are information materials available for the citizens in offices of public administration

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
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<tbody>
<tr>
<td><strong>Twinning:</strong></td>
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<tr>
<td>- analysis of the current legal status on anticorruption;</td>
<td>Twinning covenant agreed and signed; PAA in place; training materials provided; training carried out; translated documents.</td>
<td>funds for co-financing ensured; trained staff stays at the beneficiary institutions.</td>
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<td>- preparing the most effective proposals for the monitoring system of the implementation effects of Anticorruption Strategy by MIA and working on the supervision methods for implementing solutions;</td>
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<td>- working, in co-operation with MIA and national self-government organisations, on advisement proposals for self-government regarding ethics;</td>
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<td>- developing a formal/organisational concept of selecting and choosing the trainers “ethical advisors” in each public administration unit;</td>
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<td>- developing content the training program for a group of officials from MIA and central administration responsible for implementation of Anticorruption Strategy.</td>
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<td>- organising a conference on the anticorruption issues, addressed to the public administration</td>
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<td>- assist in the preparation of Terms of Reference for the TA contract</td>
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<td>- closely co-operate with the chosen TA contractor's activities</td>
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<td><strong>Technical Assistance Contract:</strong></td>
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<td>- conducting training programs for a group of 40 trainers- prosecutors and people responsible for public procurement in government and self-</td>
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Additionally a contract for TA will be provided (for 1 M€)
government offices;
- conducting the training program for a group of officials from MIA and central administration responsible for implementation of Anticorruption Strategy;
- elaborating printing updated version of guide on rules of work ethics self-government official, member of the council (radny), officials of Civil Service;
- preparing and producing a short educational film on recognition conflict of interests;
- developing and printing brochures and leaflets on anticorruption issues for citizens.

<table>
<thead>
<tr>
<th>Preconditions</th>
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<tr>
<td>Covenant signed;</td>
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<td>Phare funds available</td>
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**Annex No 2-3: Implementation, contracting and disbursement schedules**

"Strengthening of the implementation of the Anti–corruption Strategy"  
Date of Drafting: April 2003  
Planning Period: 2003 - 2005  
Budget Allocation: 2M€

<table>
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<th>PLANNED</th>
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<tr>
<td>IV '02</td>
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<tr>
<td>I</td>
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</tbody>
</table>

Implementation schedule:  
Contracting schedule:  
Disbursement schedule:  

Description:  
D = design of sub-projects  
C = tendering and contracting  
I = contract implementation and payment